

STATE OF NORTH DAKOTA

Journal of the Senate

of the

Forty-Third Session

of the

Legislative Assembly

Begun and held at the Capitol Building at Bismarck,
December 5, 6, 7, 1972 and January 2 to
March 16, 1973, inclusive

WAYNE SANSTEAD
Minot, North Dakota
President of the Senate

LEO LEIDHOLM
Underwood, N. Dak.
Secretary of the Senate

MEMBERS OF THE SENATE, 1973

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Session of
1	Pt. Williams	Frank Wenstrom	Williston	American State Bank of Williston	Married	1957-67-69-71-73
2	Pt. Williams, Divide	George Rait	Noonan	Farmer	Married	1965-67-69-71-73
3	Renville, Pt. Ward	L. D. Christensen	Kenmare	Farmer	Married	1967-69-71-73
4	Burke, Mountrail	Stanley Wright	Stanley	Implement Dealer	Married	1973
5	Pt. Ward	Chester Reiten	Minot	President Radio and T.V.	Married	1973
5	Pt. Ward	Rolland Redlin	Minot	Banker	Married	1959-61-63-73
5	Pt. Ward	John D. Coughlin	Minot	Real Estate	Married	1967-69-71-73
5	Pt. Ward	C. Morris Anderson	Minot	Real Estate, Bowling, Farmer	Married	1971-73
6	Bottineau, Pt. McHenry	Walter Erdman	Bottineau	Farmer	Married	1971-73
7	Pierce, McHenry	Ernest Sands	Velva	Owner Department Store and Funeral Director	Married	1967-69-73
8	McLean	Shirley Lee	Turtle Lake	Housewife	Married	1973
9	Rolette, Pt. Towner	Philip Berube	Rolla	Farmer	Married	1953-55-57-59-61-63-65-67- 69-71-73
10	Cavalier, Towner	Frank Shablow	Langdon	Farmer	Married	1973
11	Pembina	Jack Page	Cavalier	Oil Jobber and Auto Dealer	Married	1971-73
12	Benson, Eddy	S. F. Hoffner	Esmond	Farmer	Married	1973
14	Foster, Wells	Clarence G. Schultz	Harvey	Merchant	Married	1967-69-71-73
15	Ramsey	H. Kent Jones	Webster	Farmer	Married	1971-73
16	Pt. Walsh	Elton Ringsak	Grafton	Lt. Col., Retired; Lawyer	Married	1959-61-63-65-67-69-71-73
17	Pt. Walsh, Nelson	Lester Larson	Brockett	Farmer	Married	1965-67-69-71-73
18	Pt. Grand Forks	Stella Fritzell	Grand Forks	Retired Stock Broker	Widowed	1973
18	Pt. Grand Forks	George Longmire	Grand Forks	Attorney	Married	1957-59-61-63-65-67-69-71-73
18	Pt. Grand Forks	Kenneth Tweten	Grand Forks	Potato and Grain Farmer	Married	1973
18	Pt. Grand Forks	Chuck Goodman	Grand Forks	Owner Home Furnishings and Farm Management	Married	1973
19	Pt. Grand Forks	Duane Mutch	Larimore	Oil Broker, L. P. Gas Distributor	Married	1959-61-63-65-67-69-71-73
20	Traill, Pt. Cass	Gilman Strand	Portland	Farmer	Married	1973

MEMBERS OF THE SENATE, 1973 — (Continued)

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Session of
21	Pt. Cass	Curtis Peterson	Fargo	Project Engineer, Telephone Company	Married	1973
21	Pt. Cass	Donald C. Holand	Fargo	Attorney	Married	1955-57-59-61-63-65-67-69-71-73
21	Pt. Cass	Richard Goldberg	West Fargo	Grain and Feeds Business	Married	1967-69-71-73
21	Pt. Cass	Francis J. Butler	Fargo	Executive Retail Merchandising	Married	1967-69-71-73
21	Pt. Cass	C. Warner Litten	Fargo	Clinic Business Manager	Married	1967-69-71-73
22	Pt. Cass	Ernest G. Pyle	Casselton	Farmer	Married	1967-69-71-73
23	Griggs, Steele, Pt. Barnes	Arthur Gronhøvd	Finley	Retired Farmer	Married	1971-73
24	Pt. Barnes	Theron L. Strinden	Litchville	Businessman	Married	1963-65-69-71-73
25	Pt. Richland	Russell T. Thane	Wahpeton	Farmer and Stock Feeder	Married	1971-73
26	Dickey, Sargent	James Smykowski	Cayuga	Farmer, Auctioneer, Real Estate	Married	1973
27	Pt. Richland, Ransom	Kenneth L. Morgan	Walcott	Farmer	Married	1957-59-61-63-65-67-69-71-73
28	LaMoure, Logan	Claire Sandness	LaMoure	Farmer	Married	1973
29	Stutsman	David E. Nething	Jamestown	Lawyer	Married	1967-69-71-73
29	Stutsman	Robert Melland	Jamestown	Implement, Auto, Trucks and Appliances	Married	1967-69-71-73
30	Emmons, McIntosh	Lawrence Naaden	Braddock	Farmer and Rancher	Married	1973
31	Kidder, Sheridan, Pt. Burleigh	Harry Iszler	Streeter	Rancher	Married	1973
32	Pt. Burleigh	I. E. Solberg	Bismarck	Director Motor Vehicles	Married	1973
32	Pt. Burleigh	Jay Schultz	Bismarck	Rancher, Cattle Feeder	Married	1973
32	Pt. Burleigh	Evan E. Lips	Bismarck	Insurance	Married	1961-63-65-67-69-71-73
33	Oliver, Mercer, Pt. Morton	Robert L. Stroup	Hazen	Retail Lumberman	Married	1967-69-71-73
34	Pt. Morton	Emil E. Kautzmann	Mandan	Banker	Married	1963-65-67-69-71-73
35	Grant, Sioux, Pt. Morton	Francis Barth	Solen	Farmer-Rancher	Married	1971-73
36	McKenzie, Dunn	J. Garvin Jacobson	Alexander	Farmer-Rancher	Married	1967-69-71-73
37	Pt. Stark	Howard A. Freed	Dickinson	Attorney	Married	1967-69-71-73
38	Hettinger, Adams, Pt. Stark	Robert M. Nasset	Regent	Farmer	Married	1967-69-71-73
39	Billings, Bowman, Golden Valley, Slope, Pt. Adams	Leland Roen	Bowman	Farmer-Rancher	Married	1957-59-61-63-65-67-69-71-73

ERRATA

Page 469, line 11, correct spelling of Goldberg.

Page 494, line 2, correct spelling of Iszler.

Page 512, line 3, after pages, delete 484-485 and insert 483-484
in lieu thereof.

Page 627, line 14, delete 610, and insert 611 in lieu thereof.
line 18, delete 611, and insert 612 in lieu thereof.
line 26, delete 612, and insert 613 in lieu thereof.

Page 686, line 3 from bottom, should read Senate Bill 2403 in lieu of
2203.

OFFICERS AND EMPLOYEES

of the

SENATE OF NORTH DAKOTA

of the

FORTY-THIRD LEGISLATIVE ASSEMBLY

Name	Position	Address
Leo Leidholm	Sec. of the Senate	Underwood
Dormilee Diede	Desk Reporter	Bismarck
Al Bradley	Sgt.-at-Arms	Rock Lake
Arthur Herk	Asst. Sec. of Senate	Fingal
J. Vernon Asheim	Bill Clerk	Mohall
Mary Alice Simonson	Chief Steno and Payroll Clerk	Bismarck
Lois J. Scherr	Chief Comm. Clerk	Bismarck
Gladys Derrick	App. Comm. Clerk	Bismarck
Darlene Froelich	Asst. App. Comm. Clerk	Bismarck
Carolyn Sette	Comm. Clerk	Bismarck
Marjorie Trangsrud	Comm. Clerk	Devils Lake
Virginia Gruchalla	Comm. Clerk	Fargo
Marilyn Rose	Comm. Clerk	Bismarck
Charlotte Kamins	Comm. Clerk-Steno	Bismarck
Marlene Backman	Comm. Clerk-Steno	Bismarck
Gail Nelson	Comm. Clerk-Steno	Bismarck
Lorraine Moos	Comm. Clerk-Steno	Mandan
Christine Hill	Comm. Clerk-Steno	Bismarck
Thomas J. Schneider	Calendar Clerk	Mandan
Cerelle Davis	Enr. & Eng. Clerk	Mandan
Corliss Mushik	Sec. to the President	Mandan
Donna Heisler	Secretary-Majority Floor Leader	Mandan
Geri Kay Noltee	Secretary-Minority Floor Leader	Bismarck
Richard Jagd	Deputy Sgt.-at-Arms	Grand Forks
Ralph Scott	Asst. Sgt.-at-Arms	Jamestown
Melvin Clendenen	Asst. Sgt.-at-Arms	New Salem
Wade F. Williamson	Asst. Sgt.-at-Arms	Parshall
LeRoy Kirschenmann	Asst. Sgt.-at-Arms	Streeter
Richard J. Wittmayer	Chief Bill Room Clerk	Hazen
Pearl Andre	Bill Room Clerk	Hope
Ruth Guthrie	Stenographer	Bismarck
Debbie Anderson	Stenographer	Bismarck
Sharon Roberts	Stenographer	Bismarck
Beatrice A. Carlson	Asst. Enr. & Eng. Clerk	Bismarck
Rita Morrison	Page	Mandan
Vickey Erickson	Page	Minot
Diane L. Rice	Page	Minot
Diane Whalen	Page	Bowman

OFFICERS AND EMPLOYEES — (Continued)

Name	Position	Address
Jane Bommersbach.....	Telephone Attend.....	Hankinson
Evelyn Sholts.....	Telephone Attend.....	Bismarck
Wanda Froelich.....	Bill Book Clerk.....	Mandan
Marlys L. Gregoryk.....	Bill Book Clerk.....	Wilton
Bob Evanenko.....	Bill Book Clerk.....	Butte
Dean Hoistad.....	Bill Book Clerk.....	Devils Lake
Esther Davis.....	Information Desk Attend.....	Mandan
Alvin Manning.....	Chief Journal Room and Bill Book Clerk.....	Regan
Hazel Ludemann.....	Journal Room Clerk.....	Bismarck
Jean L. Bartelson.....	Journal Room Clerk.....	Parshall
Jane L. Bartelson.....	Journal Room Clerk Clerk Typist.....	Parshall
Ferd Hetterle.....	Parking Lot Attend.....	Bismarck
Vera M. Gronberg.....	Journal Proofreader.....	Bismarck
Pat Martin.....	Journal Proofreader.....	Bismarck

SENATE MEMBERS

Dist.	County	Name	Address
1.	Pt. Williams	Frank Wenstrom	Williston
2.	Pt. Williams, Divide	George Rait	Noonan
3.	Renville, Pt. Ward	L. D. Christensen	Kenmare
4.	Burke, Mountrail	Stanley Wright	Stanley
5.	Pt. Ward	Chester Reiten	Minot
5.	Pt. Ward	Rolland Redlin	Minot
5.	Pt. Ward	John D. Coughlin	Minot
5.	Pt. Ward	C. Morris Anderson	Minot
6.	Bottineau, Pt. McHenry	Walter Erdman	Bottineau
7.	Pierce, McHenry	Ernest Sands	Velva
8.	McLean	Shirley Lee	Turtle Lake
9.	Rolette, Pt. Towner	Philip Berube	Rolla
10.	Cavalier, Towner	Frank Shablow	Langdon
11.	Pembina	Jack Page	Cavalier
12.	Benson, Eddy	S. F. Hoffner	Esmond
14.	Foster, Wells	Clarence G. Schultz	Harvey
15.	Ramsey	H. Kent Jones	Webster
16.	Pt. Walsh	Elton Ringsak	Grafton
17.	Pt. Walsh, Nelson	Lester Larson	Brocket
18.	Pt. Grand Forks	Stella Fritzell	Grand Forks
18.	Pt. Grand Forks	George Longmire	Grand Forks
18.	Pt. Grand Forks	Kenneth Tweten	Grand Forks
18.	Pt. Grand Forks	Chuck Goodman	Grand Forks
19.	Pt. Grand Forks	Duane Mutch	Larimore
20.	Traill, Pt. Cass	Gilman Strand	Portland
21.	Pt. Cass	Curtis Peterson	Fargo
21.	Pt. Cass	Donald C. Holand	Fargo
21.	Pt. Cass	Richard Goldberg	West Fargo
21.	Pt. Cass	Francis J. Butler	Fargo
21.	Pt. Cass	C. Warner Litten	Fargo
22.	Pt. Cass	Ernest G. Pyle	Casselton
23.	Griggs, Steele, Pt. Barnes	Arthur Gronhovd	Finley
24.	Pt. Barnes	Theron L. Strinden	Litchville
25.	Pt. Richland	Russell T. Thane	Wahpeton
26.	Dickey, Sargent	James Smykowski	Cayuga
27.	Pt. Richland, Ransom	Kenneth L. Morgan	Walcott
28.	LaMoure, Logan	Claire Sandness	LaMoure
29.	Stutsman	David E. Nething	Jamestown
29.	Stutsman	Robert Melland	Jamestown
30.	Emmons, McIntosh	Lawrence Naaden	Braddock
31.	Kidder, Sheridan, Pt. Burleigh	Harry Iszler	Streeter
32.	Pt. Burleigh	I. E. Solberg	Bismarck
32.	Pt. Burleigh	Jay Schultz	Bismarck
32.	Pt. Burleigh	Evan Lips	Bismarck
33.	Oliver, Mercer, Pt. Morton	Robert L. Stroup	Hazen
34.	Pt. Morton	Emil E. Kautzmann	Mandan
35.	Grant, Sioux, Pt. Morton	Francis Barth	Solen
36.	McKenzie, Dunn	J. Garvin Jacobson	Alexander
37.	Pt. Stark	Howard A. Freed	Dickinson
38.	Hettinger, Adams, Pt. Stark	Robert M. Nasset	Regent
39.	Billings, Bowman, Golden Valley, Slope, Pt. Adams	Leland Roen	Bowman

HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pt. Williams	Charles Scofield	Williston
1.	Pt. Williams	Dean Winkjer	Williston
2.	Pt. Williams, Divide	Olaf Opedahl	Tioga
2.	Divide, Pt. Williams	Irvin Jacobson	Alamo
3.	Renville, Pt. Ward	Richard J. Backes	Glenburn
3.	Renville, Pt. Ward	Norman Livingston	Minot
4.	Burke, Mountrail	Larry Tinjum	Powers Lake
4.	Burke, Mountrail	Norman Grubb	Powers Lake
5.	Pt. Ward	Harold Christensen	Minot
5.	Pt. Ward	James Froeber	Minot
5.	Pt. Ward	Brynhild Haugland	Minot
5.	Pt. Ward	Marjorie Kermott	Minot
5.	Pt. Ward	James A. Peterson	Minot
5.	Pt. Ward	Royden D. Rued	Minot
5.	Pt. Ward	Michael Timm	Minot
5.	Pt. Ward	Leonard Rice	Minot
6.	Bottineau, Pt. McHenry	Lawrence Marsden	Bottineau
6.	Bottineau, Pt. McHenry	Arnold Nermyr	Newburg
7.	Pierce, Pt. McHenry	Robert Hartl	Rugby
7.	McHenry, Pt. Ward	Mrs. Fern Lee	Towner
8.	McLean	Layton Freborg	Underwood
8.	McLean	Gordon Matheny	Emmet
9.	Rolette, Pt. Towner	Oscar Solberg	Rolla
9.	Rolette, Pt. Towner	Gerhart Wilkie	Rolla
10.	Cavalier, Towner	John McGauvran	Osnabrock
10.	Cavalier, Towner	Earl Bassingthwaite	Sarles
11.	Pembina	Charles Fleming	Hamilton
11.	Pembina	Alice Olson	Cavalier
12.	Benson, Eddy	Joe B. Leibhan	Esmond
12.	Benson, Eddy	Byron Langley	Warwick
14.	Foster, Wells	Dale Linderman	Carrington
14.	Foster, Wells	Bryce Streibel	Fessenden
15.	Ramsey	Charles Mertens	Devils Lake
15.	Ramsey	Dean Hildebrand	Devils Lake
16.	Pt. Walsh	Odell H. Berg	Nash
16.	Pt. Walsh	Harley R. Kingsbury	Grafton
17.	Pt. Walsh, Nelson	Henry Lundene	Adams
17.	Nelson, Pt. Walsh	Howard Johnson	Fairdale
18.	Pt. Grand Forks	Paul Bridston	Grand Forks
18.	Pt. Grand Forks	Mrs. Jay Lloyd Stone	Grand Forks
18.	Pt. Grand Forks	Elynor Hendrickson	Grand Forks
18.	Pt. Grand Forks	I. O. Hensrud	Grand Forks
18.	Pt. Grand Forks	Donald G. Jacob	Grand Forks
18.	Pt. Grand Forks	Charles Orange	Grand Forks
18.	Pt. Grand Forks	Arthur Raymond	Grand Forks
18.	Pt. Grand Forks	Earl S./Strinden	Grand Forks
19.	Pt. Grand Forks	Oben Gunderson, Jr.	McCanna
19.	Pt. Grand Forks	Enoch Thorsgard	Northwood
20.	Traill, Pt. Cass	Eldred N. Dornacker	Mayville
20.	Traill, Pt. Cass	Malcolm Tweten	Buxton
21.	Pt. Cass	Clayton Lodoen	West Fargo
21.	Pt. Cass	Cheryl Watkins	Fargo
21.	Pt. Cass	Richard Kloubec	Fargo
21.	Pt. Cass	Clark J. Jenkins	Fargo
21.	Pt. Cass	Peter S. Hilleboe	Fargo
21.	Pt. Cass	Richard A. Hentges	Fargo

HOUSE MEMBERS

Dist.	County	Name	Address
21.	Pt. Cass	Charles Herman	Fargo
21.	Pt. Cass	L. E. Garnas	Fargo
21.	Pt. Cass	Aloha Eagles	Fargo
21.	Pt. Cass	A. G. Bunker	Fargo
22.	Pt. Cass	Floyd Poyzer	Amenia
22.	Pt. Cass	Francis E. Weber	Wheatland
23.	Griggs, Steele, Pt. Barnes	Bruce Laughlin	Finley
23.	Griggs, Steele, Pt. Barnes	Arnold Gronneberg	Hannaford
24.	Pt. Barnes	Ernest J. Miedema	Valley City
24.	Pt. Barnes	Ralph M. Winge	Litchville
25.	Pt. Richland	Earl Stoltenow	Wahpeton
25.	Pt. Richland	LeRoy Hausauer	Wahpeton
26.	Dickey, Sargent	LeRoy Erickson	DeLamere
26.	Dickey, Sargent	Eugene Laske	Oakes
27.	Ransom, Pt. Richland	Lawrence Dick	Englevale
27.	Ransom, Pt. Richland	Ralph Dotzenrod	Wyndmere
28.	Logan, LaMoure	William Gackle	Kulm
28.	Logan, LaMoure	Joe Welder	Napoleon
29.	Stutsman	Gordon Larson	Sydney
29.	Stutsman	Duane Rau	Medina
29.	Stutsman	Robert F. Reimers	Carrington
29.	Stutsman	Henry Ganser	Cleveland
30.	Emmons, McIntosh	Wilbur Vander Vorst	Hague
30.	Emmons, McIntosh	William Kretschmar	Venturia
31.	Kidder, Sheridan, Pt. Burleigh	Theodore A. Lang	Sterling
31.	Kidder, Sheridan, Pt. Burleigh	Orville Schindler	McClusky
32.	Pt. Burleigh	Vernon E. Wagner	Bismarck
32.	Pt. Burleigh	Edward Metzger	Bismarck
32.	Pt. Burleigh	Robert Martinson	Bismarck
32.	Pt. Burleigh	Alvin Hausauer	Bismarck
32.	Pt. Burleigh	Myron Atkinson	Bismarck
32.	Pt. Burleigh	LuGale Backlin	Bismarck
33.	Mercer, Oliver, Pt. Morton	Ralph Hickle	Center
33.	Mercer, Oliver, Pt. Morton	Clarence Jaeger	Beulah
34.	Pt. Morton	Alvin Royse	Mandan
34.	Pt. Morton	Violetta S. LaGrave	Mandan
35.	Grant, Sioux, Pt. Morton	Carl A. Meyer	Flasher
35.	Grant, Sioux, Pt. Morton	Albert L. Rivinius	Elgin
36.	McKenzie, Dunn	Ralph Christensen	Watford City
36.	McKenzie, Dunn	Jack Murphy	Killdeer
37.	Pt. Stark	Jack Olin	Dickinson
37.	Pt. Stark	John F. Gengler	Dickinson
38.	Hettinger, Pt. Stark, Adams	Kenneth Knudson	Taylor
38.	Hettinger, Pt. Stark, Adams	Milton Austin	Mott
39.	Golden Valley, Billings, Slope, Bowman, Pt. Stark	Earl Rundle	New England
39.	Golden Valley, Billings, Slope, Bowman, Pt. Stark	Karnes Johnson	Sentinel Butte

TUESDAY, DECEMBER 5, 1972

1

"Buy North Dakota Products"

Organizational and Orientation Session December 5, 6, 7, 1972

Journal of the Senate

Forty-third Legislative Assembly

TUESDAY, DECEMBER 5, 1972

FIRST DAY OF LEGISLATIVE ORGANIZATIONAL SESSION

At the hour of nine o'clock a.m. on the fifth day of December, 1972, according to the Constitution and Statutes of the State of North Dakota, the holdover members and members elected to the Senate of the Forty-Third Legislative Assembly of the State of North Dakota, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, were called to order by the Honorable Richard F. Larsen, Lieutenant Governor of the State of North Dakota.

The following communications which were received from the Secretary of State, were read by the Secretary:

STATE OF NORTH DAKOTA
Department of State
Bismarck, North Dakota
58501

November 29, 1972

Secretary of the Senate
Forty-third Legislative Assembly
Bismarck, North Dakota

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of those duly elected as members of the Senate of the Forty-third Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
2.	Divide and Pt. Williams	George Rait	Noonan
3.	Renville and Pt. Ward	L. D. (Lee) Christensen	Kenmare
4.	Burke, Mountrail	Stanley Wright	Stanley
5.	Pt. Ward	Chester Reiten	Minot
6.	Bottineau and Pt. McHenry	Walter C. Erdman	Bottineau
7.	Pierce and Pt. McHenry	Ernest M. Sands	Velva
8.	McLean	Shirley W. Lee	Turtle Lake
10.	Cavalier, Towner	Frank Shablow	Langdon
12.	Benson, Eddy	S. F. (Buckshot) Hoffner	Esmond
14.	Foster, Wells	Clarence G. Schultz	Harvey
16.	Pt. Walsh	Elton W. Ringsak	Grafton

JOURNAL OF THE SENATE

Dist.	County	Name	Address
18.	Pt. Grand Forks	Stella H. Fritzell	Grand Forks
		C. W. (Chuck) Goodman	Grand Forks
		George Longmire	Grand Forks
		Kenneth Tweten	Grand Forks
20.	Traill, Pt. Cass	Gilman A. Strand	Portland
21.	Pt. Cass	Curtis N. Peterson	Fargo
22.	Pt. Cass	Ernest G. Pyle	Casselton
24.	Pt. Barnes	Theron L. Strinden	Litchville
26.	Dickey, Sargent	James Smykowski	Cayuga
27.	Ransom, Pt. Richland	Kenneth L. Morgan	Walcott
28.	LaMoure, Logan	Claire A. Sandness	LaMoure
30.	Emmons, McIntosh	Lawrence L. (Pete) Naaden	Braddock
31.	Kidder, Sheridan, Pt. Burleigh	Harry Iszler	Streeter
32.	Pt. Burleigh	Evan Lips	Bismarck
		Jay Schultz	Bismarck
		I. E. (Esky) Solberg	Bismarck
34.	Pt. Morton	Emil E. Kautzmann	Mandan
36.	Dunn, McKenzie	J. Garvin Jacobson	Alexander
38.	Adams, Hettinger, Pt. Stark	Robert M. Nasset	Regent

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 29th day of November, A.D. 1972.

BEN MEIER
Secretary of State
State of North Dakota

Great Seal

STATE OF NORTH DAKOTA
Department of State
Bismarck, North Dakota
58501

November 29, 1972

Secretary of Senate
Forty-third Legislative Assembly
Bismarck, North Dakota

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of the hold-over senators, elected at the general election in 1970, and duly qualified by the forty-second Legislative Assembly.

Dist.	County	Name	Address
1.	Pt. Williams	Frank Wenstrom	Williston
5.	Pt. Ward	C. Morris Anderson	Minot
		John D. (Jack) Coughlin	Minot
		Vacancy to be filled January 5, 1973	
9.	Rolette	Philip Berube	Belcourt
11.	Pembina	Jack Page	Cavalier
15.	Ramsey	H. Kent Jones	Webster
17.	Nelson, Pt. Walsh	Lester Larson	Brockett
19.	Pt. Grand Forks	Duane Mutch	Larimore

Dist.	County	Name	Address
21.	Pt. Cass	Francis J. Butler	Fargo
		Richard Goldberg	Fargo
		Donald C. Holand	Fargo
		C. Warner Litten	Fargo
23.	Griggs, Steele, Pt. Barnes	Arthur Gronhovd	Finley
25.	Pt. Richland	Russell T. Thane	Wahpeton
29.	Stutsman	Robert Melland	Jamestown
		David Nething	Jamestown
33.	Mercer, Oliver, Pt. Morton	Robert L. Stroup	Hazen
35.	Grant, Sioux, Pt. Morton	Francis Barth	Solen
37.	Pt. Stark	Howard A. Freed	Dickinson
39.	Billings, Bowman, Golden Valley, Slope, Pt. Stark	Leland Roen	Bowman

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 29th day of November, A.D. 1972.

BEN MEIER
 Secretary of State
 State of North Dakota

Great Seal

ROLL CALL

Roll call revealed 47 present, 3 absent, and 1 vacancy.

Those present were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nething	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Reiten	Stroup
Fritzell	Lips	Ringsak	Thane
Goldberg	Litten	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	

Absent and not voting:

Longmire	Mutch	Tweten
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A quorum was declared by the Lieutenant Governor.

Senator Litten moved that a committee of two be appointed to escort Chief Justice Alvin C. Strutz of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the oath of office to the newly elected Senators. The Lieutenant Governor appointed as such committee Senators Christensen and Wenstrom. Chief Justice Strutz then administered the oath of office to the newly elected Senators, with the exception of Senators Longmire and Tweten who were absent.

Prayer by Pastor Stanley G. Knudson of the American Lutheran Church:

Let us pray.

Heavenly Father, this morning we thank you that we can pause and talk to you. We ask you to be with these men and women who are members of the North Dakota State Senate. They are here to serve and we pray that you will help them to serve their state and fellowmen well. For the duties ahead we ask for guidance. When the work duties become difficult, lead and guide each member of this senate with added strength, with grace to listen, with courage to speak, and with love for God and men in all transactions. You alone, Heavenly Father, know the days before us.

help us to take one day at a time, help us to have plans for tomorrow but make us more concerned for living each day to its fullness. Today, we also remember and thank you for former legislators, who have sat in these chambers and walked in these halls. May your blessings, Guidance and protection be with each one here and the people whom they represent.

In Christ's Name we pray.
Amen

Senator Morgan moved that the name of Leo Leidholm of McLean County be placed in nomination for the office of Secretary of the Senate. Senator Litten moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of Leo Leidholm as Secretary of the Senate, the roll was called and there were ayes, 47; nays, 0; 3 absent and not voting; 1 vacancy.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nothing	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Reiten	Stroup
Fritzell	Lips	Ringsak	Thane
Goldberg	Litten	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	

Absent and not voting:

Longmire	Mutch	Tweten
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Leo Leidholm was declared elected Secretary of the Senate.

Senator Litten moved that the name of A. E. Bradley of Towner County be placed in nomination for the position of Sergeant-at-Arms. Senator Morgan moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of A. E. Bradley as Sergeant-at-Arms, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 3; 1 vacancy.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nothing	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Reiten	Stroup
Fritzell	Lips	Ringsak	Thane
Goldberg	Litten	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	

Absent and not voting:

Longmire	Mutch	Tweten
----------	-------	--------

A. E. Bradley was declared elected Sergeant-at-Arms.

The Lieutenant Governor then administered the oath of office to the Secretary of the Senate and the Sergeant-at-Arms.

Senator Litten moved that the Senate recess subject to the call of the Chair, which motion prevailed.

ELECTION OF PRESIDENT PRO TEM

The Senate reconvened at 1:30 p.m. pursuant to recess taken.

Senator Litten moved that the name of Senator Ringsak be placed in nomination for the position of President Pro Tem of the Senate.

Senator Christensen moved that the name of Senator Larson be placed in nomination for the position of President Pro Tem of the Senate.

Senator Litten moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of President Pro Tem, the roll was called and revealed Ringsak, 39; Larson, 9; absent and not voting, 2; vacancy, 1.

Those voting for Ringsak were:

Anderson	Jones	Nasset	Schultz, J.
Butler	Kautzmann	Nething	Smykowski
Coughlin	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goldberg	Litten	Reiten	Stroup
Goodman	Melland	Roen	Thane
Holand	Morgan	Sands	Wenstrom
Iszler	Mutch	Sandness	Wright
Jacobson	Naaden	Schultz, C.	

Those voting for Larson were:

Barth	Erdman	Hoffner	Ringsak
Berube	Gronhovd	Rait	Shablow
Christensen			

Absent and not voting:

Longmire	Tweten
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Senator Larson: Ladies and Gentlemen of the Senate: First, I would like to thank Senator Christensen and my colleagues for the support they gave me. Second, I would like to congratulate Senator Ringsak. Some of us have worked many years with you, and knowing your ability and fairness, I am sure as you are called upon to preside over the Senate you will do a splendid job.

Senator Larson moved that the Secretary record a unanimous ballot for Senator Ringsak as President Pro Tem, which motion prevailed.

Senator Litten moved that a committee of two be appointed to escort the newly elected President Pro Tem to the rostrum. The President appointed Senators Reiten and Lee to escort Senator Ringsak to the rostrum.

President Larsen spoke a few words of appreciation to the Senators after which he turned the gavel over to President Pro Tem Ringsak.

SELECTION OF SENATE SEATS

The Senate was then at ease while the Senators selected their seats for the session.

MOTIONS

Senator Litten moved that the Rules of the Forty-Second Legislative Assembly with amendments be adopted as the temporary Rules of the Senate, which motion prevailed.

Senator Litten moved that a committee of three be appointed to notify the Governor and the House that the Senate was organized and ready to transact business, which motion prevailed. The President Pro Tem appointed as such committee Senators Holand, Roen and Rait.

Senator Litten moved that a committee of seven be appointed to form the Committee on Committees, which motion prevailed. The President Pro Tem appointed as such committee Senators Litten, Nasset, Strinden, Melland, Coughlin, Freed and Berube.

Senator Litten moved that a committee of three be appointed to act as the Committee on Arrangements for Senate Committee Rooms, which motion prevailed. The President Pro Tem appointed as such committee Senators C. Schultz, Solberg and Barth.

Senator Litten moved that a committee of eight be appointed to act as a Committee on Employment, which motion prevailed. The President Pro Tem appointed as such committee Senators Kautzmann, Stroup, Morgan, Iszler, Lee, Sands, Berube and Larson.

Senator Litten moved that a committee of three be appointed to act as a Committee on Correction and Revision of the Journal, which motion prevailed. The President Pro Tem appointed as such committee Senators Thane, Sandness and Shablow.

Senator Litten moved that a committee of nine be appointed to act as a Committee on Senate and Joint Rules, which motion prevailed. The President Pro Tem appointed as such committee Senators Litten, Nasset, Wenstrom, Melland, Holand, Longmire, Strinden, Christensen and Larson.

Senator Litten moved that a committee of three be appointed to act as a Committee on Photography, which motion prevailed. The President Pro Tem appointed as such committee Senators Jones, J. Schultz and Gronhovd.

Senator Holand announced that the committee appointed to inform the Governor and the House that the Senate was organized and ready to transact business, had performed its duty and requested that they be discharged, which request was granted.

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

Senator Litten moved that the Senate recess until 9:00 a.m. December 6, 1972, which motion prevailed.

LEO LEIDHOLM, Secretary

SECOND DAY OF LEGISLATIVE ORGANIZATIONAL SESSION

Bismarck, December 6, 1972

The Senate convened at 9:00 a.m., pursuant to recess taken, the President Pro Tem presiding.

Roll call revealed the presence of all Senators with the exception of Senators Roen and Tweten, with 1 vacancy. A quorum was declared by the President Pro Tem.

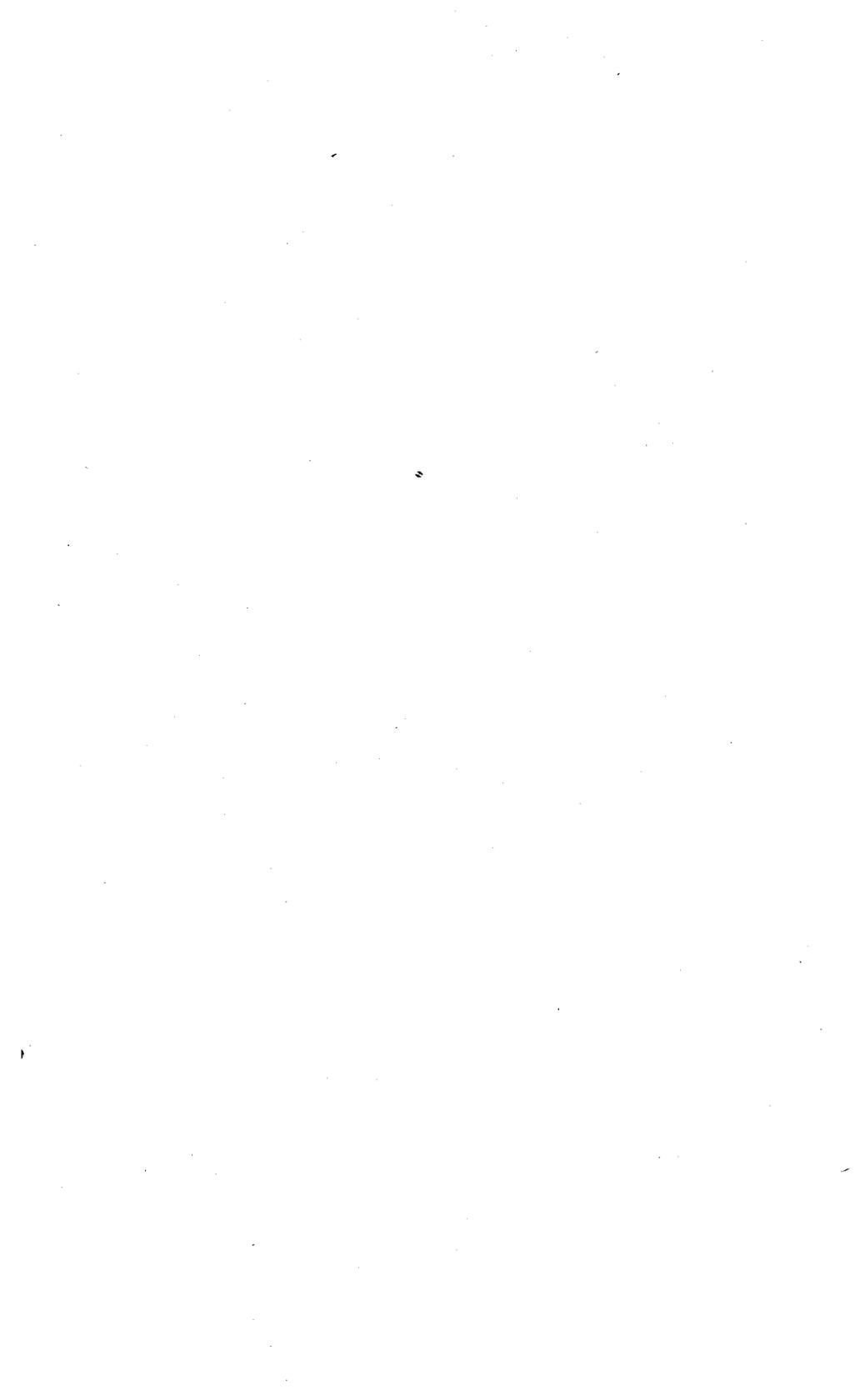
MOTIONS

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

Senator Longmire moved that the necessary action be taken to administer the oath of office to him, which motion prevailed. President Pro Tem Ringsak instructed Senator Longmire to visit the Chief Justice for this procedure.

Senator Litten moved that the Senate recess until 9:00 a.m., December 7, 1972, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRD DAY OF
LEGISLATIVE ORGANIZATIONAL SESSION

Bismarck, December 7, 1972

The Senate convened at 9:00 a.m., pursuant to recess taken, the President Pro Tem presiding.

Roll call revealed the presence of all Senators with the exception of Senator Tweten, with one vacancy. A quorum was declared by the President Pro Tem.

Senator Wenstrom requested and was granted permission to have the following remarks printed in the Journal:

"Yesterday, I think you will recall, it was announced before the Senate that Senator-elect Longmire had not received the oath of office, and my purpose in talking today is to inform the Senate that immediately following recess yesterday I accompanied Senator-elect Longmire to the Supreme Court, and there in the private office of Chief Justice of the North Dakota Supreme Court, the Honorable Alvin C. Strutz, the oath of office was administered to Senator-elect Longmire. In addition, I wish to also inform the members of this body that the Judge did offer to come to the Senate Chamber to administer the oath here; however, since the Senate was already in recess, he deemed it could be just as well cared for in his office.

"The reason for requesting that these remarks be placed in the Journal is that I think we should have a precedent established for administering the oath of office for Senators who are not able to be here on the opening day. I think we are all aware that we still have Senator Tweten in Grand Forks to whom the oath has not been administered, and also, a Senator to be elected from Minot. Having these remarks placed in the Journal will cause the record to show that Senator Longmire has received the oath and is entitled to all that goes along with the office."

Senator Litten moved that the Senate recess for joint session with the House until 1:00 p.m., which motion prevailed.

The Senate reconvened at 1:00 p.m. pursuant to recess taken with the President Pro Tem presiding.

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee entitled Committee on Committees submits the following report as to proposed Chairmen, Vice Chairmen, and members of Standing Committees and Procedural Committees, and that the reading of this report be dispensed with:

SENATE COMMITTEE ASSIGNMENTS
SENATE STANDING COMMITTEES

APPROPRIATIONS

Lips, Chairman
Melland, Vice Chairman
Coughlin
Longmire
Strinden
C. Schultz
Wenstrom
Page
Pyle
Naaden
Thane
Larson
Erdman

AGRICULTURE

Morgan, Chairman
Wright, Vice Chairman
Iszler
Smykowski
Nasset
(Vacancy — Special Election)
Barth

EDUCATION

Holand, Chairman
Strand, Vice Chairman
Tweten
Nasset
Roen
Solberg
Berube
Hoffner

FINANCE AND TAXATION

Butler, Chairman
Anderson, Vice Chairman
Goodman
Wright
Lee
J. Schultz
Rait
Shablow

INDUSTRY, BUSINESS AND LABOR

Goldberg, Chairman
Reiten, Vice Chairman
Jacobson
Kautzmann
Mutch
Nething
Gronhovd

JUDICIARY

Freed, Chairman
Jones, Vice Chairman
Ringsak
Iszler
Peterson
Sands
Barth

NATURAL RESOURCES

Roen, Chairman
Jacobson, Vice Chairman
Anderson

Fritzell
Lee
Stroup
Christensen

POLITICAL SUBDIVISIONS

Nething, Chairman
Sands, Vice Chairman
Goodman
Holand
Reiten
J. Schultz
Berube
Shablow

SOCIAL WELFARE AND VETERANS' AFFAIRS

Ringsak, Chairman
Tweten, Vice Chairman
Kautzmann
Freed
Peterson
Sandness
Rait

STATE AND FEDERAL GOVERNMENT

Stroup, Chairman
Sandness, Vice Chairman
Fritzell
Smykowski
(Vacancy — Special Election)
Morgan
Christensen

TRANSPORTATION

Mutch, Chairman
Solberg, Vice Chairman
Butler
Goldberg
Jones
Strand
Gronhovd
Hoffner

SENATE PROCEDURAL COMMITTEES

DELAYED BILLS

Coughlin, Chairman
Pyle
Naaden
Lee
Christensen

ENROLLING AND ENGROSSING

Jacobson, Chairman
Thane
Fritzell
Barth
Strand

LEGISLATIVE COUNCIL RESOLUTIONS

Strinden, Chairman
Page
Jones
Goodman
Rait

SENATOR RINGSAK, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Procedural Committee on Rules appointed

to recommend legislative rules has had the same under consideration and recommends that the Senate and Joint Rules of the Forty-second Legislative Assembly be adopted as the Permanent Senate and Joint Rules of the Forty-third Legislative Assembly, with amendments, and that the reading of this report be dispensed with:

PAGE 1

AMENDMENTS TO SENATE RULES

- 1 SECTION 1. AMENDMENT.) Senate Rule No. 4 is hereby
 1a amended to
 2 read as follows:
 3 4. ORDER OF BUSINESS
 4 The order of business shall be as follows:
 5 1. Prayer by the Chaplain.
 6 2. Calling of Roll.
 7 3. Reference to the Journal.
 8 4. Presentation of Petitions and Communications.
 9 5. Reports of Standing Committees.
 10 6. a. Consideration of Amendments; and
 11 b. **Committee reports for Indefinite Postponement.**
 12 7. Reports of Select Committees.
 13 8. Motions and Resolutions.
 14 9. First Reading of Senate Bills, Memorials, and Resolu-
 14a tions.
 15 10. Consideration of Bills and Resolutions on Consent
 15a Calendar.
 16 11. Second Reading of Senate Bills, Memorials, and Reso-
 16a lutions.
 17 12. Consideration of messages from the House.
 18 13. First Reading of House Bills, Memorials, and Resolu-
 18a tions.
 19 14. Second Reading of the same.
 20 15. Unfinished Business.
 21 16. Signing of Bills, Memorials, and Resolutions.
 22 17. Announcements.
 23 SECTION 2. AMENDMENT.) Senate Rule No. 29 is hereby
 23a amended to
 24 read as follows:
 25 29. WHEN INTRODUCED
 26 No bill shall be introduced after the fifteenth legislative day,
 27 nor shall any resolution be introduced after the thirty-fifth day,
 28 except upon the approval of a majority of the Committee on
 28a Delayed Bills
 29 or upon two-thirds vote of the members-elect of the Senate.
 29a No bill
 30 introduced at the request of an executive agency shall be intro-
 30a duced after
 31 the fifth legislative day, except upon approval of a majority of
 31a the
 32 **Committee on Delayed Bills.**

PAGE 2

- 1 SECTION 3. AMENDMENT.) Senate Rule No. 38 is hereby
 1a amended to
 2 read as follows:
 3 38. BILLS TO COMMITTEE ON APPROPRIATIONS
 4 All bills or resolutions carrying an appropriation of (((five
 5 hundred))) **two thousand** dollars or more shall be referred or
 5a re-referred
 6 to and acted upon by the Committee on Appropriations, and all
 6a bills or
 7 resolutions affecting a change in the audit or fiscal procedures
 7a of a
 8 state agency or institution shall be originally referred to and

8a acted

9 upon by that Committee, before final action by the Senate

9a thereon,

10 unless otherwise ordered by a majority vote of the members

10a present.

11 SECTION 4. AMENDMENT.) Senate Rule No. 39 is hereby

11a amended

12 to read as follows:

13 39. STANDING COMMITTEES

14 The Senate shall elect a Committee on Committees to consist

14a of

15 eight members of which the President of the Senate shall be

15a the Chair-

16 man, and which committee shall appoint the following standing

16a committees

17 classified in accordance with the usual amount of work and

17a concerned

18 with matters in the field as indicated:

19 1. AGRICULTURE: (7 members)

20 Agriculture; Livestock; Drainage and Irrigation;

21 Warehouse and Grain Grading.

22 2. APPROPRIATIONS: (13 members)

23 All bills calling for appropriations in excess of ((five

24 hundred))) two thousand dollars. All bills and reso-

24a lutions

25 proposing a change in the audit or fiscal procedures of

26 state agencies or institutions.

27 3. EDUCATION: (((7))) 8 members)

28 Public Schools; Libraries; and Institutions of Higher

29 Learning.

30 4. FINANCE AND TAXATION: (((7))) 8 members)

31 Public Debt; Taxes; and Tax Laws.

32 5. JUDICIARY: (7 members)

33 Elections and Election Privileges; Judiciary.

34 6. STATE AND FEDERAL GOVERNMENT: (7 mem-

34a bers)

35 State and Federal Affairs; Board of Administration and

PAGE 3

1 Industrial Commission and institutions under their

1a super-

2 vision; State Historical Society and State Parks; Immi-

2a gration

3 and Statistics.

4 7. INDUSTRY, BUSINESS AND LABOR: (7 members)

5 Banks and Banking; Corporations; Insurance; Matters

6 Pertaining to Private Business and Industry; Workmen's

7 Compensation; Unemployment Compensation; Labor

7a Laws and

8 kindred subjects.

9 8. NATURAL RESOURCES: (7 members)

10 Game and Fish; Public Lands; Mines and Mining; Gas

10a and

11 Oil; Forestry.

12 9. POLITICAL SUBDIVISIONS: (((7))) 8 members)

13 Cities; Counties; Townships; Park Districts; Apportion-

13a ment.

14 10. SOCIAL WELFARE AND VETERANS' AFFAIRS:

14a (7 members)

15 Public Welfare; Public Health; Public Safety; Temper-

15a ance;

16 Matters Affecting the Military and Veterans.

17 11. TRANSPORTATION: (((7))) 8 members)

18 Highways and Bridges; Railroads; Motor Vehicles; Air-

18a lines

- 19 and Airports.
 20 PROCEDURAL COMMITTEES
 21 12. DELAYED BILLS, to consist of five members.
 22 13. EMPLOYMENT, to consist of eight members.
 23 14. ENROLLED AND ENGROSSED BILLS, to consist of
 23a five members.
 24 15. REVISION AND CORRECTION OF JOURNAL, to
 24a consist of three
 25 members.
 26 16. RULES, to consist of nine members.
 27 17. LEGISLATIVE COUNCIL RESOLUTIONS, to consist
 27a of five members,
 28 one of whom may be a member of the Legislative
 28a Council.
 29 (((18. TELEPHONE, to consist of three members.
 30 19. PRINTING, to consist of three members.
 31 The number of members upon each standing committee shall
 31a be
 32 determined by the Senate at the time of the adoption of the
 32a report of
 33 the Committee on Committees.))) In all cases, a majority of
 33a the com-
 34 mittee shall be a quorum, **except that fifty percent of the mem-**
 34a **bership**
 35 **of a committee with an even number of members shall constitute**
 35a **a quorum.**

PAGE 4

- 1 The Committee Chairman or such person who is duly appointed
 1a to act as
 2 Chairman shall ensure that minutes of each committee meeting
 2a be kept.
 3 Such minutes shall include the names of all committee members
 3a present;
 4 the time of commencement and adjournment of each meeting;
 4a the bills or
 5 resolutions discussed by number, and a short phrase explaining
 5a what such
 6 bill or resolution relates to; the names and addresses of all per-
 6a sons
 7 (((and their addresses))) who appear in relation to any certain
 7a bill
 8 or resolution and a **brief summary of their remarks.** The
 8a minutes shall
 9 also include a record of recommended amendments to bills and
 9a resolu-
 10 tions, and the total aye and nay vote of the committee on all
 10a bills
 11 and resolutions referred out of the committee. Upon adjourn-
 11a ment of
 12 the legislative session, the minutes of all committee meetings
 12a shall
 13 be delivered to the Legislative Council and **shall be retained by**
 13a the
 14 Council for a period of not less than one year (((following such
 15 adjournment))).
 16 SECTION 5. AMENDMENT.) Senate Rule No. 44 is hereby
 16a amended to
 17 read as follows:
 18 44. DISPOSITION OF MEASURES
 19 (((Commencing on the twenty-fifth legislative day of the
 19a session,
 20 every bill or resolution referred to a committee, except appro-
 20a priation
 21 bills, must be returned to the Senate with the committee report

21a thereon,
 22 not later than the fifteenth legislative day after such bill or
 23 resolution was referred, unless upon application of the commit-
 23a tee,
 24 an extension of time is granted within which to consider it.))
 24a **No**
 25 **bill or resolution, except an appropriations measure, may be held**
 25a **in**
 26 **a committee for more than twenty-one legislative days after**
 26a **it is**
 27 **referred to the committee, unless an extension of time is granted**
 27a **by**
 28 **the Senate.** If the bill or resolution is not reported as required
 28a by
 29 this rule and such time is not extended, it shall automatically
 29a go on
 30 the calendar of bills without recommendation. The same rule
 30a shall
 31 apply to all Senate bills not reported back by the thirty-eighth
 32 legislative day and House bills not reported back by the fifty-
 32a seventh
 33 legislative day.
 34 SECTION 6. AMENDMENT.) Senate Rule No. 46 is hereby
 34a amended to
 35 read as follows:

PAGE 5

1. 46. REPORT OF COMMITTEES
 2 The report of a committee shall be for passage, for indefinite
 3 postponement, for amendment, or without recommendation. If
 3a **for indefinite**
 4 **Postponement, the committee report shall be considered on the**
 4a **next**
 5 **legislative day under the Sixth Order of Business. If the report**
 5a **is**
 6 for amendment, the proposed amendments shall be fully set forth
 6a in the
 7 report. If such report is adopted, the bill shall thereupon go on
 7a the
 8 calendar for the next legislative day for action of the Senate as to
 9 amendments under the Sixth Order of Business. No action shall
 9a be taken
 10 upon amendments until a full mimeographed or printed copy of
 10a the report
 11 is in the hands of the members. Upon receiving the report, the
 11a Secretary
 12 shall cause copies thereof to be made and placed on the desk of
 12a each
 13 member; provided, however, that upon a two-thirds vote of the
 13a members-
 14 elect, this may be suspended, and the amendment acted on imme-
 14a diately
 15 after the report of the committee.
 16 If a report or motion recommending a bill for passage without
 17 amendment is adopted, the bill shall go on the calendar **or**
 17a **consent**
 18 **calendar** for the next legislative day for second reading and final
 19 **passage.**
 20 If a report or motion for indefinite postponement is adopted, it
 21 shall have the effect of entirely removing the bill or resolution
 21a from
 22 before the Senate for that session (unless revived by motion to
 22a recon-
 23 sider). The passage of a motion for the adoption of a report
 23a recom-

24 mending amendments has the effect of adopting the report but
 24a not the
 25 amendments.
 26 SECTION 7.) Senate Rule No. 52.1 is hereby created to read as
 27 follows:
 28 **52.1. SETTING TIME CERTAIN FOR FLOOR DEBATE**
 29 **If a Committee Chairman shall determine that a bill or**
 29a **resolution**
 30 **considered by his committee presents important issues of public**
 30a **con-**
 31 **cern, he may, after consultation with and approval of the**
 31a **President**
 32 **of the Senate and the Majority and Minority Floor Leaders, set**
 32a **a time**
 33 **certain for floor debate on the bill or resolution when it has been**
 34 **placed on the calendar for consideration during the eleventh or**
 35 **fourteenth orders of business. The Committee Chairman shall**
 35a **request**

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1 the President to set an exact time when the bill will be debated,
 1a and
 2 when that time is reached, the President shall hold any other
 2a matters
 3 pending at that time in abeyance until such time as the scheduled
 4 floor debate has been completed.
 5 SECTION 8. AMENDMENT.) Senate Rule No. 62 is hereby
 5a amended
 6 to read as follows:
 7 **62. MOTION FOR RECONSIDERATION**
 8 Any member who votes on the prevailing side of a question,
 9 ("prevailing side of a question" shall be that side which voted
 9a "Aye"
 10 on a question that passed, and "Nay" on a question that failed), or
 11 who did not vote on the question, or who voted on a question on
 11a which
 12 the ayes and nays were not recorded, may move a reconsidera-
 12a tion of
 13 the question, which motion shall be decided by a majority vote
 13a of the
 14 members-elect. In case of a bill, joint resolution, or amendment
 14a to
 15 the Constitution, the motion to reconsider, if made after the end
 15a of
 16 the next legislative day, shall require a two-thirds vote of the
 16a members-
 17 elect. No motion to reconsider may be made unless the matter
 17a is in
 18 possession of the Senate.
 19 SECTION 9. AMENDMENT.) Joint Legislative Rule No. 14
 19a is hereby
 20 amended to read as follows:
 21 **14. FISCAL NOTES**
 22 All bills and resolutions introduced into either house of the
 23 Legislative Assembly having an effect of five thousand dollars or
 24 more on the revenues, expenditures, or fiscal liability of the state,
 25 except appropriation measures carrying specific dollar amounts,
 26 (((and all resolutions calling for an interim study by the Legis-
 26a lative
 27 Council and having a fiscal impact of one thousand dollars or
 27a more,)))
 28 shall have a fiscal note attached to such bill or resolution which
 29 shall be prepared as herein provided. The determination as to
 29a whether
 30 a fiscal note is required shall be made by the Legislative Council

30a for
 31 those bills or resolutions prepared by the staff of the Legislative
 32 Council, or by the Chairman of the committee to which a bill or
 33 resolution is referred for those bills or resolutions not prepared
 33a by
 34 the Legislative Council, or not bearing a fiscal note. Bills or
 35 resolutions to which amendments have been made having a fiscal
 35a effect

PAGE 7

1 of five thousand dollars or more shall have a fiscal note attached
 2 upon request of the Chairman of the committee considering the
 2a bill or
 3 resolution, or by request of the majority of the members of the
 3a House
 4 in which the bill is considered at the time of second reading. The
 5 Chairman of a committee may request the aid of the Legislative
 5a Council
 6 in making a determination as to whether a bill or resolution
 6a requires
 7 a fiscal note.
 8 Fiscal notes shall be prepared by the state agency or
 8a department
 9 responsible for collecting or expending the revenues affected or
 10 jointly by affected departments or agencies, at the request of the
 11 Legislative Council or the Chairman of the committee consider-
 11a ing the
 12 bill or resolution. Requests for fiscal notes shall be in writing,
 13 addressed to the designated agency or department, and upon a
 13a proper
 14 request form, and shall be accompanied by a reproduction of the
 14a bill
 15 or resolution having the fiscal effect. The Legislative Council
 15a shall
 16 prepare all necessary forms for the implementation of the fiscal
 16a note
 17 procedure. Each agency or department to whom a request for
 17a a fiscal
 18 note is made shall state in writing, upon a fiscal note form, the
 19 fiscal impact in dollar amounts of the bill or resolution being
 19a con-
 20 sidered. If the agency or department of whom a fiscal note is
 20a requested
 21 is unable to provide specific information upon the fiscal impact
 21a of the
 22 bill or resolution, it shall make an estimate of the impact accord-
 22a ing to such
 23 available information it may have or be able to obtain and shall
 24 state that the figures provided are an estimate. If such agency or
 25 department is not able to make an estimate it shall state such fact.
 26 All fiscal notes shall be prepared in triplicate and shall be
 27 returned to the Legislative Council or the Committee Chairman
 27a making
 28 such request, whichever the case may be, not later than five days
 28a from
 29 date of such request. One copy of the fiscal note shall be attached
 30 to the original bill or resolution, one copy shall be filed with the
 31 Bill Clerk of the House wherein the bill or resolution originated,
 32 and one copy shall be filed in the office of the Legislative Council.
 33 Any bill or resolution requiring a fiscal note shall be stamped or
 34 have written on its cover a notation to the effect that a fiscal note
 35 is required. Reports of committees shall include a notation that a

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1 specific bill or resolution carries a fiscal note. Upon second
 1a reading

2 and final passage of all bills or resolutions carrying fiscal notes,
 3 the Secretary of the Senate or the Clerk of the House, whichever
 3a the
 4 case may be, shall be required to read the fiscal note in its
 4a entirety
 5 at the time of reading the title of the bill or resolution to be
 5a voted
 6 upon.

7 SECTION 10.) Joint Legislative Rule No. 21 is hereby created
 7a to
 8 read as follows:

9 **21. INTRODUCTION OF EXECUTIVE DEPARTMENT BILLS**

10 Each executive agency shall file those bills it wants to have
 11 introduced with the Legislative Council during the Organiza-
 11a tional
 12 Session, or thereafter, but no later than the fifth legislative day
 13 of the ensuing regular session. Such bills will be deemed in-
 13a troduced
 14 by the standing committee of the House or Senate with general
 14a juris-
 15 diction over the subject matter of the bill. The Legislative
 15a Council
 16 will deliver those bills to the President of the Senate or the
 16a Speaker
 17 of the House for recording and numbering. Executive agency
 17a bills will
 18 be identified by noting the name of the agency under the name of
 18a the
 19 sponsoring committee.

20 SECTION 11.) Joint Legislative Rule No. 22 is hereby created to
 21 read as follows:

22 **22. OPEN LEGISLATIVE MEETINGS**

23 All meetings of the Legislative Assembly and its committees,
 24 including interim legislative committees, shall be open to the
 24a public
 25 and the press at all times when pending or proposed legislation is
 26 being considered.

27 SECTION 12.) Joint Legislative Rule No. 23 is hereby created
 28 to read as follows:

29 **23. JOINT STANDING COMMITTEE ON REAPPORTION-
 29a MENT**

30 A joint standing committee on reapportionment consisting of
 30a ten
 31 members is hereby created. The membership shall be evenly
 31a divided be-
 32 tween the House and Senate, and the members shall be appointed
 32a by the
 33 Speaker of the House and the committee on committees of the
 33a Senate, with
 34 the first-named member in each House serving as co-chairman.
 34a All bills
 35 and resolutions relating to redistricting or reapportioning of
 35a legis-
 36 lative districts shall be referred to the joint standing committee
 36a on

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1 reapportionment. The joint standing committee shall first meet
 1a at the
 2 call of the Senate co-chairman and the chairmanship of each
 2a meeting
 3 thereafter shall alternate between the co-chairmen. Members
 3a of the
 4 joint standing committee shall be excused from attending a meet-
 4a ing of

5 any other committee while they are attending a meeting of the
 5a joint
 6 standing committee. The joint standing committee shall issue
 6a joint
 7 reports on legislation referred to it, with the report being first
 8 presented to the House having possession of the bill, and later
 8a presented
 9 to the other House if appropriate.

PROPOSED JOINT LEGISLATIVE RULE

1 SECTION 1.) A new Joint Legislative Rule is hereby created to
 2 read as follows:
 3 JOINT STANDING COMMITTEE ON REAPPORTIONMENT
 4 A joint standing committee on reapportionment consisting of ten
 5 members is hereby created. The membership shall be evenly
 5a divided be-
 6 tween the House and Senate, and the members shall be appointed
 6a by the
 7 Speaker of the House and the committee on committees of the
 7a Senate, with
 8 the first-named member in each House serving as co-chairman.
 8a All bills
 9 and resolutions relating to redistricting or reapportioning of legis-
 10 lative districts shall be referred to the joint standing committee on
 11 reapportionment. The joint standing committee shall first meet at
 11a the
 12 call of the Senate co-chairman and the chairmanship of each
 12a meeting
 13 thereafter shall alternate between the co-chairmen. Members of the
 14 joint standing committee shall be excused from attending a
 14a meeting of
 15 any other committee while they are attending a meeting of the
 15a joint
 16 standing committee. The joint standing committee shall issue joint
 17 reports on legislation referred to it, with the report being first
 18 presented to the House having possession of the bill, and later
 18a presented
 19 to the other House if appropriate.

Senate Nething moved that the report of the Procedural Committee on Rules be amended as follows:

In Rule No. 4, delete the following: "a. ; and b.
Committee reports for Indefinite Postponement"

In Rule No. 46, delete the following: "**for indefinite postponement, the committee report shall be considered on the next legislative day under the Sixth Order of Business. If the report is"**

Which motion prevailed.

The question being on the motion to adopt the report of the Procedural Committee on Rules, as amended, which motion prevailed.

MOTIONS

Senator Litten moved that the President Pro Tem appoint five Senators to served with a like number of Representatives as a Joint Standing Committee on Reapportionment, which motion prevailed. President Pro Tem Ringsak appointed to serve as this committee Senators Nething, Butler, Nasset, Christenson and Jones.

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee on Senate Committee Rooms has made the following room assignments:

Appropriations.....	MTWThF.....	Gold Room
Finance and Taxation.....	MTW.....	Atty. General's Licensing Office

Judiciary.....	MTW	207
Ind., Bus., and Labor.....	MTW	Trail Room
Education.....	MTW	G-2
State and Federal Govt.....	MTW	205
Political Subdivisions.....	ThF	G-2
Social Welfare and Veterans' Affairs.....	ThF	205
Transportation.....	ThF	Atty. General's Licensing Office
Agricultural.....	ThF	207
Natural Resources.....	ThF	Trail Room

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

PERSONAL PRIVILEGE

Senator Nothing:

Mr. President: Ladies and Gentlemen of the Senate:

On Tuesday, December 5, 1972, the Governor of North Dakota addressed a joint session. I wish to direct your attention to some of his remarks:

He said (Page 21, House Journal) and I quote: "To a new legislator, it may appear that conflicting political philosophies are constantly at work on all issues. This is not true because the vast majority of legislation does not involve political philosophy. There is too much to be done to allow unnecessary political philosophy to interfere with progress."

Similar comments have appeared in his other messages since I have served in this Senate.

On Wednesday, January 4, 1967, on Page 36 of the House Journal you will find that he urged political philosophy be used for its highest purpose.

On Tuesday, December 3, 1968, on Page 18 of the House Journal he said and I quote: "We should not take ourselves too seriously, for if we do little or nothing in the session, the affairs of state will continue on pretty much as before and few voters, if any, would be lastingly critical."

Then on December 8, 1970, on Page 17 of the House Journal he said and I quote: "Problem solving in politics and government comes most easily when we stop worrying about who gets the credit or the blame."

Now you may wonder why I take this time to discuss with you the remarks made by the Governor.

The reason is very easy. Don't be lulled to sleep by words such as I have quoted to you and assume that your opposition will not care what you do or how you vote. There is nothing further from the truth and a perfect example is the past gubernatorial election.

Yes, the very man who uttered the words I have quoted you and his political party attempted by innuendo and misdirection to distort the voting record of their political opponent the Republican candidate for Governor.

This is the same man who asks for legislation in his message and vetoes it when the legislature passes it and this same man who has fired a department head for accepting a hat as a present but was nonchalant when it was brought to light that an appointee of his had accepted an airline ticket to Hawaii. Yes, this man who summarily dismissed the head of the Industrial School, yet made no effort to remove the Bank Examiner, who knew of, but failed to disclose an enormous problem in one of our larger city's banks wants us not to be concerned with unnecessary political philosophy.

Yes, perhaps if we are not concerned with political controversy we will not demand all of the facts surrounding the Motor Vehicle Department and its offices in Minot and Fargo, and perhaps we won't want to learn all of the mess of the State Penitentiary or all of the facts regarding Welfare budgets.

I say to you, fellow Senators, don't be lulled to sleep by such words as I have quoted. Be alert and conscious at all times because your vote is scrutinized by people who say one thing and do another.

And in conclusion, when you vote, vote your conviction to the best of your ability. It is as telling the truth and your constituents will forever respect you.

Senator Strinden moved that the remarks of Senator Nething be printed in the Journal, which motion prevailed.

Senator Christensen asked that all Senators begin this legislative session with a spirit of cooperation and a desire to practice good government.

MESSAGE FROM THE HOUSE

Bismarck, December 7, 1972

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on House C. R. No. 3001.

ROY GILBREATH, Chief Clerk

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3001. A concurrent resolution inviting the Honorable Alvin C. Strutz, Chief Justice of the North Dakota Supreme Court, to address a joint session of the Legislative Assembly on the "State of the Judiciary".

Was read the first time.

Senator Litten moved that the rules be suspended and that House Concurrent Resolution No. 3001 be not referred to committee but placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3001. A concurrent resolution inviting the Honorable Alvin C. Strutz, Chief Justice of the North Dakota Supreme Court, to address a joint session of the Legislative Assembly on the "State of the Judiciary".

Was read the second time.

Senator Litten moved that House Concurrent Resolution No. 3001 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, December 7, 1972

Mr. Speaker: I have the honor to return: House C. R. 3001. Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

FIRST READING OF SENATE RESOLUTION

Senators Lips, Longmire and Litten, introduced:

Senate Resolution No. 1. A resolution commending the University of North Dakota football team for its excellent season, and wishing the team success in its Camellia Bowl football game Saturday, December 9, 1972.

Senator Lips moved that the rules be suspended, that Senate Resolution No. 1 be not printed as a bill, but printed in the Journal, not referred to committee, and placed on second reading and final passage, which motion prevailed.

Senate Resolution No. 1. A resolution commending the University of North Dakota football team for its excellent season, and wishing the team success in its Camellia Bowl football game Saturday, December 9, 1972.

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SENATE RESOLUTION No. 1

Introduced by Senators Lips, Longmire and Litten

- 1 A resolution commending the University of North Dakota foot-
 1a ball
 2 team for its excellent season, and wishing the team success
 3 in its Camellia Bowl football game Saturday, December 9, 1972.
 4
 5 WHEREAS, the University of North Dakota's football team,
 6 known as the "Fighting Sioux", finished its 1972 season under
 7 head coach Jerry Olson with a 9-1 record; and
 8 WHEREAS, the "Fighting Sioux" finished in a three-way
 9 tie for the North Central Conference football championship and
 10 were honored by being selected to play in the NCAA university
 11 division Camellia Bowl football game December 9, 1972, in
 12 Sacramento, California, against Cal Poly of San Luis Obispo;
 12a and
 13 WHEREAS, such achievements bring honor not only to the
 14 individual players and the university, but also to the entire
 15 state of North Dakota;
 16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
 16a OF THE
 17 STATE OF NORTH DAKOTA:
 18 That it extend to head coach Jerry Olson and his
 19 "Fighting Sioux" football team hearty commendations on a
 20 great season and best wishes that the season will be even
 21 greater with a resounding victory over Cal Poly in the
 22 Camellia Bowl football game Saturday, December 9, 1972; and
 23 BE IT FURTHER RESOLVED, that the Secretary of the
 23a Senate
 24 forward a copy of this resolution air mail to coach Olson in

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- 1 Sacramento, California.

SECOND READING OF SENATE RESOLUTION

Senate Resolution No. 1. A resolution commending the University of North Dakota football team for its excellent season, and wishing the team success in its Camellia Bowl football game Saturday, December 9, 1972.

Was read the second time.

Senator Lips moved that Senate Resolution No. 1 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

Bismarck, December 7, 1972

Mr. President: I have the honor to transmit herewith the following, which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President was about to sign House Concurrent Resolution No. 3001

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, December 7, 1972

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3001.

Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Resolution No. 1

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

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

SIGNING OF A RESOLUTION

The Secretary announced that the President was about to sign:

Senate Resolution No. 1

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Nasset moved that the absent Senator Tweten be excused, which motion prevailed.

Senator Litten moved that the Senate recess until 12:00 noon, January 2, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

Journal of the Senate



Forty-third Legislative Assembly

FIRST DAY

Bismarck, January 2, 1973

At the hour of twelve o'clock noon of the second day of January, 1973, according to the Constitution of North Dakota, the North Dakota Senate convened in its regular session, President Pro Tem Ringsak presiding.

Prayer by Chaplain David Knecht of the McCabe Methodist Church.

"God of our fathers, and our help in ages past, we look to you this day as the strength and stay of all human community — our beginning and end, without whom our feeble efforts fail.

"Bless this body as they gather for the first time today — some with the freshness of new commitment, and yet the fear and naivete of beginning a new adventure; others with years of dedication and experience, 'tried by fire', and adjudged trustworthy by those who look to them for leadership; coming from many walks of life, with many shades of political concern, but all bearing one commitment to the welfare of our great state. By Your Holy Spirit bind them in a unity that transcends all barriers of background, creed, or politics, that Your Kingdom's Will might be evident among us. Gird them with wisdom that they may govern wisely; gird them with cheerful courage that they may bear the weight of vast concerns, the sting of groundless criticism, and the drudgery of unappreciated toil.

"And bless him who this day assumes the mantle of governorship, that he might be daily supported by a people's prayers, and be endowed by You with the grace to serve faithfully and fairly, and to know well the difference between that which is right and that which is wrong.

"In the midst of the busyness that would harry us, the pressures that would unnerve us, the complexities and uncertainties that would confound us — give us of the deep inner Peace that passes understanding and help us always to remember that 'except the Lord build the house, they labor in vain that build it.' Amen."

Roll Call: All Senators present except Anderson, Berube, Meland, Pyle and Roen.

One election pending.

A quorum was declared by the President.

Senator Litten moved that the name of Dormilee Diede of Burleigh County be placed in nomination for the position of Desk Reporter.

Senator Nasset moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of Dormilee Diede as Desk Reporter of the Senate, the roll was called and there were 45 ayes, 0 nays, 5 absent and not voting, 1 vacancy.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz, J.
Butler	Iszler	Naaden	Shablow
Christensen	Jacobson	Nasset	Smykowski
Coughlin	Jones	Nothing	Solberg
Erdman	Kautzmann	Page	Strand
Freed	Larson	Peterson	Strinden
Fritzell	Lee	Rait	Stroup
Goldberg	Lips	Reiten	Thane
Goodman	Litten	Ringsak	Tweten
Gronhovd	Longmire	Sandness	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright

Absent and not voting:

Anderson	Melland	Roen	Sands
Berube	Pyle		

Dormilee Diede was declared elected Desk Reporter.

The President Pro Tem then administered the oath of office to the Desk Reporter.

OATH OF OFFICE TO THE LIEUTENANT GOVERNOR

Senator Litten moved that a committee of two be appointed to escort Chief Justice Alvin C. Strutz to the rostrum for the purpose of administering the oath of office to the Lieutenant Governor and Senator Tweten, which motion prevailed.

The President appointed as such committee, Senators Longmire and Gronhovd.

The Chief Justice then administered the oath of office to Senator Tweten.

Senator Litten moved that a committee of two be appointed to escort the Honorable Wayne G. Sanstead to the rostrum for the purpose of taking the oath of office as Lieutenant Governor of the State of North Dakota.

The President appointed as such committee, Senators Coughlin and Larson.

The Chief Justice then administered the oath of office to the Honorable Wayne G. Sanstead, Lieutenant Governor of the State of North Dakota, and Lieutenant Governor Sanstead presided.

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2002. A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2003. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2004. A Bill for an Act making an appropriation for defraying the expenses of various divisions thereof of the state

of North Dakota and which are under the supervision of the director of accounts and purchases.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2005. A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2006. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2007. A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2008. A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2009. A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2012. A Bill for an Act making an appropriation for defraying the expenses of the North Dakota social service board.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2013. A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2014. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the attorney general's office.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2015. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2016. A Bill for an Act making an appropriation to the Social Services Board for the purpose of making payments to all welfare recipients and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Tweten and Larson introduced:

Senate Bill No. 2017. A Bill for an Act to amend and reenact Section 2 of chapter 189 of the 1969 Session Laws of North Dakota, providing the superintendent of public instruction and, in case of appeal, the board of public school education with authority to limit certain school construction projects; and to repeal section 1 of chapter 189 of the 1969 Session Laws of North Dakota, providing statements of legislative rationale.

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

Senators Melland and Larson introduced:

Senate Bill No. 2018. A Bill for an Act to amend and reenact section 16-01-07, subsection 1 of section 16-04-13, and sections 16-04-17 and 16-06-02 of the North Dakota Century Code, relating to the form and preparation of sample ballots.

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

Senators Melland and Larson introduced:

Senate Bill No. 2019. A Bill for an Act to amend and reenact section 46-01-02 of the North Dakota Century Code, relating to printing duties of the department of accounts and purchases.

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

Senators Melland and Larson introduced:

Senate Bill No. 2020. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, relating to printing classifications and bids.

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

Senators Melland and Larson introduced:

Senate Bill No. 2021. A Bill for an Act to amend and reenact section 54-44.1-08 of the North Dakota Century Code, relating to the reproduction of the budget report.

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

Senators Melland and Larson introduced:

Senate Bill No. 2022. A Bill for an Act to amend and reenact section 46-02-04 of the North Dakota Century Code, relating to the classes of state printing.

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

Senators Melland and Larson introduced:

Senate Bill No. 2023. A Bill for an Act to amend and reenact section 46-02-15 of the North Dakota Century Code, relating to where state and other political subdivision printing is to be done.

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

Senators Melland and Larson introduced:

Senate Bill No. 2024. A Bill for an Act to repeal section 46-03-06 of the North Dakota Century Code, relating to the printing of legislative calendars.

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

Senator Tweten introduced:

Senate Bill No. 2025. A Bill for an Act relating to the investment of endowment funds by the institutions under the control of the board of higher education.

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

Senators Nasset, Holand, Sandness and Berube introduced:

Senate Bill No. 2026. A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program; to amend and reenact sections 15-40.1-06, 15-40.1-07, subsection 1 of section 15-40.1-08, sections 15-40.1-16, 40-55-08, 40-55-09, subsection C of section 52-09-08, sections 57-15-14, and 57-15-41 of the North Dakota Century Code, relating to the foundation program payments, tax levy limitations in school districts, and aid for transportation for school districts; and to repeal sections 15-39.1-28, 57-15-49, 57-15-52, and 57-58-02 of the North Dakota Century Code, relating to mill levies for teachers' retirement, school library funds, and two-way communication systems for school districts, and to the computation of grants-in-aid to county equalization funds; and providing an appropriation.

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

Senators Butler, Goldberg and Jones introduced:

Senate Bill No. 2027. A Bill for an Act to amend and reenact subsections 1, 2, 4, and 6 of section 57-02-11, sections 57-02-31, 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-12-01, 57-12-01.1, 57-12-08, 57-13-03, 57-13-07, and 57-23-02 of the North Dakota Century Code, relating to property tax assessment procedures, assessment dates, and meeting dates of township, city, county, and state boards of equalization.

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

Senators Butler, Goldberg and Jones introduced:

Senate Bill No. 2028. A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to the mailing of notice of increased assessments.

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

Senators Butler and Jones introduced:

Senate Bill No. 2029. A Bill for an Act to provide for the mailing of real estate tax statements.

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

Senators Wenstrom and Strinden introduced:

Senate Bill No. 2030. A Bill for an Act to amend and reenact section 54-42-06 of the North Dakota Century Code to authorize the providing of merit system coverage to human service centers and other units providing social and mental health services.

Was read the first time and referred to the Committee on Social Welfare.

Senators Thane, Lips, Mutch and Gronhovd introduced:

Senate Bill No. 2031. A Bill for an Act relating to the compensation of victims of motor vehicle accidents; establishing a system of insurance benefits payable regardless of fault; providing certain limitations on the right to recover in tort for motor vehicle accidents and defining damages for loss of earnings; providing for intercompany arbitration and offset of benefits paid against judgments; regulating evidence and procedures; providing penalties for fraudulent claims, the effect of advance payments made without release of liability, conferring powers and imposing duties upon the insurance commissioner; and providing an effective date.

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

Senators Lips, Thane, Gronhovd and Mutch introduced:

Senate Bill No. 2032. A Bill for an Act to provide for administration of the assets of the North Dakota rural rehabilitation corporation if these assets are released to the state of North Dakota by an Act of Congress of the United States.

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

Senators Holand, Barth and Nething introduced:

Senate Bill No. 2033. A Bill for an Act to provide for alternate methods of disposing of certain traffic offenses; to define moving and nonmoving offenses; to provide for mandatory suspension of motor vehicle operators' licenses when certain numbers of demerits have accumulated on licensees' driving records; to create and enact section 29-27-02.1 of the North Dakota Century Code, relating to disposition of fines and forfeitures; and to amend and reenact subsection 3 of section 29-01-14, sections 29-05-31, 39-05-12, subsections 2 and 9 of section 39-06-03, subsection 1 of section 39-06-17, sections 39-06-31, 39-06-32, 39-07-09, 39-07-11, 39-08-18, 39-09-01, 39-10-31, 39-12-08, 39-12-09, subsection 2 of section 39-16.1-07, subsection 1 of section 39-21-46, sections 39-21-50, 39-24-11, and 40-05-06 of the North Dakota Century Code, relating to restricted licenses and mandatory revocation of licenses, to discretionary authority to suspend licenses, to the form of the uniform traffic summons and complaint, to the powers of halting officers, to the definition of magistrates, to the duties of magistrates, to the penalties to be assessed for certain traffic offenses, and to the maximum penalties for violation of city traffic ordinances.

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

Senators Christensen, Stroup, Roen and Jacobson introduced:

Senate Bill No. 2034. A Bill for an Act to authorize the North Dakota outdoor recreation agency to determine those tracts of board of university and school land that have exceptional scenic, archaeological, historical, recreational, conservational, or wildlife enhancement value, and to prohibit the sale of these lands unless a court shall find that substantial interests of the schools and the people of the state require such a sale.

Was read the first time and referred to the Committee on Natural resources.

Senators Stroup, Roen, Jacobson and Christensen introduced:

Senate Bill No. 2035. A Bill for an Act to provide for division of water management districts along county lines; to amend and reenact sections 61-16-05, 61-16-06, 61-16-07, 61-16-08, 61-16-12, 61-16-14, 61-16-18, 61-16-28, 61-16-29, 61-16-36, and 61-16-48 of the North Dakota Century Code, relating to establishment and consolidation of water management districts, the area included within water management districts, the board of commissioners, and joint control by the board of county commissioners and state water conservation commission over maintenance and operation of dams constructed by or with federal assistance; and to repeal sections 61-16-02, 61-16-03, 61-16-04, and 61-16-42 of the North Dakota Century Code, relating to establishment and dissolution of water management districts.

Was read the first time and referred to the Committee on Natural resources.

Senators Rait and Pyle introduced:

Senate Bill No. 2036. A Bill for an Act to provide for the filing of notices relating to buried transmission facilities and to give the owner thereof a civil cause of action in certain cases when these facilities are damaged.

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

Senators Rait and Pyle introduced:

Senate Bill No. 2037. A Bill for an Act to provide for the initial appointment, with staggered terms, of members to a board of budget review; to create and enact section 40-41-03.1 of the North Dakota Century Code, relating to board of budget review meetings; to amend and reenact sections 40-24-10 and 40-40-04, subsection 2 of section 40-40-06, sections 40-40-09, 40-40-11, 40-41-01, 40-41-02, 40-41-03, 40-41-04, 40-41-05, and 40-41-07, subsection 2 of section 40-61-10, and sections 57-15-02, 57-15-07, 57-15-11, and 57-15-13 of the North Dakota Century Code, relating to the compensation, powers, duties, and functions of a board of budget review and county auditors, and to the dates political subdivisions levy taxes; and to repeal section 40-41-06 of the North Dakota Century Code, relating to board of budget review approval of bond issues.

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

Senators Hoffner, Lips and Christensen introduced:

Senate Bill No. 2038. A Bill for an Act to authorize North Dakota's local units of government to spend revenue sharing funds, and declaring an emergency.

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

Senators Lips, Hoffner and Christensen introduced:

Senate Bill No. 2039 A Bill for an Act to establish a revenue sharing trust fund for deposit of revenue sharing payments received by the state, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

Senator Morgan introduced:

Senate Bill No. 2040. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the membership of the emergency commission.

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

Senator Morgan introduced:

Senate Bill No. 2041. A Bill for an Act to amend and reenact section 54-07-01.2 of the North Dakota Century Code, relating to

the governor's power to appoint a majority of the members of certain boards and commissions upon commencing his term.

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

Senator Erdman introduced:

Senate Bill No. 2042. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to abstracts of operating records and accident reports.

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

Senator Melland introduced:

Senate Bill No. 2043. A Bill for an Act to amend and reenact chapter 214 of the 1971 Session Laws of North Dakota, relating to the sale of the university of North Dakota-Ellendale branch property.

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

Senators Freed and Page introduced:

Senate Bill No. 2044. A Bill for an Act to create and enact section 12.1-31-03 of the North Dakota Century Code, relating to sale of tobacco to minors and use of tobacco by minors; providing a penalty; and providing an effective date.

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

Senators Freed and Page introduced:

Senate Bill No. 2045. A Bill for an Act to create and enact chapters 12.1-01, 12.1-02, 12.1-03, 12.1-04, 12.1-05, 12.1-06, 12.1-07, 12.1-08, 12.1-09, 12.1-10, 12.1-11, 12.1-12, 12.1-13, 12.1-14, 12.1-15, 12.1-16, 12.1-17, 12.1-18, 12.1-19, 12.1-21, 12.1-22, 12.1-23, 12.1-24, 12.1-25, 12.1-26, 12.1-27, 12.1-28, 12.1-29, 12.1-30, 12.1-31, 12.1-32, and 12.1-33, and to create and enact sections 16-12-16, 29-03-01.1, and 29-03-21, all of the North Dakota Century Code, comprising a new criminal code defining all major offenses and providing penalties, providing for alternative sentencing limits and procedures, defining certain electoral offenses, providing jurisdiction over certain offenses commenced outside this state, and providing venue where the offense involves the mailing of a letter; to amend and reenact section 12-53-14, subsection 1 of section 12-55-07, and sections 12-59-17, 16-12-14, and 29-03-01 of the North Dakota Century Code, relating to parole board jurisdiction, to crimes committed partially without this state, and to criminal penalties for causing probationer or parolee to violate parole, to voting right challenges; to repeal chapters 12-01 through 12-06, chapters 12-08 through 12-21.1, chapters 12-23 through 12-29, chapters 12-31 through 12-43, chapter 12-50, chapter 12-54, and sections 12-07-01, 12-07-02, 12-07-03, 12-07-04, 12-07-05, 12-07-06, 12-22-01, 12-22-14, 12-22-15, 12-22-17, 12-22-19, 12-22-20, 12-22-21, 12-22-22, 12-22-23, 12-22-24, 12-22-25, 12-22-26, 12-22-27, 12-22-28, 12-22-29, 12-22-30, 12-55-21, 12-59-11, 12-59-13, 12-59-13.1, chapter 29-20, and sections 29-26-20 and 31-01-08 of the North Dakota Century Code, relating to definitions of various sexual offenses, to posting notice of probation or parole hearings, to procedures for determining a defendant's mental capacity to stand trial, to provision for successive terms of imprisonment, and to indeterminate sentences; and providing an effective date.

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

Senators Freed and Page introduced:

Senate Bill No. 2046. A Bill for an Act to create and enact section 12.1-01-05 of the North Dakota Century Code, providing that the state's criminal statutes shall have full force and effect with-

in the territorial jurisdiction of home rule cities; and providing an effective date.

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

Senators Freed and Page introduced:

Senate Bill No. 2047 (Alternative 1). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of rape and other sexual offenses and providing penalties; to amend and reenact subsection 1 of section 12.1-29-05 of the North Dakota Century Code as created by section 28 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, defining "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

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

Senators Freed and Page introduced:

Senate Bill No. 2048 (Alternative 2). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of criminal sexual offenses and providing penalties; to amend and reenact subsection 3 of section 12.1-16-01 of the North Dakota Century Code, as created by section 16 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, and subsection 1 of section 12.1-29-05 of the North Dakota Century Code, as created by section 28 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, relating to the felony-murder rule and to a definition of "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

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

Senators Freed and Page introduced:

Senate Bill No. 2049 (Alternative 3). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of criminal sexual offenses and providing penalties; to amend and reenact subsection 3 of section 12.1-16-01 of the North Dakota Century Code, as created by section 16 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, and subsection 1 of section 12.1-29-05 of the North Dakota Century Code, as created by section 28 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, relating to the felony-murder rule and to a definition of "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

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

Senators Freed and Page introduced:

Senate Bill No. 2050. A Bill for an Act to repeal sections 12-07-07, 12-07-08, and 12-07-09 of the North Dakota Century Code, providing penalties for the carrying or display of red or black flags, or for displaying or parading flags other than national or state flags, or flags of friendly foreign nations; and providing an effective date.

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

Senators Barth and C. Schultz introduced:

Senate Bill No. 2051. A Bill for an Act to amend and reenact sections 36-04-01, 36-04-03, 36-04-04, 36-04-05, 36-04-07, 36-04-08, 36-04-09, 36-04-10, 36-04-11, 36-04-12, 36-04-13, 36-04-14, 36-04-15, 36-04-16, 36-04-17, 36-04-18, 36-04-19, and 36-04-20 of the North Dakota Century Code; to repeal section 36-04-06 of the North Dakota Century Code, all relating to livestock dealer licensing and bonding; and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

Senators Barth and C. Schultz introduced:

Senate Bill No. 2052. A Bill for an Act to provide for an additional one-mill levy for county agent work.

Was read the first time and referred to the Committee on Agriculture.

Senators Barth and C. Schultz introduced:

Senate Bill No. 2053. A Bill for an Act providing for dairy commissioner, city health department, and district health unit cooperation in the inspection of milk producers.

Was read the first time and referred to the Committee on Agriculture.

Senator Lips introduced:

Senate Bill No. 2054. A Bill for an Act to require an election on the dissolution of all organized townships within two years.

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

Senator Goldberg introduced:

Senate Bill No. 2055. A Bill for an Act to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code, relating to pedestrians crossing at intersections.

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

Senator Lips introduced:

Senate Bill No. 2056. A Bill for an Act to allow state agencies to grant easements in land under their jurisdiction and to repeal section 15-10-33 of the North Dakota Century Code.

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

Senator Lips introduced:

Senate Bill No. 2057. A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to tax adjustments for rent paid by individuals.

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

Senator Lips introduced:

Senate Bill No. 2058. A Bill for an Act to transfer the administration and control of the North Dakota school for the blind and the school for the deaf to the superintendent of public instruction; to create and enact section 25-06-01.1 of the North Dakota Century Code, relating to the administration and control of the North Dakota school for the blind; to amend and reenact subsection 13 of section 25-01-01, and sections 25-01.1-01, 25-04-01, 25-04-02, 25-04-03, 25-04-04, 25-04-05, 25-04-05.1, 25-04-08, 25-04-11, 25-04-13, 25-04.1-01, 25-04.1-07, 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-06-07, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, and sections 25-05-20, 25-05-22, 25-05-23, 25-05-24, 25-05-25, 25-05-27, 25-05-30, 25-05-33, 25-05-34, 25-06-03, 25-06-04, 25-06-05, 25-06-06, 25-07-01, 25-07-04, 25-07-05, 25-07-07, 25-10-04, 54-23-01, 54-23-12, 54-23-19, 54-23-20, 54-23-25, and 54-23-59 of the North Dakota Century Code, relating to the

transfer of administration and control of the Grafton state school and San Haven state hospital to the mental health and retardation division of the state department of health and relating to the administration and control of the North Dakota school for the blind and the school for the deaf; and to repeal subsection 9 of section 25-01-01 of the North Dakota Century Code, relating to the director of institutions.

Was read the first time and referred to the Committee on Social Welfare.

Senator Rait introduced:

Senate Bill No. 2059. A Bill for an Act to provide for the levy of a tax on real property mineral interests, and to repeal sections 57-02-24 and 57-02-25 of the North Dakota Century Code, relating to the listing and procedure in assessing of coal and mineral reserves, and providing for an effective date.

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

Senator Rait introduced:

Senate Bill No. 2060. A Bill for an Act relating to and defining abandoned personal property, providing methods for the same to be taken into custody of the state; for its recovery by the rightful owner; for an administrator; for a penalty; and to repeal sections 6-08-24.1, 12-45-07, 25-01-15, 54-01-02.1, 54-01-02.2, and 54-01-02.3 of the North Dakota Century Code, relating to unclaimed funds.

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

Senator Lips introduced:

Senate Bill No. 2061. A Bill for an Act to amend and reenact subsection 10 of section 1-03-01 of the North Dakota Century Code, relating to the date of Veterans Day as a public holiday.

Was read the first time and referred to the Committee on Social Welfare.

Senator Melland introduced:

Senate Bill No. 2062. A Bill for an Act to allow the sale of pre-packaged preserved sandwiches from vending machines without the purchase of a restaurant license.

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

Senator Lips introduced:

Senate Bill No. 2063. A Bill for an Act to amend and reenact subsection 8 of section 37-25-02 of the North Dakota Century Code, relating to the residency requirement for the Vietnam bonus.

Was read the first time and referred to the Committee on Social Welfare.

Senator Freed introduced:

Senate Bill No. 2064. A Bill for an Act to amend and reenact subsection 10 of section 57-37-11 and section 57-37-12 of the North Dakota Century Code, relating to estate tax deductions.

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

Senator Barth introduced:

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 5 of section 47-26-01 and section 47-26-05 of the North Dakota Century Code, relating to the definition and maintenance of legal fences; and providing a penalty.

Was read the first time and referred to the Committee on Agriculture.

Senator Litten introduced:

Senate Bill No. 2066. A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-05, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to the medical care provided under nonprofit medical service plans.

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

Senator Holand introduced:

Senate Bill No. 2067. A Bill for an Act to amend and reenact section 32-28-02 of the North Dakota Century Code, relating to the procedures for changing a person's first name.

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

Senators Butler, Goldberg and Coughlin introduced:

Senate Bill No. 2068. A bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption of oleomargarine from the sales and use tax; and to repeal chapter 19-05 of the North Dakota Century Code relating to the taxation and regulation of oleomargarine.

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

Senator Tweten introduced:

Senate Bill No. 2069. A Bill for an Act to create and enact section 4-10.1-09.1 of the North Dakota Century Code, providing for an additional tax upon potato growers and for the termination of the tax; and to amend and reenact section 4-10.1-10 of the North Dakota Century Code, relating to appropriations from the funds created by this chapter.

Was read the first time and referred to the Committee on Agriculture.

Senator Wenstrom introduced:

Senate Bill No. 2070. A Bill for an Act to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to the bonding authority for junior colleges and educational centers.

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

Senator Thane introduced:

Senate Bill No. 2071. A Bill for an Act to provide for overtime payments, and to repeal section 34-06-06 of the North Dakota Century Code, relating to limitations on the hours of labor for women.

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

Senator Tweten introduced:

Senate Bill No. 2072. A Bill for an Act to create and enact a new subsection to section 4-10.1-03 of the North Dakota Century Code, relating to definitions and providing a definition of "designated handler"; to amend and reenact sections 4-10.1-09, 4-10.1-14, and 4-10.1-16 of the North Dakota Century Code, relating to taxes imposed upon potato growers, deleting the phrase "participating grower", and substituting "designated handler"; and to repeal subsection 4 of section 4-10.1-03 and sections 4-10.1-11, 4-10.1-12, and 4-10.1-13 of the North Dakota Century Code, relating to the definition of "participating grower", storage breakdown, nonparticipating growers, and referendum by growers.

Was read the first time and referred to the Committee on Agriculture.

Senator Holand introduced:

Senate Bill No. 2073. A Bill for an Act to repeal chapter 59-07 of the North Dakota Century Code, relating to power of attorney.

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

Senator Lips introduced:

Senate Bill No. 2074. A Bill for an Act to amend and reenact sections 43-10.1-01, 43-10.1-02, 43-10.1-03, 43-10.1-04, 43-10.1-06, and 43-10.1-07 of the North Dakota Century Code, relating to pre-need funeral services.

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

Senator Lips introduced:

Senate Bill No. 2075. A Bill for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to the employment of persons under twenty-one years of age in establishments where alcoholic beverages are sold.

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

Senators Goldberg, Stroup and Thane introduced:

Senate Bill No. 2076. A Bill for an Act authorizing the construction of a building for the occupancy and use of the state laboratories department and providing for an appropriation.

Was read the first time and referred to the Committee on Appropriations.

Senators Lips and Holand introduced:

Senate Bill No. 2077. A Bill for an Act to provide protection of news sources and information from disclosure except under certain circumstances.

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

Senators Morgan and Smykowski introduced:

Senate Bill No. 2078. A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from the sales tax of admission charges to public swimming pools.

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

Senator Lips introduced:

Senate Bill No. 2079. A Bill for an Act to create and enact section 54-46-08.1 of the North Dakota Century Code, relating to the transfer of records to the state historical society or to college or university libraries within the state.

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

Senator Lee introduced:

Senate Bill No. 2080. A Bill for an Act to amend and reenact sections 65-06-01, 65-06-02, 65-06-03, and 65-06-04 of the North Dakota Century Code, relating to volunteer firemen and volunteer civil defense trainees and granting volunteer ambulance drivers coverage under the Workmen's Compensation Act.

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

Senator Freed introduced:

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 53-02-01 and 53-02-08 of the North Dakota Century Code, to provide a definition of music festivals and to require a law enforcement officer to be present at such festivals.

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

The Committee on Judiciary introduced:

Senate Bill No. 2082. A Bill for an Act to amend and reenact sections 16-04-16 and 16-08-01 of the North Dakota Century Code, relating to the designations of state offices which appear on the primary election ballot.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2083. A Bill for an Act to amend and reenact sections 10-31-06 and 10-31-13 of the North Dakota Century Code, relating to simultaneous officeholding in professional corporations, and the contents and filing of the annual reports of professional corporations.

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

The Committee on Judiciary introduced:

Senate Bill No. 2084. A Bill for an Act to repeal section 16-04-08 of the North Dakota Century Code, relating to filling vacancies in party primary election ballots.

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

The Committee on Appropriations introduced:

Senate Bill No. 2085. A Bill for an Act to amend and reenact section 39-06-49 of the North Dakota Century Code, relating to the depositing of driver's license fees in the state treasury.

Was read the first time and referred to the Committee on Appropriations.

Senators Roen and Freed introduced:

Senate Bill No. 2086. A Bill for an Act to create and enact subsection 13 to section 15-10-17 of the North Dakota Century Code, granting the state board of higher education power to establish an alternate retirement program.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2087. A Bill for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to the uniform group insurance program and disposition of refunds, rebates and dividends.

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

The Committee on Appropriations introduced:

Senate Bill No. 2088. A Bill for an Act to amend and reenact section 15-03-01.3 of the North Dakota Century Code, relating to the apportionment of maintenance fund balances quarterly.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2089. A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignments of wage claims to the commissioner of labor.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2090. A Bill for an Act to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to

maximum hours of labor for minors.

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

Senators Stroup, Barth, Christensen, Rait and Roan introduced:

Senate Bill No. 2091. A Bill for an Act to create and enact subsections 14, 15, and 16 of section 38-14-02, sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, relating to definitions, the powers of the public service commission in the regulation of strip coal mining, notice provisions, and limitations in granting permits; to amend and reenact sections 38-14-04, 38-14-05, 38-14-07, 38-14-08, 38-14-12, and 38-14-13 of the North Dakota Century Code, relating to license applications, duties of the operator, bond of the operator, the deposit of forfeitures and penalties, and cooperation with federal and state agencies; and to repeal section 38-14-11 of the North Dakota Century Code, relating to the administrative officer in strip coal mining regulation.

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

The Committee on Transportation introduced:

Senate Bill No. 2092. A Bill for an Act to amend and reenact subsection 1 of section 39-04-19 of the North Dakota Century Code, relating to non-resident mile tax in lieu of motor vehicle registration.

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

The Committee on Appropriations introduced:

Senate Bill No. 2093. A Bill for an Act to amend and reenact section 24-02-37 of the North Dakota Century Code, relating to expenditures out of the state highway fund.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Political Subdivisions introduced:

Senate Bill No. 2094. A Bill for an Act to amend and reenact section 15-22-01 of the North Dakota Century Code, relating to the county superintendent of schools' term of office.

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

The Committee on Judiciary introduced:

Senate Bill No. 2095. A Bill for an Act to provide for a time and place for a meeting of the presidential and vice presidential electors.

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

Senators Longmire, Barth, Christensen and Wenstrom introduced:

Senate Bill No. 2096. A Bill for an Act to create and enact subsections 10, 11, 12, and 13 of section 15-65-03, and sections 15-65-05, 15-65-06, 15-65-07, 15-65-08, and 15-65-09 of the North Dakota Century Code, relating to powers and duties, levy of tax, administration, use of funds, and appropriation of proceeds for the North Dakota educational broadcasting council; and to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council.

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

Senators Ringsak and Roen introduced:

Senate Bill No. 2097. A Bill for an Act to provide for the licensing of operators of surface ambulance services; to provide a fee therefore; to provide standards for qualifying as licensed oper-

ators of ambulance services; to provide for a penalty; and to provide for an effective date.

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

The Committee on Political Subdivisions introduced:

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 11-19A-17 of the North Dakota Century Code, relating to a limitation on the application of chapter 11-19A and excepting 11-19A-03 from the limitation.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 2099. A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of sales to residents of adjoining states and Canada.

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

The Committee on Natural Resources introduced:

Senate Bill No. 2100. A Bill for an Act to amend and reenact section 61-02-12 of the North Dakota Century Code, relating to the compensation and expenses of the appointive members of the state water commission.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 2101. A Bill for an Act to amend and reenact section 57-39.2-13 of the North Dakota Century Code, relating to the collection of tax and the personal liability of corporate officers.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2102. A Bill for an Act to amend and reenact section 65-05-26 of the North Dakota Century Code to provide an increase in burial expenses.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2103. A Bill for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code to include the Secretary of State.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2104. A Bill for an Act to amend and reenact sections 65-05-12 and 65-05-13 of the North Dakota Century Code, providing for weekly compensation in the amount of forty dollars.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2105. A Bill for an Act to amend and reenact sections 65-04-04 and 65-07-03 of the 1971 Supplement to the North Dakota Century Code, relating to employers obligated to pay premiums, determination of premiums, and premium receipts and certificates to be mailed; and determination of "weekly wage" for premium purposes.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 2106. A Bill for an Act to amend and reenact section 2 of chapter 37 of the 1971 Session Laws of North Dakota, relating to the appropriation for personal property tax replacement, and declaring an emergency.

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

The Committee on Education introduced:

Senate Bill No. 2107. A Bill for an Act to amend and reenact sections 40-38-02, 40-38-03, 40-38-04, 40-38-05, 40-38-09, and 40-38-10 of the North Dakota Century Code, relating to the financing of public libraries and the powers and duties of library boards of directors.

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

Senator Litten introduced:

Senate Bill No. 2108. A Bill for an Act to amend and reenact 34-13-13 of the North Dakota Century Code, regulating and not prohibiting contracts between applicants for employment and employment agencies or agents.

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

Senator Litten introduced:

Senate Bill No. 2109. A Bill for an Act to regulate, not prohibit, home solicitation sales by:

1. Granting the buyer a statutory period during which time the contract may be cancelled.
2. Providing that any transfer of a note or other evidence of indebtedness shall be deemed an assignment only and all claims and defenses of the buyer against the seller shall be applicable against the transferee.
3. Prohibiting referral selling in conjunction with a home solicitation sale.

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

Senator Longmire introduced:

Senate Bill No. 2110. A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to the adjustment of taxable income for income received under the United States Civil Service Retirement Act.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, changing the amount of weekly compensation for death claims.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, providing for a weekly compensation equal to sixty percent of the average weekly wage.

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

Senators Jones, Freed, Hoffner and J. Schultz introduced:

Senate Bill No. 2113. A Bill for an Act to create and enact chapter 37-19.1 of the North Dakota Century Code, relating to preferences for veterans in gaining governmental employment, and providing means for enforcing those preferences; to amend and reenact section 37-15-08 of the North Dakota Century Code, relating to appointment of subordinate officers of the soldiers' home; and to repeal chapter 37-19 and section 37-01-31 of the North Dakota Century Code, relating to governmental employment preferences for veterans.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Hoffner introduced:

Senate Bill No. 2114. A Bill for an Act to provide that the alteration of odometers or other mileage recorders is a misdemeanor, and providing a penalty.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2115. A Bill for an Act to create a state occupational safety and health law administered by the workmen's compensation bureau; to amend and reenact sections 54-07-01.2, 65-02-01, 65-02-02, 65-02-05, and 65-08-02 of the North Dakota Century Code, relating to appointments by the governor to various boards and commissions, membership of the bureau, salary of the bureau commissioners, office space for the bureau, and reciprocity in extraterritorial application of compensation acts; and to repeal section 65-01-07, chapter 65-03, subdivision c of subsection 1 of section 65-04-27.1 and chapter 65-11 of the North Dakota Century Code, relating to employers' records of employee injuries, prevention of injuries, procedures for injunctive relief, the safety engineer; and providing a penalty.

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

Senators Lips, Litten, Longmire, Hoffner and Barth introduced:

Senate Bill No. 2116. A Bill for an Act to establish a state personnel system based on merit; and providing an appropriation.

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

The Committee on Judiciary introduced:

Senate Bill No. 2117. A Bill for an Act to amend and reenact sections 16-01-07, 16-04-13, and 16-06-02 of the North Dakota Century Code, relating to the size of type used in publishing sample election ballots and texts of constitutional amendments.

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

The Committee on Judiciary introduced:

Senate Bill No. 2118. A Bill for an Act to amend and reenact section 16-07-09 of the North Dakota Century Code, relating to notification by the county auditor to the governor when a vacancy occurs in the office of a member of the legislative assembly.

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

THE FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Strinden, Wenstrom and Kautzman introduced:

Senate Concurrent Resolution No. 4001. A Concurrent Resolution directing the State Departments of Health and Social Services to coordinate and consolidate human services provided by community

mental health and retardation centers and area social service centers.

Was read the first time and referred to the Committee on Social Welfare.

Senators Lips, Thane, Gronhovd and Mutch introduced:

Senate Concurrent Resolution No. 4002. A Concurrent Resolution requesting the Congress of the United States to unconditionally release to the State of North Dakota, free of any trust agreement, the assets of the North Dakota Rural Rehabilitation Corporation.

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

Senators Nething, Barth, Coughlin and Holand introduced:

Senate Concurrent Resolution No. 4003. A Concurrent Resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts, the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges, to confirmation of incumbent judges running unopposed, and to tribunals of conciliation; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

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

Senator Erdman introduced:

Senate Concurrent Resolution No. 4004. A Concurrent Resolution expressing support for the imposition of strong sentences by the courts of this State for persons convicted of driving while intoxicated.

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

Senators Morgan and Christensen introduced:

Senate Concurrent Resolution No. 4005. A Concurrent Resolution for a study by the Legislative Council of the field of land use planning and zoning at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

Was read the first time and referred to the Committee on Agriculture.

The Committee on Natural Resources introduced:

Senate Concurrent Resolution No. 4006. A Concurrent Resolution directing a study by the Legislative Council for the purpose of determining if some control is needed over the location and construction of power transmission lines, both public and private.

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

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following employees:

J. Vernon Asheim, Mohall	Bill Clerk
Mary Alice Simonson, Bismarck	Chief Steno and Payroll Clerk
Lois J. Scherr, Bismarck	Chief Committee Clerk
Gladys Derrick, Bismarck	Appropriations Committee Clerk
Darlene Froelich, Bismarck	Appropriations Committee Clerk
Carolyn Sette, Bismarck	Committee Clerk
Marjorie Trangsrud, Devils Lake	Committee Clerk
Virginia Gruchalla, Fargo	Committee Clerk
Marilyn Rose, Bismarck	Committee Clerk

Charlotte Kamins, Bismarck	Committee Clerk - Steno
Marlene Backman, Bismarck	Committee Clerk - Steno
Lorraine Moos, Mandan	Committee Clerk - Steno
Gail Nelson, Bismarck	Committee Clerk - Steno
Thomas J. Schneider, Mandan	Calendar Clerk
Corliss Mushik, Mandan	Secretary to the President
Donna Heisler, Mandan	Secretary (Majority Floor Leader)
Geri Kay Noltee, Bismarck	Secretary (Minority Floor Leader)
Richard Jagd, Grand Forks	Deputy Sergeant-at-Arms
Ralph Scott, Jamestown	Assistant Sergeant-at-Arms
Melvin Clendenen, New Salem	Assistant Sergeant-at-Arms
Richard J. Wittmayer, Hazen	Chief Bill Room Clerk
Pearl Andre, Hope	Bill Room Clerk
Ruth Guthrie, Bismarck	Stenographer
Debbie Anderson, Bismarck	Stenographer
Sharon Roberts, Bismarck	Stenographer
Rita Morrison, Mandan	Page
Vickey Erickson, Minot	Page
Wanda Froelich, Mandan	Bill Book Clerk
Marlys L. Gregoryk, Wilton	Bill Book Clerk
Esther Davis, Mandan	Information Desk Attendant

Senator Kautzmann; Chairman

Senator Kautzman moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Kautzmann the roll was called and there were ayes 42, nays 0, absent and not voting, 8, 1 vacancy.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nething	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Fritzell	Lee	Reiten	Stroup
Goldberg	Lips	Ringsak	Thane
Goodman	Litten	Sandness	Wenstrom
Gronhovd	Longmire	Schultz, C.	Wright
Hoffner	Morgan		

Absent and not voting:

Anderson	Melland	Rait	Sands
Freed	Pyle	Roen	Tweten

So the motion was declared carried.

The President then administered the oath of office to the Senate employees.

Senator Litten moved that the Senate recess until January 3, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 3, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2017 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2043 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2067 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2070 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 12 insert triple parentheses before "board" and after "education" and insert in lieu thereof "school board"

On page 1 line 24 insert triple parentheses before "board" and after "education" and insert in lieu thereof "school board"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2073 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2082 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

FIRST READING OF SENATE BILLS

Senator Pyle introduced:

Senate Bill No. 2119. A Bill for an Act to create and enact section 29-06-15.2 of the North Dakota Century Code, relating to subsequent arrest of a person who has fled in a motor vehicle after commission of a traffic offense.

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

Senators Wenstrom and Litten introduced:

Senate Bill No. 2120. A Bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century code, to provide for the exemption from the sales and use tax of food and food products.

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

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following employees:

Diane L. Rice, Minot.....	Page
Jane Bommersbach, Hankinson.....	Telephone Attendant
Bob Evanenko, Butte.....	Bill Book Clerk
Alvin Manning, Regan.....	Journal Room Chief
Hazel Ludemann, Bismarck.....	Journal Room Clerk
Jean L. Bartleson, Parshall.....	Journal Room Clerk
Jane L. Bartleson, Parshall.....	Journal Room Clerk-Typist
Vera M. Gronberg, Bismarck.....	Journal Proofreader

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Kautzmann the roll was called and there were ayes 50, nays 0, and 1 vacancy.

Those voting in the affirmative were:

Absent and not voting:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Nething	Smykowski
Butler	Jones	Page	Solberg
Christensen	Kautzmann	Peterson	Strand
Coughlin	Larson	Pyle	Strinden
Erdman	Lee	Rait	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Longmire	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	
Hoffner	Mutch	Schultz, C.	

So the motion was declared carried.

The President then administered the oath of office to the Senate employees.

Senator Litten moved that the Chaplaincy Schedule of the 43rd Legislative Assembly, Senate Sessions, be printed in the Journal, which motion prevailed.

CHAPLAINCY SCHEDULE

Forty-third Legislative Assembly

State of North Dakota

Convening January 3, 1973

The following schedule is submitted on behalf of the Bismarck Ministerial Associations for Chaplaincy service for the Forty-third Legislative Assembly. In case of failure of the designated per-

son to present himself, telephone the Rev. Edwin Wehner, 223-1033, or if unable to contact him, call the Rev. Richard Unkenholz, 223-4401.

JANUARY

Date	Senate Sessions	Office	Residence
3	Frank Unruh, Mennonite Brethren		223-0797
4	Robert Fischer, The Wesleyan	223-7238	223-9008
5	Major Spicer, Salvation Army	663-9217	223-1976
6	David Walters, United Pentecostal	223-8125	223-9049
8	Ron Smith, Capital Heights, Baptist		223-5479
9	Roger Hedburg, Baptist		663-8549
10	Stanley Malmgren, First Baptist		255-3148
11	Clarence Walth, Baptist		223-0091
12	Clemens Auch, Baptist		223-4215
13	T. J. Burdine, Southern Baptist		255-4277
15	Ed Wehner, Cathedral, Catholic		223-1033
16	Chris Davis, Annunciation Priory		255-1520
17	William Garvin, Cathedral		223-1033
18	Blaine Cook, Corpus Christi, Catholic	255-4600	255-4584
19	John Pfeifer, St Anne's, Catholic		223-1549
20	E. J. Becwar, St. Mary's Central High		223-4113
22	Walter Ellingson, St. George's Episcopal	223-1942	255-1857
23	Fred Schaffer, Awareness House	255-3643	
24	Lester Soberg, United Church of Christ	255-1104	223-6602
25	Charles Hill, United Church of Christ	223-2915	223-7266
26	James Butler, First Presbyterian		223-3325
27	Harold Rambo, United Church of Christ		223-3612
29	Russell Kloehn, Our Savior's Lutheran	255-1039	
30	H. E. Hendrickson, Trinity Lutheran	223-3560	
31	A. M. Hagestuen, First Lutheran, Mandan	663-3594	

FEBRUARY

1	Duane Sorum, First Lutheran, Mandan	663-3594	
2	Al Beyer, First Lutheran, Bismarck	223-4340	
3	Ronald Schultz, Zion Lutheran	258-5518	
5	Richard Unkenholz, First Methodist	223-4401	223-0965
6	N. Winkelman, United Methodist	255-4281	255-3720
7	David Knecht, McCabe Methodist	223-6091	
8	John McMullen, First Methodist, Mandan	663-8339	663-3350
9	Phil Lint, McCabe Methodist		255-2866
10	Walter Larson, United Methodist		255-0997
12	Ira Herzberg, Calvary United Methodist		255-0598
13	Earl Grunstead, McCabe United Methodist		255-1604
14	J. MacMullen, First United Methodist	663-8339	663-3350
15	W. Schott, Good Shepherd United Methodist	663-8909	663-3421
16	A. R. Aleson, First United Methodist		255-3489
17	R. Unkenholz, First United Methodist		223-0965
19	Walter Dingfield, Bismarck Baptist	223-4445	223-8361
20	Paul Stuart, Reg. Baptist Fellowship		255-3542
21	Orville Meth, Baptist Home	223-3040	
22	John Miller, Baptist Temple	663-5020	663-6232
23	Ron Norman, Baptist		258-3953
24	Roger Bishop, Bible Baptist	223-3858	
26	A. P. Spain, St. Anne's, Catholic	223-1549	
27	Robert Feehan, St. Mary's, Catholic	223-5562	
28	Donald Hill, St. Mary's, Catholic	223-5562	

MARCH

1	Chris Davis, Annunciation Priory	255-1520	
2	William Garvin, Cathedral, Catholic	223-1033	
3	Marvin Klemmer, Christ the King, Mandan	663-8842	
5	Alvin Keimnitz, Zion Lutheran	223-8286	

Date	Senate Sessions	Office	Residence
6	A. M. Hagestuen, First Lutheran, Mandan	663-3594	
7	Peter Boe, Faith Lutheran	223-2236	
8	Gerhard Harms, Bethel Lutheran	255-1433	
9	Ronald Schultz, Zion Lutheran	223-8286	
10	Clarence Stomp, House of Prayer	223-2202	
12	James Carbough, First Presbyterian	223-6091	223-9027
13	James Butler, First Presbyterian	223-6091	223-3325

JANUARY

Date	House Sessions	Office	Residence
3	David Knecht, McCabe, Methodist	223-6091	255-1160
4	A. R. Aleson, First United Methodist	255-3489	
5	Philip Linte, McCabe Methodist	255-2866	255-1160
6	Norman Winkelman, United Methodist	255-4281	255-3720
8	Gerhard Harms, Bethel Lutheran	255-1433	
9	Gerald Mertz, Faith Lutheran	223-2236	
10	Warren Johnson, First Lutheran	223-4340	
11	Robert Lynee, Good Shepherd Lutheran	223-8286	
12	Clarence Stomp, House of Prayer, Lutheran	223-2202	
13	Al Beyer, First Lutheran	223-4340	
15	James Butler, First Presbyterian	223-6091	223-9027
16	James Carbough, First Presbyterian	223-6091	223-3325
17	W. Stoerker, N. Dak. Executive Director, Council of Churches	255-3482	
18	Fred Schaffer, Awareness House	255-3643	
19	Lester Soberg, United Church of Christ	255-1104	223-6602
20	Harold Rambo, United Church of Christ	255-3612	
22	Blaine Cook, Corpus Christi, Catholic	255-4600	255-4584
23	E. J. Becwar, St. Mary's Central High	223-4113	
24	Edwin Wehner, Cathedral, Catholic	223-1033	
25	Robert Feehan, St. Mary's, Catholic	223-5562	
26	Donald Hill, St. Mary's, Catholic	223-5562	
27	Marvin Klemmer, Christ the King Mandan	663-8842	223-1347
29	Ron Smith, Capitol Heights Baptist	223-5479	
30	Walter Dingfield, Bismarck Baptist	223-4445	
31	Clarence Walth, Bismarck, Baptist	223-0091	

FEBRUARY

1	Ron Norman, Bismarck, Baptist	223-8361	
2	Stanley Malmgren, First Baptist, Bismarck	223-8614	
3	Paul Stuart, Baptist	255-3542	
5	E. C. Schumacher, Evangelical Free	223-6271	223-3330
6	Frank Unruh, Mennonite Brethren		223-0797
7	Robert Fischer, Wesleyan Methodist	223-7238	223-9008
8	Major R. Spicer, Salvation Army	663-9217	223-1976
9	Carl Perry, Assembly of God	255-0500	223-1852
10	Gerald Ruelle, St. Alexius Hospital	223-5000	
12	John Pfeifer, St. Anne's, Catholic	223-1549	
13	R. R. Patzer, Seventh Day Adventist		255-1947
14	Carl Perry, Assembly of God	255-0500	223-1852
15	Thomas J. Sands, Church of God	223-8541	
16	Edwin Wehner, Cathedral, Catholic	223-1033	
17	Gerald Ruelle, St. Alexius Hospital	223-5000	
19	Donald Burton, Lord of Life Lutheran	223-2986	
20	Roger Anderson, Good Shepherd Lutheran	223-8286	223-82
21	Oscar Lund, Chaplain Lutheran	223-9439	255-1160
22	J. H. Nicolai, Trinity Lutheran	223-3560	223-0591
23	Alvin Reimnitz, Zion Lutheran	223-8286	223-9065
24	Peter Boe, Faith Lutheran	223-2236	
26	Edgar Brinckerhoff, United Church of Christ	255-3301	
27	Walter Ellingson, St. George Episcopal	223-1942	255-1857
28	Charles Hill, United Church of Christ	223-2915	223-7266

MARCH

Date	House Sessions	Office	Residence
1	W. Stoerker, Council of Churches.....	255-3482	
2	Edgar Brinckerhoff, United Church of Christ	255-2773	255-3301
3	Harold Rambo, United Church of Christ....	223-3612	
5	David Walters, United Pentecostal.....	223-8125	223-9049
6	R. R. Patzer, Seventh Day Adventist.....		223-1947
7	Chris Davis, Annunciation Priory	255-1520	
8	T. J. Sands, Church of God	223-8541	
9	Arnold Spain, St. Anne's, Catholic.....	223-1549	
10	Marvin Klemmer, Christ the King, Mandan	663-8842	223-1347
12	Roger Hedberg, Mandan Baptist.....	663-8368	663-8549
13	John Miller, Baptist.....	663-6232	

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

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SECOND DAY

Bismarck, January 3, 1973

The Senate convened at 2:00 P.M., the President presiding. Prayer by Chaplain Frank Unruh of the Mennonite Brethren Church.

"Our God and Father, we invoke Your blessing upon this Legislative Session this afternoon. We thank You that Your presence rests upon all those who acknowledge and call upon You.

"We pray that You will give grace, wisdom and understanding to each Legislator in discharging their duty with honesty, sobriety and discretion.

"May they ever realize that they represent the people of North Dakota and that they are held accountable to You, loving Father, as to the performance of their service.

"Give them a sense of awe and reverence to You, realizing that the fear of You is the beginning of wisdom.

"May they constantly be mindful that the laws they legislate are to be servants, not masters of enslavement, to its citizens.

"Oh, God, we pray that they may ever be mindful of their limitations and when things go hard to acknowledge You in their de-liberations and that You will guide and direct them.

"In Jesus Name, we pray with thanksgiving that You will do great things for all those who call upon You. Amen."

Roll Call: All Senators present except Roen, 1 vacancy.

A quorum was declared by the President.

CORRECTION and REVISION

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

On page 33, in line 11 from the bottom of the page, correct the spelling of the word "Century"

On page 35, in line 18 from the top of the page, correct the spelling of the word "deferred"

On page 41, in line 10 from the bottom of the page, correct the spelling of the word "following"

On page 27, line 17 from the top of the page, correct after the word "number", delete the number 2525 and insert in lieu thereof number 2025.

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2040 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 13 after the second "the" delete the triple parentheses and after "agriculture" delete the triple parentheses.

On page 1, line 14, delete "state treasurer".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2041 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Senator Litten moved that the Senate recess until 1:30 P.M., January 4, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

SECOND DAY AFTER RECESS AND
THIRD DAY

Bismarck, January 4, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2030 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2036 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 11 following "electricity," insert "water,"

On page 3 at the end of line 7 insert the following new section: "SECTION 6. The provisions of this Act shall become effective on October 1, 1973."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2038 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2042 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2061 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Agriculture to whom was

referred S.C.R. No. 4005 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following employees:

Christine F. Hill, Bismarck	Committee Clerk-Steno
Cerelle Davis, Mandan	Enrolling and Engrossing Clerk
Wade F. Williamson, Parshall	Assistant Sergeant-at-Arms
LeRoy Kirschenman, Streeter	Assistant Sergeant-at-Arms
Beatrice A. Carlson, Bismarck	Assistant Enrolling and Engrossing
Diane M. Whalen, Bowman	Page
Evelyn Sholts, Bismarck	Telephone Attendant
Dean Hoistad, Devils Lake	Bill Book Clerk
Ferd Hetterle, Bismarck	Parking Lot Attendant
Pat Martin, Bismarck	Journal Proofreader
Arthur Herk, Fingal	Assistant Secretary
Edwin Keller	Engineer
John Dorrheim	Maintenance
Fred Bosch, Jr.	Assistant Supervisor
Jacob Ell	Maintenance

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Kautzmann the roll was called and there were ayes, 50; nays, 0, and 1 vacancy.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

So the motion was declared carried.

The President then administered the oath of office to the Senate employees.

SECOND READING OF SENATE BILLS

Senate Bill No. 2017. A Bill for an Act to amend and reenact Section 2 of chapter 189 of the 1969 Session Laws of North Dakota, providing the superintendent of public instruction and, in case of appeal, the board of public school education with authority to limit certain school construction projects; and to repeal section 1 of chapter 189 of the 1969 Session Laws of North Dakota, providing statements of legislative rationale.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 0; 1 vacancy.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.

Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

So the bill passed and the title was agreed to.

Senate Bill No. 2043. A Bill for an Act to amend and reenact chapter 214 of the 1971 Session Laws of North Dakota, relating to the sale of the university of North Dakota-Ellendale branch property.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 0; 1 vacancy.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

So the bill passed and the title was agreed to.

Senate Bill No. 2067. A Bill for an Act to amend and reenact section 32-28-02 of the North Dakota Century Code, relating to the procedures for changing a person's first name.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Those voting in the negative were:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2073. A Bill for an Act to repeal chapter 59-07 of the North Dakota Century Code, relating to power of attorney.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 4; absent and not voting 0; 1 vacancy.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Jones	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Longmire	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Kautzmann	Nothing	Smykowski	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2082. A Bill for an Act to amend and reenact sections 16-04-16 and 16-08-01 of the North Dakota Century Code, relating to the designations of state offices which appear on the primary election ballot.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 0; 1 vacancy.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Nothing	Smykowski
Butler	Jones	Page	Solberg
Christensen	Kautzmann	Peterson	Strand
Coughlin	Larson	Pyle	Stroup
Erdman	Lee	Rait	Strinden
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Longmire	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	
Hoffner	Mutch	Schultz, C.	

So the bill passed and the title was agreed to.

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

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRD DAY

Bismarck, January 4, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Robert Fisher of the Wesleyan Church.

"Our heavenly Father, we are thankful that as we see the in-

equities of life, we are aware you are a God who can see them more clearly.

"We are glad, Lord, that You hear all who call on You for wisdom and understanding as to how wrongs can be made right.

"We know that You understand the way to solve these problems, and understand also our differences in opinions and the reasons for them. For it is Your creative genius that has provided the beauty of variety in the world and in our lives that makes us of different mind. We ask that we might hear Your voice and understand Your will, so that we can work it out to Your glory. So bless this body today

We ask in the name of Jesus, Amen."

Roll call: All Senators 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 first day after recess and the second day and recommends that the same be corrected as follows:

On page 27, in line 8 from the top of the page, delete the word "State".

On page 27, delete all of line 9, and insert in lieu thereof the words "Political Subdivisions".

On page 42, in line 25 from the top of the page, delete the word "Robinson" and insert in lieu thereof the word "Kautzmann".

On page 44, in line 2 from the top of the page, correct the spelling of the word "prevailed".

On page 44, first line from the bottom of the page, correct the spelling of the word "Assembly".

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

FIRST READING OF A SENATE BILL

Senator J. Schultz introduced:

Senate Bill No. 2121. A Bill for an Act to provide that a purchase money security interest in a mobile home shall take certain priorities in the event that taxing officials have failed or refused to try to collect the tax liability.

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

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Bill No. 2070 as recommended by the Committee on Education, and printed on page 43 of the Senate Journal, be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2040 as recommended by the Committee on State and Federal Government, and printed on page 45 of the Senate Journal, be adopted, which motion prevailed.

MESSAGE TO THE SENATE

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

House Bill No. 1025

House Bill No. 1033

House Bill No. 1051

House Bill No. 1058
House Bill No. 1069

ROY GILBREATH, Chief Clerk

SECOND READING OF A SENATE BILL

Senate Bill No. 2041. A Bill for an Act to amend and reenact section 54-07-01.2 of the North Dakota Century Code, relating to the governor's power to appoint a majority of the members of certain boards and commissions upon commencing his term.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 0; 1 vacancy.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Nothing	Smykowski
Butler	Jones	Page	Solberg
Christensen	Kautzmann	Peterson	Strand
Coughlin	Larson	Pyle	Strinden
Erdman	Lee	Rait	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Longmire	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	
Hoffner	Mutch	Schultz, C.	

So the bill passed and the title was agreed to.

Senator Litten moved that the Senate recess until 1:30 p.m., January 5, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**THIRD DAY AFTER RECESS
AND FOURTH DAY**

Bismarck, January 5, 1973

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2006 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20 delete the figure "95,412" and insert in lieu thereof the figure "98,412"

On page 2, line 2 delete the figure "528,684" and insert in lieu thereof the figure "531,684"

On page 2, line 3 delete the figure "404,093" and insert in lieu thereof the figure "407,093"

On page 2, line 17 delete the figure "109,925" and insert in lieu thereof the figure "111,949"

On page 2, line 23 delete the figure "154,925" and insert in lieu thereof the figure "156,949"

On page 2, line 24 delete the figure "801,076" and insert in lieu thereof the figure "803,100"

On page 2, line 25 delete the figure "404,093" and insert in lieu thereof the figure "407,093"

On page 2, line 26 delete the figure "1,205,169" and insert in lieu thereof the figure "1,210,193"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The Salary and Wages item of the Aeronautic's Budget was increased by \$3,000 and income to the Commission was increased by a like amount.

The Salary and Wages item of the Securities Commission was increased by \$2,024 to correct an error in the Executive Budget.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2011 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 6 delete the figure "161,726" and insert in lieu thereof the figure "197,190"

On page 2, line 11 delete the figure "320,366" and insert in lieu thereof the figure "355,830"

On page 2, line 25 delete the figure "312,389" and insert in lieu thereof the figure "352,881"

On page 2, line 31 delete the figure "2,016,883" and insert in lieu thereof the figure "2,057,375"

On page 2, line 32 delete the figure "2,652,200" and insert in lieu thereof the figure "2,728,156"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The amendments were made to correct clerical errors in the Executive Budget.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2053 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14 after comma insert "**however they shall be no less than the requirements of the latest edition of the recommended Grade A milk ordinance and code U.S.P.S.**"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2056 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 18, after "state." insert the following: "Such quit-claim instrument or easement shall contain specific legal descriptions of the property right transferred and the location thereof."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2065 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16 after **twenty feet** insert "**or not more than 40 feet and 3 stays**"

Renumber lines accordingly

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2078 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4001 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

Senator Litten moved that the report of the Legislative Compensation Commission to the 43rd Legislative Assembly be printed in the Journal, which motion prevailed.

Report of the
LEGISLATIVE COMPENSATION COMMISSION
to the Forty-third Legislative Assembly

Chapter 429 of the 1969 Session Laws created a Legislative Compensation Commission consisting of five members appointed by the Governor to four-year terms. The Governor was also to appoint one of the members Chairman of the Commission.

Immediately following the effective date of the Act, the Governor appointed Mr. John Rouzie, Bismarck, Chairman; and appointed Mr. Arley Bjella, Williston; Mr. Gorman King, Valley City; Dr. James Mahoney, Devils Lake; and Mr. Edward Nesemeier, Casselton; as Commissioners. Mr. Bjella moved out of the State in 1972 and the Governor appointed Mr. Adin R. Miller, Beach, as his replacement on the Commission.

The Commission's prime and continuing responsibility, as outlined in Chapter 429 of the 1969 Session Laws and Sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code, is to determine appropriate rates of expense allowance and reimbursement for legislators during the session and for interim committee work. The rates of compensation and reimbursement are to be designed to permit citizens to hold legislative office without undue financial sacrifice or disadvantage. The Commission is required by law to report to each Legislative Assembly within 10 days after the convening thereof in regular Session. The Commission is also authorized to seek the assistance of the Legislative Council staff. The Council's staff has provided this assistance during the biennium.

The Commission made several recommendations to the 1971 Legislature concerning compensation, mileage allowances, authorized round trips home during the Session, and compensation for service on interim committees. All of these recommendations were supported by information and data collected not only from North Dakota legislators, but also from information concerning the expense and mileage allowances paid by the Federal Government, several other states, and many private businesses, as well as the annual salaries paid other state administrative officials throughout the country.

The Commission noted in its 1971 Report that North Dakota's average expenditure per legislator is approximately \$6,850 per year, and that North Dakota ranked 47th among the 50 states in average expenditure per legislator. At that time, the latest compilations also indicated North Dakota ranked 41st out of the 50 states in the total amount expended on legislative compensation. As of December 1968, North Dakota ranked 47th out of the 50 states in the amount of realized compensation paid to an average legislator during a regular Session.

There was no attempt during the present biennium to collect similar statistics since there was no indication during the biennium of any new facts and figures which would have changed North Dakota's position and ranking to any measurable extent.

Many of the Commission's recommendations to the 1971 Legislature were adopted by the Assembly.

The Commission believes that the prime responsibility of the Legislative Assembly is to respond to the needs of the people it represents. The Commission also believes that if the Legislature is not responsive to the needs of the people, more governmental power will flow to the Federal Government and away from local and State Government. One of the most effective means of ensuring a Legislature responsive to the needs of those represented by it is to strive

for a Legislature made up of highly motivated and competent men and women.

The Commission believes that its primary responsibility is to make recommendations regarding a scale of compensation which will encourage competent and highly motivated men and women to serve in the Legislature. However, the Commission recognizes that compensation is only one of many factors which motivate people to seek public office, and the compensation factor should be interwoven with improvements in areas such as available physical facilities, available professional staff services, and time available to the legislator to carry out his functions. Although there are other factors which are beyond the control of the Legislature, the Commission feels that improvements made in these four areas would do much to provide incentive for even greater numbers of qualified people to seek legislative office.

SPECIFIC COMPENSATION RECOMMENDATIONS

The Commission recommends that Section 54-03-20 be amended to increase the daily legislative expense allowance from \$40 to \$50 a day. This is to be paid for each calendar or natural day during any Organizational, Special, or Regular Session, as well as for a day, or a portion of a day, spent in traveling to or returning from such sessions.

The 1973 Legislature is due to convene on January 2, 1973. The 60th legislative day falls on Tuesday, March 13, 1973. Including two days for travel to and from the Session, the 1973 Legislative Session will likely cover 73 natural or calendar days. Under the current provisions of Section 54-03-20, the expense allowance for living, which includes meals, lodging, uncompensated travel, and other necessary expenses, would be \$40 a day, or \$2,920 during the Session. Under the Commission's recommendation of a \$50-a-day expense allowance, this amount would be \$3,650, or an increase of \$730.

The national trend is toward increasing legislative compensation. The Commission makes this recommendation because it believes that during the Session is the time most legislators undergo the most severe financial hardships. For example, there is an increasing number of legislators who work as regular wage earners. This is contrasted to those who are not on a regular wage, such as farmers, attorneys, physicians, and independent businessmen. During the Session, many of these wage earners are forced to take a leave of absence or similarly go off their regular wage schedule for the duration of the Session. At this time, when they go off their regular wage schedule, they are also usually forced to maintain two homes, one in their home town and one in Bismarck.

The Commission strongly believes that part of the North Dakota Legislature's strength is a broad variety of occupations and vocations its members represent. The Commission believes legislative compensation must be such that no segment of the State's population would be precluded because of financial reasons from serving in the Legislature.

The Commission recommends further amendment of Section 54-03-20 to increase the biennial uncompensated expense allowance for the Speaker of the House and the Majority and Minority Leaders in both the Senate and the House of Representatives from \$50 a month to \$75 a month. This would be a biennial increase from \$1,200 to \$1,800.

The Commission makes this recommendation in light of testimony it received indicating the many additional expenses these leaders incur during the biennium in the way of extra phone calls, automobile travel, and other matters which are necessitated and brought about because of their leadership positions.

The Commission also recommends to the Legislature that, in its consideration of constitutional amendments to propose to the people,

it consider the resubmission of the constitutional amendment approved by the 1969 Legislature which would have created the Legislative Compensation Commission as a constitutional body to establish salaries and expense allowances for members of the Legislative Assembly. The Commission believes that this measure, which was defeated on November 3, 1970, by 99,402 no votes, to 82,145 yes votes, was not properly explained and presented to the people. It believes that with proper explanation it will be accepted. This will give the Commission permanent existence and give it authority to fairly set legislative compensation rates.

GENERAL RECOMMENDATIONS

The Commission believes it is proper to make general recommendations in other areas of the legislative field, because in any study of legislative compensation designed to arrive at compensation figures which will attract and retain competent people for service, it is impossible not to consider other means of challenging and encouraging a citizen to serve. Further, the Commission believes that if a legislator's working conditions are deemed by him to be atrocious or if the possibility of accomplishing anything worthwhile is remote, then no amount of money will induce him to run for or continue to serve in the Legislature. Therefore, the Commission wishes to make these further general recommendations for the consideration of the Forty-third Legislative Assembly.

The Commission believes that the 60-legislative-day biennial Session does not provide enough working time to allow the Legislative Assembly to adequately consider all of the legislation and problems pending before it. The Commission is aware that any drastic increase in the length of the biennial session would cause that Session to run beyond the opening of the agricultural productive season, and therefore, the Commission recommends that the Forty-third Legislative Assembly give consideration either to adopting a recessed biennial session plan or an annual session plan, wherein the length of each annual session would not interfere with the opening of the agricultural productive season. The Commission believes that any such plan which might be adopted should provide that substantive standing committees can continue to hold hearings on introduced bills during the interim period between Sessions. The Commission feels that this would permit greater use of available professional staff personnel to serve each of the standing committees, more adequate hearing time for citizen participation, and greater opportunities for reviewing alternative courses of action. It would be the most economical and efficient way to increase the time available for legislative work.

In regard to legislative physical facilities, the Commission recommends that the Legislative Assembly consider whatever means may be necessary to provide additional legislative facilities, with special emphasis on provision of additional and more adequate committee hearing rooms, a legislator's lounge, professional staff quarters, and provision for office space for standing committee Chairmen. With the exception of the House and Senate Chambers, legislators have rated almost every existing physical facility from "fair" to "poor".

The Commission recommends that the Forty-third Legislative Assembly also give consideration to increasing the number of professional staff personnel available to serve the Legislature. The Commission feels that, in light of the responsibilities and operational workload of the present Legislative Council staff, an increase of at least two professional personnel could be considered, in order to allow more adequate attention to be given to current areas of responsibility.

Finally, the Commission wishes to recommend that the Legislature, in any study wherein the question of the size of the Assembly is considered, no attempt to increase the membership of the body should be made, and that long-term consideration should be given

to the possibility of decreasing the size of the body while still retaining its representative character. The Commission believes that a well-planned decrease in the size of the Legislative Assembly which does not seriously detract from its representative nature would allow physical facilities and professional staff personnel to be used in a more efficient manner, and would also allow the establishment of a more realistic legislative compensation plan without greatly increasing the overall legislative appropriation.

Senator Litten moved that John Rouzie, Chairman of the Legislative Compensation Commission to the 43rd Legislative Assembly be given the privilege of addressing the assembly explaining the report, and that a committee of two be appointed to escort Mr. Rouzie to the rostrum, which motion prevailed.

The President appointed as such committee Senators Roen and Pyle.

CONSIDERATION OF AMENDMENTS

Senator Nething moved that the amendments to Senate Bill No. 2036 as recommended by the Committee on Political Subdivisions, and printed on page 49 of the Senate Journal, be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Rules has had certain rules amendments under consideration and recommends adoption of the amendments to the Senate Rules and the Joint Rules.

**PROPOSED AMENDMENTS TO JOINT RULE NO. 8;
JOINT RULE No. 19; AND SENATE RULE No. 29, SENATE RULE
No. 44, AND SENATE RULE No. 61**

SECTION 1. AMENDMENT.) Joint Rules Nos. 8 and 19 are hereby amended to read as follows:

8. LIMITATION ON MESSAGE OF BILLS

((Whenever a time shall have been previously fixed for an adjournment of the legislature before the constitutional limitation thereof, no bill that shall have passed one House shall be sent for concurrence to the other on any of the last four legislative days of the session, and in case no such time for adjournment is fixed, other than the constitutional limitation, no)) **No** bill that shall have passed one House shall be sent to the other House for concurrence after the ((fortieth)) **thirty-third** legislative day of the session, except bills introduced after the first fifteen legislative days of the session by the Committee on Delayed Bills or introduced with the concurrence of two-thirds or more of the members of the House of introduction.

19. (((SUNDAY))) SATURDAYS AND SUNDAYS NOT LEGISLATIVE (((DAY))) DAYS

((Sunday)) **Saturdays and Sundays** shall not be counted as ((a)) legislative ((day)) **days**, unless legislative business is conducted on ((that day)) **those days, or either of them.**

SECTION 2. AMENDMENT.) Senate Rules Nos. 29, 44, and 61 are hereby amended to read as follows:

29. WHEN INTRODUCED

No bill shall be introduced after the fifteenth legislative day, nor shall any resolution be introduced after the ((thirty-fifth)) **thirtieth** day, except upon the approval of a majority of the Committee on Delayed Bills or upon two-thirds vote of the members-elect of the Senate. No bill introduced at the request of an executive agency shall be introduced after the fifth legislative day, except upon approval of a majority of the Committee on Delayed Bills.

44. DISPOSITION OF MEASURES

No bill or resolution, except an appropriations measure, may be held in a committee for more than twenty-one legislative days after it is referred to the committee, unless an extension of time is granted by the Senate. If the bill or resolution is not reported as required by this rule and such time is not extended, it shall automatically go on the calendar of bills without recommendation. The same rule shall apply to all Senate bills not reported back by the (((thirty-eighth))) **thirty-first** legislative day and House bills not reported back by the (((fifty-seventh))) **forty-seventh** legislative day.

61. NOTICE OF INTENTION TO RECONSIDER

Except on the (((fortieth and sixtieth))) **thirty-third and on or after the fiftieth** legislative days of the session, when notice of intention to move the reconsideration of any bill or resolution shall be given by a member, the Secretary of the Senate shall retain the bill or resolution until the end of the next legislative day, excluding Sundays, unless the same has previously been disposed of. When a member, in explaining his vote, states to the Senate that his vote is for the purpose of reconsideration, such statement shall be deemed to be notice of such intention.

SENATOR LITTEN, Chairman

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

RECOGNITION

The President announced that a former Senator was in the chambers, and requested that the Senate recognize former Senator Guy Larson, and Senator Larson was thereupon introduced to the Senate.

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTH DAY

Bismarck, January 5, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Major Spicer of the Salvation Army, Bismarck.

"Our Father: We thank you for the privilege of prayer, help us to use this privilege wisely. We thank you for forgiveness, help us to be forgiving. We thank you for knowledge, help us to use it wisely. We thank you for friends, but give us grace to love and have concern and compassion for the unlovable and undesirable.

"We know from past experience that the problems we face in life are beyond our limited strength to cope with and find right solutions for, and lest we make the wrong decisions we ask your divine guidance in the matters these, our State Senators, are faced with today. Overpower anything that is contrary to Thy will. We want, oh God, that you and you alone shall lead our state and people.

"Bless our new Governor and give him an extra portion of wisdom.

"Help each of us to live as you would have us live and be the kind of examples before our fellow man as you would have us be.

"Answer this simple but sincere prayer and may your will be done in all things. We ask these things in your name." Amen.

Roll Call: All Senators present except Holand and Strand.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the second day after recess and the third day and recommends that the same be corrected as follows:

On page 50, in line 23 from the top of the page, delete the words "Arnold Schmitt" and insert in lieu thereof the words "Jacob Ell".

On page 51, in lines 20 and 21, from the top of the page, correct the spelling of the word "voting".

On page 52, in the second line from the bottom of the page, after the word "Chaplain", insert the words "Robert Fisher".

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane 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. 2040

Senate Bill No. 2070

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

FIRST READING OF SENATE BILLS

Senators Holand and Barth introduced:

Senate Bill No. 2122. A Bill for an Act to establish the profession and regulation of professional soil classifying, a creation of a board of professional soil classifiers, and providing penalties.

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

Senator Holand introduced:

Senate Bill No. 2123. A Bill for an Act to create and enact subsection 4 of section 43-11-27 of the North Dakota Century Code, relating to renewals of cosmetology instructors' licenses; and to amend and reenact sections 43-11-16, 43-11-25, 43-11-26, and subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to qualifications of schools of hairdressing and cosmetology, reciprocity fees, and qualifications for obtaining a manager-operator's license and an instructor's license.

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

The Committee on Judiciary introduced:

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-08-02 and subsection 4 of section 16-11-04 of the North Dakota Century Code, relating to voting instructions on no-party and general election ballots.

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

Senators Melland and Anderson introduced:

Senate Bill No. 2125. A Bill for an Act to provide a tax exemption for aesthetic improvements to commercial property and certain residential improvements for a period of five years.

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

The Committee on Education introduced:

Senate Bill No. 2126. A Bill for an Act to amend and reenact section 15-21-01 of the North Dakota Century Code, relating to term of office of superintendent of public instruction.

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

The Committee on Education introduced:

Senate Bill No. 2127. A Bill for an Act to amend and reenact subsection 1 of section 15-34.1-03 of the North Dakota Century Code, relating to school attendance.

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

The Committee on Transportation introduced:

Senate Bill No. 2128. A Bill for an Act to create and enact sections 39-04-54 and 39-04-55 of the North Dakota Century Code, and to repeal sections 39-05-10 and 39-05-12 of the North Dakota Century Code, relating to the registration of motor vehicles; and providing a penalty.

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

The Committee on Agriculture introduced:

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees of examiner for installing and examining accounting system.

Was read the first time and referred to the Committee on Agriculture.

The Committee on Transportation introduced:

Senate Bill No. 2130. A Bill for an Act to amend and reenact subsection 4 of section 49-18-01 of the North Dakota Century Code, relating to definitions of "agricultural carriers".

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

The Committee on Agriculture introduced:

Senate Bill No. 2131. A Bill for an Act to amend and reenact section 60-05-02 of the North Dakota Century Code, relating to examination of financial accounts of elevator or warehouse by competent examiner.

Was read the first time and referred to the Committee on Agriculture.

Senators Mutch and Lee introduced:

Senate Bill No. 2132. A Bill for an Act to amend and reenact section 39-2014 of the North Dakota Century Code, relating to chemical screening tests.

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

Senators Mutch and Lee introduced:

Senate Bill No. 2133. A Bill for an Act to amend and reenact subsection 3 of section 39-20-07 of the North Dakota Century Code, relating to the interpretation of chemical tests.

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

Senators Litten, Ringsak and Christensen introduced:

Senate Bill No. 2134. A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to expense allowances of members of the legislative assembly, and declaring an emergency.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Political Subdivisions introduced:

Senate Concurrent Resolution 4007. A Concurrent Resolution directing the legislative council to study the governmental organization and financing of public library service and the role of the state library in the provision and coordination of such public library service.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2030. A Bill for an Act to amend and reenact section 54-42-06 of the North Dakota Century Code to authorize the providing of merit system coverage to human service centers and other units providing social and mental health services.

Was read the second time.

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; 1 vacancy.

Those voting in the affirmative were:

Anderson	Izler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Christensen	Holand	Kautzmann	Strand
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So the bill passed and the title was agreed to.

Senate Bill No. 2038. A Bill for an Act to authorize North Dakota's local units of government to spend revenue sharing funds, and declaring an emergency.

Was read the second time.

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; 1 vacancy.

Those voting in the affirmative were:

Anderson	Izler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Christensen	Holand	Kautzmann	Strand
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So the bill passed and the title was agreed to, and the emergency clause carried.

PERSONAL PRIVILEGE

Senator Litten: Mr. President. I rise on a point of personal privilege.

Mr. President: State your privilege, Senator Litten.

Senator Litten:

"Some of the subdivisions of government in North Dakota, including some of the cities, have a real need for the Revenue Sharing funds they have received. There is no reason to deny the use of these funds to those units of government. Senate Bill 2038 is a tool to give local government the opportunity to utilize their shares of the Revenue Sharing money.

"Early in December, checks totaling over ten million dollars (\$10,706,060) were mailed to state and local government offices in North Dakota as half of the state's 1972 Revenue Sharing funds. Rather than make the local units of government hold these funds until after July 1, 1973, this bill makes the funds immediately available for local government.

"Let's recall the purpose of Revenue Sharing. President Nixon's Revenue Sharing plan was designed to shift the balance of power away from the federal government in Washington to the people through their local elected officials.

"We are witnessing the reversal of a trend. For the first time in recent memory, the Administration is recognizing that local problems can best be solved by local leadership. The flow of power and resources from the states and communities to Washington is being reversed and power and resources are flowing back from Washington to the states and communities and, more important, to the people on the local level.

"During recent years, some of the subdivisions of local government have simply been unable to meet the financial pressures imposed on them. We, in state government in North Dakota, have been fortunate because the Republican controlled legislatures of the past have held the brakes on all runaway spending schemes. Consequently, we have a state government that is in good financial condition at this time.

"By passing Senate Bill 2038, we are giving local government the opportunity to use the Revenue Sharing funds they have received."

Senator Sands moved that the remarks of Senator Litten be printed in the Journal, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2042. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to abstracts of operating records and accident reports.

Was read the second time.

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; 1 vacancy.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Netting	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strindman
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten

Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Christensen	Holand	Kautzmann	Strand
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So the bill passed and the title was agreed to.

Senate Bill No. 2061. A Bill for an Act to amend and reenact subsection 10 of section 1-03-01 of the North Dakota Century Code, relating to the date of Veterans Day as a public holiday.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 4; 1 vacancy.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, C.
Barth	Jones	Nething	Schultz, J.
Berube	Larson	Page	Shablow
Coughlin	Lee	Peterson	Smykowski
Erdman	Lips	Pyle	Solberg
Freed	Litten	Rait	Strinden
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Iszler	Naaden	Sandness	

Those voting in the negative were:

Butler	Fritzell	Stroup
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Absent and not voting:

Christensen	Holand	Kautzmann	Strand
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So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4005. A Concurrent Resolution for a study by the Legislative Council of the field of land use planning and zoning at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

Was read the second time.

Senator Ringsak moved the SCR No. 4005 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

FIRST READING OF SENATE RESOLUTIONS

Senators Nething and Ringsak introduced:

Senate Resolution No. 2. A Resolution creating a select senate investigating committee to study, investigate, and review the operation and administration of the North Dakota penitentiary and to report its findings and recommendations to the senate within thirty days of the passage of this resolution.

Senator Nething moved that the rules be suspended, that Senate Resolution No. 2 be not printed as a bill but printed in the journal, and placed on second reading and final passage, which motion failed.

Senator Nething moved that the rules be suspended, that Senate Resolution No. 2 be not printed as a bill but printed in the journal, and laid over one legislative day, which motion prevailed.

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SENATE RESOLUTION NO. 2.

Introduced by Senators Nething, Ringsak

1 A resolution creating a select senate investigating committee la to study, investigate,

2 and review the operation and administration of the North
 2a Dakota penitentiary
 3 and to report its findings and recommendations to the senate
 3a within thirty days
 4 of the passage of this resolution.

5
 6 WHEREAS, the state of North Dakota and its citizens desire
 6a to provide
 7 the best possible rehabilitation programs while at the same
 7a time maintaining
 8 proper and necessary security measures at the North Dakota
 8a state penitentiary; and

9 WHEREAS, it is evident that recent years have seen a
 9a national trend of
 10 change and reform, as well as new ideas and programs, in the
 10a general field
 11 of penal administration; and

12 WHEREAS, recent developments at the North Dakota state
 12a penitentiary,
 13 including, but not limited to, the rash of escapes; prisoner
 13a disturbances; the
 14 flurry of charges and counter-charges concerning administrative
 14a policies and
 15 procedures; the suspension, hearings, and eventual resignations
 15a of the warden
 16 and deputy warden; the special news conference on the subject
 16a held by the
 17 governor; the concern voiced over the penitentiary situation by
 17a various news
 18 media, law enforcement personnel, and law enforcement
 18a associations; have all
 19 raised serious questions in the minds of many North Dakotans
 19a and of members of
 20 the Forty-third Legislative Assembly concerning the penitentiary
 20a situation; and

21 WHEREAS, it is a necessary prerequisite to any legislative
 21a action
 22 concerning policy or appropriations that the legislature have the
 22a facts and
 23 information upon which to make decisions; and

24 WHEREAS, the Forty-third Legislative Assembly is already
 24a in session

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1 and such information must be gathered swiftly and put before
 1a it if it is to be the
 2 basis of action during this session; and

3 WHEREAS, an investigation of matters pertaining to the
 3a penitentiary, and
 4 possible legislative action thereon, will work to the benefit of
 4a all North Dakota
 5 citizens, including the penitentiary inmates; and

6 WHEREAS, the Forty-third Legislative Assembly wishes to
 6a help the new
 7 warden of the North Dakota state penitentiary in any manner
 7a possible;

8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
 8a OF THE STATE OF
 9 NORTH DAKOTA:

10 That it hereby authorizes and directs the creation of a select
 10a senate
 11 investigating committee composed of seven members to study,
 11a review, and
 12 investigate the operation of the North Dakota state penitentiary,
 12a with the scope
 13 of its investigation, including, but not limited to, the programs

13a of rehabilitation
 14 and treatment presently provided, required, or needed at the
 14a penitentiary; the
 15 security measures and disciplinary procedures now in force, and
 15a those that
 16 may be needed or required; the relationship of the institution
 16a with the office
 17 of the state director of institutions; the facts and circumstances
 17a related to the
 18 recent suspension, hearings, and dismissals, and/or resignations
 18a of the
 19 warden and deputy warden; the financial operations of the
 19a institution; the
 20 morale and well being of the inmates of the penitentiary; the
 20a recommendations of
 21 consultants and others concerning the penitentiary; and other
 21a matters deemed
 22 appropriate by the committee to carry out its duties; and
 23 **BE IT FURTHER RESOLVED**, that five members of this select
 23a senate
 24 investigating committee be appointed by the senate majority
 24a leader and that
 25 two members be appointed by the senate minority leader within
 25a two legislative
 26 days of the passage of this resolution; that the majority leader
 26a designate one
 27 of his appointees as chairman; and that this committee report
 27a its findings and
 28 recommendations to the senate within thirty days of the date of
 28a passage of this
 29 resolution; and
 30 **BE IT FURTHER RESOLVED**, that this select senate
 30a investigating
 31 committee may call upon the legislative council, the director of
 31a institutions,
 32 the office of the governor, the department of accounts and
 32a purchases, the
 33 state combined law enforcement council, the attorney general,
 33a and any other
 34 executive department, agency, office, officer, board, commission,
 34a or institution,
 35 or any organization or individuals outside of state government,
 35a for any reasonable

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1 assistance in the conduct of its investigation; and
 2 **BE IT FURTHER RESOLVED**, that this select senate
 2a investigating committee
 3 is created under the authority and powers of chapter 54-03.2
 3a of the North
 4 Dakota Century Code, and that as such it have full subpoena
 4a powers, the power
 5 to take testimony under oath, and all other powers necessary to
 5a conduct an
 6 investigation according to chapter 54-03.2; and
 7 **BE IT FURTHER RESOLVED**, that copies of this resolution be
 7a forwarded
 8 immediately by the secretary of the senate to the warden of the
 8a state penitentiary,
 9 the director of institutions, the governor, and the attorney
 9a general.

SECOND READING OF SENATE BILLS

Senate Bill No. 2040. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the membership of the emergency commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 5; 1 vacancy.

Those voting in the affirmative were:

Anderson	Lips	Peterson	Shablow
Butler	Litten	Pyle	Smykowski
Freed	Longmire	Reiten	Solberg
Fritzell	Melland	Ringsak	Strinden
Goldberg	Morgan	Roen	Stroup
Goodman	Mutch	Sands	Thane
Iszler	Naaden	Sandness	Tweten
Jacobson	Nasset	Schultz, C.	Wenstrom
Jones	Nething	Schultz, J.	Wright
Lee	Page		

Those voting in the negative were:

Barth	Erdman	Hoffner	Rait
Berube	Gronhovd	Larson	
Absent and not voting:			
Christensen	Holand	Kautzmann	Strand
Coughlin			

So the bill passed and the title was agreed to.

Senate Bill No. 2070. A Bill for an Act to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to the bonding authority for junior colleges and educational centers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 4; 1 vacancy.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Christensen	Holand	Kautzmann	Strand
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So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2017

Senate Bill No. 2041

Senate Bill No. 2043

Senate Bill No. 2067

Senate Bill No. 2073

Senate Bill No. 2082

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1018

House Bill No. 1024

House Bill No. 1028

House Bill No. 1043

House Bill No. 1045

House Bill No. 1057

House Concurrent Resolution No. 3007

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 p.m., January 8, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTH DAY AFTER RECESS AND
FIFTH DAY

Bismarck, January 8, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2044 has had the same under consideration and recommends that the same be amended as follows:

Line 19, after the word "use" delete ", in a public place,"
Renumber lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2050 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2087 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2006 as recommended by the Committee on Appropriations as printed on page 55 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2011 as recommended by the Committee on Appropriations as printed on pages 55 and 56 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2053 as recommended by the Committee on Agriculture as printed on page 56 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 2056 as recommended by the Committee on Natural Resources as printed on page 56 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2065 as recommended by the Committee on Agriculture as printed on page 56 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Lips and Nething introduced:

Senate Bill No. 2135. A Bill for an Act to repeal section 15-38-13 of the North Dakota Century Code, relating to power of the teacher to suspend pupils.

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

Senators Erdman, Coughlin and Goldberg introduced:

Senate Bill No. 2136. A Bill for an Act to repeal chapter 197 of the 1969 Session Laws of North Dakota, relating to adoption of the quarter system educational term by all institutions of higher education.

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

The Committee on Transportation introduced:

Senate Bill No. 2137. A Bill for an Act to amend and reenact section 39-05-32 of the North Dakota Century Code, relating to enforcement of motor vehicle title law.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2138. A Bill for an Act to amend and reenact section 43-15-18 of the North Dakota Century Code, relating to registration of pharmacy interns.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2139. A Bill for an Act to amend and reenact section 43-15-25 of the North Dakota Century Code, relating to certificates issued to pharmacists.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2140. A Bill for an Act to amend and reenact section 43-15-34 of the North Dakota Century Code, relating to the permit and fee required for the operation of a pharmacy.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2141. A Bill for an Act to amend and reenact subsection 2 of section 43-15-38 of the North Dakota Century Code, relating to the fee to be paid on reinstatement of pharmacy permit.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2142. A Bill for an Act to amend and reenact section 51-05-13 of the North Dakota Century Code, relative to license applications for auctioneers and renewal thereof.

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

Senators Longmire, Coughlin, Tweten, Goodman, Fritzell, Reiten and Anderson introduced:

Senate Bill No. 2143. A Bill for an Act to authorize the state

board of higher education to sell self-liquidating tax-exempt bonds and provide for the use of the proceeds of such self-liquidating bonds for the purpose of constructing or purchasing revenue producing buildings and other campus improvements at institutions of higher learning in this state under the jurisdiction of the board, at such maximum amounts, at such locations, and for such purposes as are hereinafter provided.

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

The Committee on Appropriations introduced:

Senate Bill No. 2144. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the department of the registrar of motor vehicles; and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2145. A Bill for an Act to amend and reenact subsection 4 of section 43-15-15 of the North Dakota Century Code, relating to qualifications of registered pharmacists.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2146. A Bill for an Act to authorize the state park service to lease the Lewis and Clark recreation area and the Fort Stevenson public use development area from the army corps of engineers for twenty-five years and to make these areas part of the state park system.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2147. A Bill for an Act to create and enact section 34-14-09.1 of the North Dakota Century Code, to provide that employees are entitled to interest on unpaid wages.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2148. A Bill for an Act to create and enact section 6-03-76 of the North Dakota Century Code, and to amend and reenact subsection 7 of section 6-01-02 and section 6-03-17, and to repeal sections 6-03-13.1, 6-03-13.2, 6-03-13.3, and 6-03-13.4 of the North Dakota Century Code, all relating to bank services, offices and facilities.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2149. A Bill for an Act to create and enact paragraphs 4 and 5 of subdivision b of subsection 5 of section 65-01-02 of the North Dakota Century Code, relating to the definition of employee, and to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment, and providing for an effective date.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2150. A Bill for an Act to amend and reenact section 6-01-04 of the North Dakota Century Code, relating to

powers and duties of the state banking board and state credit union board.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2151. A Bill for an Act to prohibit the business of debt adjusting when conducted for profit; to provide exemptions for certain businesses and activities; and providing a penalty.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2152 A Bill for an Act to create and enact section 51-13-05.1 of the North Dakota Century Code, relating to installment and conditional sales contracts; and to amend and reenact subsection 12 of section 51-13-01 of the North Dakota Century Code, relating to definition of motor vehicle.

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

The Committee on Appropriations introduced:

Senate Bill No. 2153. A Bill for an Act making an appropriation for the use of the state toxicologist.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Transportation introduced:

Senate Bill No. 2154. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 39-04-19 of the North Dakota Century Code, relating to registration of motor buses.

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

The Committee on Transportation introduced:

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 39-04-15.1 of the North Dakota Century Code, relating to the registration of motor vehicles over thirty-six thousand pounds.

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

The Committee on Transportation introduced:

Senate Bill No. 2156. A Bill for an Act to amend and reenact section 39-04-06 of the North Dakota Century Code, relating to motor vehicle registration fees paid by NSF checks; providing for the cost of collection.

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

Senator Lips introduced:

Senate Bill No. 2157. A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 and subsection 3 of section 57-40.2-01 of the North Dakota Century Code, relating to the sales and use tax on items consumed or destroyed in the process of manufacturing.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1018. A Bill for an Act to amend and reenact section 4-09-20 of the North Dakota Century Code, relating to the processing of vouchers by the seed department.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1024. A Bill for an Act to create and enact sec-

tion 15-10-14.1 of the North Dakota Century Code; and to amend and reenact section 15-10-14, subsection 2 of section 15-10-17, and sections 15-10-25 and 15-52-09 of the North Dakota Century Code; and to repeal section 15-10-24 of the North Dakota Century Code, all relating to fiscal practices at institutions of higher education.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1025. A Bill for an Act relating to out-of-state travel by persons employed by state institutions of higher education; and to amend and reenact section 54-06-10 of the North Dakota Century Code, relating to out-of-state travel of state employees.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1028. A Bill for an Act to amend and reenact section 57-45-05 of the North Dakota Century Code, relating to neglect of duty by taxing officers and employees, and providing a penalty.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1033. A Bill for an Act to amend and reenact section 6-03-59.1 of the North Dakota Century Code, relating to the term of leases of personal property from banks.

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

House Bill No. 1043. A Bill for an Act to amend and reenact the initial paragraph of section 55-08-05, and section 55-08-06.1 of the North Dakota Century Code, relating to the provision of special services in state parks and recreation areas, providing exceptions from the necessity of obtaining park permits, and to delete references to the state park advisory council.

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

House Bill No. 1045. A Bill for an Act to repeal chapter 54-49 of the North Dakota Century Code, relating to the membership, powers, and duties of the natural resources and environmental management council.

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

House Bill No. 1051. A Bill for an Act to amend and reenact section 15-10-01, subsection 8 of section 15-17-03, and section 15-47-02, relating to a state institution of higher learning at Ellendale in regard to institutions under control of the state board of higher education, the erection of dormitories by insitutional holding corporatons, and institutions part of the free public school system; and to repeal chapter 15-14, relating to a state normal and industrial school at Ellendale.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1057. A Bill for an Act relating to the leasing of buildings or building space by state agencies, departments, offices, officers, boards, and institutions.

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

House Bill No. 1058. A Bill for an Act to amend and reenact subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification of jurors and lowering the age to eighteen.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1069. A Bill for an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to reopening of election ballots.

Which was read the first time and referred to the Committee on Judiciary.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3007. A Concurrent Resolution requesting the Legislative Council to study North Dakota laws regarding the bonding of public employees.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2036

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

SECOND READING OF A SENATE BILL

Senate Bill No. 2036. A Bill for an Act to provide for the filing of notices relating to buried transmission facilities and to give the owner thereof a civil cause of action in certain cases when these facilities are damaged, and providing an effective date.

Which has been read.

Senator Nothing moved that Senate Bill No. 2036 be amended as follows:

On page 1 of the Engrossed Bill, in line 4, after the word "damaged" insert the following: ", and providing an effective date"

Which motion prevailed.

Senator Nothing moved that the rules be suspended, that Senate Bill No. 2036 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

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; 1 vacancy.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Izler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright

Absent and not voting:

Butler Ringsak

So the bill passed and the title was agreed to.

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

Senator Litten moved that after the reading of Senate Bills

Nos. 2006, 2011, 2050, 2053, 2056, 2065 and 2087 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTH DAY

January 8, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ronald L. Smith, Capital Heights Baptist Church, Bismarck.

"Heavenly Father, I thank you today for every provision you have made for us in Christ Jesus. Because He is the Prince of Peace it is in Him that we find peace, unity, and a sound mind. Every need that we ever have can be met in Him. So I pray for these senators that they, through personal encounter with Christ, may trust you for the security of our state and for direction in their actions. I pray that these men of authority will realize the necessity for submitting to the authority of God in their own lives and as a body. So I lift them to you in the powerful and lovely name of Jesus. Amen."

Roll Call: All Senators present except Butler and Ringsak.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the third day after recess and the fourth day and recommends that the same be corrected as follows:

On page 58, in line 30 from the top of the page, correct the spelling of the word "amount".

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

SECOND READING OF A
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4001. A Concurrent Resolution directing the State Departments of Health and Social Services to coordinate and consolidate human services provided by community mental health and retardation centers and area social service centers.

Which has been read.

Senator Rait moved that Senate Concurrent Resolution No. 4001 be adopted, which motion prevailed.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 2. A Resolution creating a select senate investigating committee to study, investigate, and review the operation and administration of the North Dakota penitentiary and to report its findings and recommendations to the senate within thirty days of the passage of this resolution.

Was read the second time.

Senator Larson moved that Senate Resolution No. 2 be amended as follows:

On page 1, line 1, delete the word "senate" and insert in lieu thereof the word "citizen"

On page 1, delete lines 12 through 20

On page 2, line 10, delete the word "senate" and insert in lieu thereof the word "citizen"

On page 2, line 23, delete the word "five" and insert in lieu thereof the words "three citizen", and delete the word "senate"

On page 2, line 25, delete the word "two" and insert in lieu thereof the words "three citizen"

On page 2, line 26, delete the words "majority leader designate one" and insert in lieu thereof the following words: "chief justice of the North Dakota Supreme Court be the seventh member of the committee and serve as its"

On page 2, line 27, delete the words "of his appointees as"

On page 2, line 30, delete the word "senate" and insert in lieu thereof the word "citizen"

On page 3, line 2, delete the word "senate" and insert in lieu thereof the word "citizen"

And renumber the lines accordingly.

Which motion failed.

Senator Nething moved that Senate Resolution No. 2 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2030

Senate Bill No. 2038

Senate Bill No. 2040

Senate Bill No. 2042

Senate Bill No. 2061

Senate Bill No. 2070

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1008

House Bill No. 1022

House Bill No. 1032

House Bill No. 1056

House Bill No. 1073

House Bill No. 1117

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 P.M., January 9, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTH DAY AFTER RECESS
AND SIXTH DAY

Bismarck, January 9, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Department of State
Bismarck, North Dakota
58501

January 9, 1973

Secretary of the Senate
Forty-third Legislative Assembly
Bismarck, North Dakota

Dear Sir:

I hereby certify that at a Special Election held January 5, 1973 Rolland Redlin, Minot, North Dakota of the 5th Legislative District, Ward County is according to the records of my office, duly elected as a member of the Senate of the Forty-third Legislative Assembly of the State of North Dakota, to fill the unexpired term of Senator Wayne Sanstead.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 9th day of January, 1973.

BEN MEIER, Secretary of State
State of North Dakota

(Great Seal)

OATH OF OFFICE

Senator Litten moved that a committee of two be appointed to escort Associate Justice Ralph J. Erickstad of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the oath of office to Senator Rolland Redlin, newly elected Senator from District 5.

The President appointed as such committee Senators Coughlin and Christensen.

The Associate Justice then administered the oath of office to Senator Redlin.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2032 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2062 has had the same

under consideration and recommends that the same be amended as follows:

On line 1 of the title after "of" delete "prepackaged" and after "sandwiches" insert ", prepackaged under federal inspection,"

On line 10 of the bill delete "prepackaged" and after "sandwiches" delete the remainder of the line and insert in lieu thereof "; prepackaged under federal inspection"

On line 11 delete "department"

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2102 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2103 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2104 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2105 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4002 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2053

Senate Bill No. 2056

Senate Bill No. 2065

Senate Bill No. 2006

Senate Bill No. 2011

And find the same correctly Engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2044 as recommended by the Committee on Judiciary as printed on page 71 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Lips, Melland and Hoffner introduced:

Senate Bill No. 2158. A Bill for an Act providing for an appropriation to match federal funds available for the constructing, furnishing, and equipping of North Dakota national guard air ambulance facilities.

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

Senator Solberg introduced:

Senate Bill No. 2159. A Bill for an Act to provide for periodic motor vehicle inspection, providing a penalty, and providing an effective date.

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

Senators Lips, Litten and Goldberg introduced:

Senate Bill No. 2160. A Bill for an Act to create and enact section 6-09-02.1 of the North Dakota Century Code, relating to the creation of a board of directors for the Bank of North Dakota to be appointed by the governor; to amend and reenact section 6-09-02, 6-09-03, 6-09-04, 6-09-05, 6-09-09, 6-09-11, 6-09-12, 6-09-14, 6-09-15, 6-09-15.1, 6-09-25, 6-09-26, 6-09-29, 6-09.1-03, 6-09.2-09, and 54-17-07 of the North Dakota Century Code, relating to the industrial commission and the Bank of North Dakota; and to repeal section 6-09.1-02 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of North Dakota.

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

Senators Hoffner, Fritzell and Page introduced:

Senate Bill No. 2161. A Bill for an Act to amend and reenact subsection 12 of section 19-21-01 of the North Dakota Century Code, relating to the requirements of the labeling of a hazardous substance.

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

The Committee on Transportation introduced:

Senate Bill No. 2162. A Bill for an Act to amend and reenact section 39-18-01 of the North Dakota Century Code, relating to licensing of mobile home dealers.

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

The Committee on Transportation introduced:

Senate Bill No. 2163. A Bill for an Act to amend and reenact section 39-18-03 of the North Dakota Century Code, relating to the registration period for mobile homes, house trailers and travel trailers and declaring an emergency.

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

The Committee on Political Subdivisions introduced:

Senate Bill No. 2164. A Bill for an Act to amend and reenact section 12-44-15 of the North Dakota Century Code, relating to sheriffs' annual jail report.

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

The Committee on Appropriations introduced:

Senate Bill No. 2165. A Bill for an Act to provide an appropriation for the construction of a records management building.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2166. A Bill for an Act to amend and reenact section 10 of chapter 462 of the 1969 Session Laws of North Dakota, as amended by section 2 of chapter 526 of the 1971 Session Laws of North Dakota, relating to the permanent repository of the records of the North Dakota Constitutional Convention of 1971-1972.

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

The Committee on Judiciary introduced:

Senate Bill No. 2167. A Bill for an Act to require state, county and city officials to furnish crime statistics to the director of the North Dakota combined law enforcement council.

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

The Committee on Natural Resources introduced:

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 61-28-03, 61-28-04, 61-28-05, subsection 2 of section 61-28-06, subsection 2 of section 61-28-07, and section 61-28-08 of the North Dakota Century Code, relating to the control, prevention and abatement of pollution of the surface waters of the state; and providing a penalty.

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

The Committee on Social Welfare and Veterans' Affairs introduced:

Senate Bill No. 2169. A Bill for an Act to amend and reenact section 50-06-03 of the 1971 Supplement to the North Dakota Century Code, relating to the term of office of public welfare board members and declaring an emergency.

Was read the first time and referred to the committee on Social Welfare and Veteran's Affairs.

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2170. A Bill for an Act to amend and reenact section 65-09-01 of the North Dakota Century Code relating to liability of uninsured employer; section 65-09-02 of the 1971 Supplement to the North Dakota Century Code relating to time for filing original claims for compensation and employer to furnish payroll report; section 65-09-03 of the North Dakota Century Code relating to order of bureau to contain amount of premium and penalty, filing of record of proceedings and entering judgment; section 65-09-04 of the North Dakota Century Code relating to determination of premiums, penalties and interest on wages to be paid by employer; and providing a penalty.

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

The Committee on Education introduced:

Senate Bill No. 2171. A Bill for an Act to create and enact a new section of chapter 52-10 of the North Dakota Century Code, relating to authorization to exclude from social security coverage, under Section 218 of the Act, service performed in the employ of a public school, college, or university by certain students.

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

The Committee on Social Welfare and Veterans' Affairs introduced:

Senate Bill No. 2172. A Bill for an Act to amend and reenact section 25-05-01 of the North Dakota Century Code, relating to the

administrative placement of the San Haven state hospital as a division of the Grafton state school.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2173. A Bill for an Act to amend and reenact section 52-06-04 of the 1971 Supplement to the North Dakota Century Code, relating to schedule of unemployment compensation benefits, qualifying wages and definitions.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2174. A Bill for an Act to amend and reenact section 52-04-16 of the North Dakota Century Code, relating to limitation of time to start civil actions for collection of money owing to the employment security bureau.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 2175. A Bill for an Act to amend and reenact subsection 10 of section 57-39.2-04, sections 57-39.2-10, 57-39.2-15, 57-39.2-23 and 57-39.2-24 of the North Dakota Century Code, relating to the provisions of the sales tax law and providing for a penalty; and to repeal subsection 18 of section 57-39.2-04 and subsection 20 of section 57-39.2-17 of the North Dakota Century Code.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2176. A Bill for an Act to establish a manufactured building code and to provide for its administration and enforcement.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 2177. A Bill for an Act to create and enact sections 57-52-10.1 and 57-54-07.1; to amend and reenact sections 5 and 8 of section 57-52-03, sections 57-52-04, 57-52-12, 57-52-19, subsection 4 of section 57-53-01, sections 57-53-02, 57-53-05, 57-53-08, 57-54-03, 57-54-07, 57-54-11, 57-54.1-15, 57-56-01 and 57-56-02 of the North Dakota Century Code, relating to provisions of the motor fuel, special fuels, importers for use, aviation fuel and motor fuel tax refunds; and providing for a penalty.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2178. A Bill for an Act to amend and reenact section 25-04-03 of the North Dakota Century Code, relating to the qualifications of superintendent of Grafton state school.

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

The Committee on Social Welfare and Veterans' Affairs introduced:

Senate Bill No. 2179. A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to residency determination in child placement cases.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2180. A Bill for an Act to amend and reenact section 25-05-02 of the North Dakota Century Code, relating to the qualifications of the superintendent of San Haven state hospital.

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

The Committee on Political Subdivisions introduced:

Senate Bill No. 2181. A Bill for an Act to provide regional comprehensive planning; the creation, organization, powers and duties of regional planning commissions; to provide funds for the use of regional planning commissions; and to provide for the supervision of the activities of regional planning commissions under the provisions of this Act.

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

Senators Kautzmann, Stroup and Jacobson introduced:

Senate Bill No. 2182. A Bill for an Act to provide penalties for chasing, harassing, or willfully or negligently frightening domestic animals.

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

Senators Lips and Nething introduced:

Senate Bill No. 2183. A Bill for an Act to create and enact subsections 3, 4, and 5 of section 15-47-38 of the North Dakota Century Code, and to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of the school board and providing for rules for discharge or dismissal of a teacher.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2184. A Bill for an Act to create and enact a new subdivision of subsection 13 of section 52-01-01 of the North Dakota Century Code, relating to the unemployment compensation definition of employment, to amend and reenact subsection 1 of section 52-01-01, subsection 2 of section 52-01-01, subsection 3 of section 52-01-01, subsection 5 of section 52-01-01, subsection 9 of section 52-01-01, subdivision b of subsection 13 of section 52-01-01, subdivision g of subsection 15 of section 52-01-01, paragraph (6) of subdivision i of subsection 15 of section 52-01-01, section 52-03-01, paragraph (1) and paragraph (2) of subdivision c of subsection 1 of section 52-03-07, subsection 4 of section 52-04-06, section 52-04-10, section 52-06-19, and section 52-06-29 of the North Dakota Century Code, the beginning sentence of section 52-01-01, section 52-01-07, section 52-04-07, subsection 1 of section 52-04-12, subdivision c of subsection 1 of section 52-04-18, and section 52-04-19 of the 1971 Supplement to the North Dakota Century Code, relating to unemployment compensation provisions, such as definitions, exclusions from employment, maintenance of fund, use of Federal funds credited, tax rates, employer appeals, payment of benefits, charge back of benefits, civil collection process, change of payments by non-profit organizations on a reimbursable basis to a rated payment basis, and financing benefits for state hospitals and state institutions of higher education, and to repeal paragraph 2 of subdivision i of subsection 15 of section 52-01-01, subsection 2 and subsection 3 of section 52-04-12, paragraph (1) and paragraph (2) of subdivision b of subsection 3 of section 52-06-01, and paragraph (1) and paragraph (2) of subdivision c of subsection 3 of section 52-06-01 of the North Dakota Century Code, and subsection 7 of section 52-01-01 and subsection 5 of section 52-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to unemployment compensation provisions, such as exclusion from definition of unem-

ployment, civil collection process, removal of certain benefit ineligibility conditions, conflicting definition of division, and rate increase.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2185. A Bill for an Act to amend and reenact section 52-07.1-03 of the 1971 Supplement to the North Dakota Century Code, relating to definitions in chapter 52-07.1 which provides for extended unemployment compensation benefits.

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

The Committee on Industry, Business and Labor introduced:

Senate Bill No. 2186. A Bill for an Act to amend and reenact section 52-04-03 of the 1971 Supplement to the North Dakota Century Code, relating to rate of unemployment tax and wages subject to tax; and declaring an emergency.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2187. A Bill for an Act authorizing the state of North Dakota acting by the North Dakota employment security bureau to sell and convey in separate transactions for each tract of land: lot thirteen in block nineteen of the original townsite of Williston, Williams County, North Dakota; all of lot eighteen in block twenty-four of the original townsite of Jamestown, Stutsman County, North Dakota; the westerly sixty-five feet and the northerly ten feet of the east seventy-five feet of lot eight in block twenty of the original town of Mandan, Morton County, North Dakota; and lots eight and nine of block twenty-eight of Robert's Second Addition to the City of Fargo, less the east seven and one-half feet, Cass County, North Dakota.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 2188. A Bill for an Act to authorize the North Dakota legislative council to make corrections in the North Dakota Unemployment Compensation Law to be submitted to the publisher of the North Dakota Century Code for inclusion in the publication of Replacement Volume Ten.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1008. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1022. A Bill for an Act to amend and reenact sections 46-05-01 and 46-06-02 of the North Dakota Century Code, relating to the definitions of legal and official newspapers.

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

House Bill No. 1032. A Bill for an Act to amend and reenact section 6-03-05 of the North Dakota Century Code, relating to loans on real estate.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1056. A Bill for an Act to require the commissioner of insurance to formulate guidelines for use by state agencies, departments, offices, officers, boards, and commissions in determining insurable values of state-owned real and personal property.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1073. A Bill for an Act to amend and reenact sections 15-28-07 and 15-28-08 of the North Dakota Century Code, relating to the polling hours in school district elections.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1117. A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense of state officers and employees.

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

MOTION

Senator Litten moved that the President appoint a committee pursuant to Senate Resolution No. 2, to investigate the North Dakota State Penitentiary.

The President appointed as such committee, Senators Kautzmann, Chairman, Stroup, Vice-Chairman, and Senators Ringsak, Nething, Smykowski, Barth and Hoffner.

SECOND READING OF SENATE BILLS

Senate Bill No. 2006. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof 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, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Anderson Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 2011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, 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, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Anderson Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 2050. A Bill for an Act to repeal sections 12-07-07, 12-07-08, and 12-07-09 of the North Dakota Century Code, providing penalties for the carrying or display of red or black flags, or for displaying or parading flags other than national or state flags, or flags of friendly foreign nations; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Hoffner	Longmire	Sandness
Berube	Holand	Melland	Schultz, J.
Butler	Iszler	Nasset	Shablow
Christensen	Jacobson	Nothing	Smykowski
Coughlin	Jones	Page	Solberg
Erdman	Kautzmann	Peterson	Strand
Freed	Larson	Rait	Stroup
Fritzell	Lee	Redlin	Tweten
Goldberg	Lips	Reiten	Wenstrom
Goodman	Litten	Roen	Wright
Gronhovd			

Those voting in the negative were:

Morgan	Naaden	Sands	Strinden
Mutch	Ringsak	Schultz, C.	Thane

Absent and not voting:

Anderson Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 2053. A Bill for an Act providing for dairy commissioner, city health department, and district health unit cooperation in the inspection of milk producers.

Which has been read.

Senator Morgan moved that Senate Bill No. 2053 be amended as follows:

On page 1 of the Engrossed Bill, in line 14, delete the following "however they" and insert in lieu thereof the word "which"

On page 1, in line 16, after the language "U.S.P.S." insert a comma.

Which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 2053 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, J.
Berube	Kautzmann	Nothing	Shablow
Christensen	Larson	Page	Smykowski
Coughlin	Lee	Peterson	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Sands	Tweten
Hoffner	Mutch	Sandness	Wenstrom
Holand	Naaden	Schultz, C.	Wright
Iszler			

Those voting in the negative were:

Butler	Goldberg	Jones	Roen
Absent and not voting:			
Anderson	Pyle		

So the bill passed and the title was agreed to.

Senate Bill No. 2056. A Bill for an Act to allow state agencies to grant easements in land under their jurisdiction and to repeal section 15-10-33 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Anderson	Pyle
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So the bill passed and the title was agreed to.

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 5 of section 47-26-01 and section 47-26-05 of the North Dakota Century Code, relating to the definition and maintenance of legal fences; and providing a penalty.

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, 44; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.

Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Rait	Strand
Goldberg	Lips	Redlin	Stroup
Goodman	Litten	Reiten	Thane
Gronhovd	Longmire	Roen	Tweten
Hoffner	Melland	Sands	Wenstrom
Holand	Morgan	Sandness	Wright

Those voting in the negative were:
 Freed Mutch Ringsak Strinden
 Fritzell

Absent and not voting:
 Anderson Pyle

So the bill passed and the title was agreed to.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2032, 2044, 2102, 2103 and 2104, and SCR No. 4002, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTH DAY

January 9, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Roger L. Hedburg, Baptist Church, Mandan.

"Dear God, I pray today that in this brief pause in this day, hearts and minds may be renewed so that the responsibility of government might be carried on by men and women who covet thy wisdom, understand their limitations, respect one and all, and do not forget that they represent so many other people. Out of careful discernment lead the courageous to speak forth with conviction. So lead and guide that the fruits of the labors for today clearly show that men and women have honestly attempted to bring helpful laws to this state. I petition in the name of Jesus Christ our Lord, Amen!"

Roll Call: All Senators present except Senators Anderson and Pyle.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourth Day after recess and the Fifth Day, and finds the same to be correct.

SENATOR THANE, Chairman

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

SECOND READING OF A SENATE BILL

Senate Bill No. 2087. A Bill for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to the uniform group insurance program and disposition of refunds, rebates and dividends.

Which has been read.

ROLL CALL

The final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:			
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow

Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Ringsak	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright

Absent and not voting:

Anderson Pyle Reiten

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2036

Senate C.R. 4001

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1063

House Bill No. 1075

House C.R. No. 3005

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 P.M., January 10, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**SIXTH DAY AFTER RECESS
AND SEVENTH DAY**

January 10, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2003 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 13 delete the figure "29,841" and insert in lieu thereof the figure "27,841"

On page 2, line 16 delete the figure "74,265" and insert in lieu thereof the figure "72,265"

On page 2, line 30 delete the figure "589,516" and insert in lieu thereof the figure "587,516"

On page 2, line 32 delete the figure "853,516" and insert in lieu thereof the figure "851,516"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of the Amendment in the budget of Council on Human Resources is to eliminate the \$2,000 in the Fees and Services item which was allowed for the Status of Women Committee.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2021 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2022 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2024 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom

was referred Senate Bill No. 2028 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2029 has had the same under consideration and recommends that the same be amended as follows:

On line 12 after "estimated" delete "full and true" and insert in lieu thereof "current market"

On line 13 following the period insert: "Failure of an owner to receive a statement will not relieve that owner of liability, nor extend the discount privilege past the February 15th deadline."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2052 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2057 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2064 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Industry Business and Labor to whom was referred Senate Bill No. 2071 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 after the first word "to" delete the remainder of the line

On page 1 delete all of lines 8 through 16

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2075 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 delete "persons" and insert in lieu thereof "musicians"

On page 1, line 19 delete the triple parentheses before and after "a restaurant" and delete "an establishment"

On page 1, line 21 delete the triple parentheses before and after "restaurant" and delete the remainder of the line.

On page 1, line 22 delete "ment" delete the triple parentheses before and after "or" and delete the comma after "busgirl"

On page 1, line 23 delete "or musician"

On page 2, line 1 after the period insert: "Any establishment where alcoholic beverages are sold may employ persons under twenty-one years of age to work only in the capacity of musicians under the direct supervision of an adult."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2089 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 delete triple parentheses before "not" and insert triple parentheses before and after "five" and insert in lieu thereof "eight"

On page 1, line 16 after "claim" delete the triple parentheses

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2101 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2044

And find the same correctly Engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Goldberg moved that the amendments to Senate Bill No. 2062 as recommended by the Committee on Industry, Business and Labor as printed on pages 79 and 80 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Coughlin moved that the Senate reconsider the action by which Senate Bill No. 2050 passed, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2050. A Bill for an Act to repeal sections 12-07-07, 12-07-08, and 12-07-09 of the North Dakota Century Code, providing penalties for the carrying or display of red or black flags, or for displaying or parading flags other than national or state flags, or flags of friendly foreign nations; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Gronhovd	Lips	Sandness
Berube	Hoffner	Litten	Smykowski
Christensen	Holand	Longmire	Strand
Erdman	Iszler	Page	Stroup
Freed	Jacobson	Peterson	Tweten
Fritzell	Jones	Rait	Wenstrom
Goodman	Larson		

Those voting in the negative were:

Butler	Morgan	Reiten	Shablow
Coughlin	Mutch	Ringsak	Solberg
Goldberg	Naaden	Roen	Strinden
Kautzmann	Nothing	Sands	Thane
Lee	Pyle	Schultz, C.	Wright
Melland	Redlin	Schultz, J.	

Absent and not voting:

Anderson Nasset

So the bill was declared lost due to the lack of a constitutional majority.

MOTION

Senator Lips moved that the Senate reconsider the action by which Senate Bill No 2056 was passed, which motion prevailed.

Senator Lips moved that Senate Bill No. 2056 be laid over one legislative day, which motion prevailed.

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

Senator Litten moved that the following Deadline Dates be printed in the Journal:

DEADLINE DATES

Last day for introduction of Executive Bills — 5th day before 2 p.m.

Last day for introduction of Bills — 15th day before 2 p.m.

Last day for introduction of resolutions — 30th day before 2 p.m.

Senate bills must be out of committee — 31st day before 2 p.m.

Senate bills must be over to the House — 33rd day before 2 p.m.

All bills must be out of committee and on calendar — 47th day before 2 p.m.

Which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2021, 2022, 2024, 2028, 2052, 2062 and 2064, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SEVENTH DAY

Bismarck, January 10, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Stanley Malmgren, First Baptist Church, Bismarck.

"Almighty God and heavenly Father we come into Thy presence this day mindful of Thy goodness and aware of Thy manifold blessings toward us. Thou hast written in Thy word, . . . 'I will walk among you, and will be your God, and ye shall be my people.' For this assurance we are thankful. However, when a people are disobedient to Thy commandments Thou hast written of them, 'I will set My face against them . . . your strength shall be spent in vain.' We pray that we as a people may not take Thy good-

ness for granted nor presume upon Thy favour. Help these of this legislative body to be ever mindful of their solemn responsibilities before Thee and their fellow man. Keep them aware that only as their lives are governed by Thee can they rightfully enact laws that will be good and proper for the people of the State to obey. Make us aware of our weaknesses and transgressions, and forgive us our many iniquities. Help us to so speak and act this day that we may be in the place of Thy blessing. In Jesus name we pray, Amen."

Roll Call: All Senators present except Anderson and Nasset.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifth Day after recess and the Sixth Day, and finds that the same be correct.

SENATOR THANE, Chairman

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

FIRST READING OF SENATE BILLS

Senators Nething and Melland introduced:

Senate Bill No. 2189. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota by the North Dakota state hospital.

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

Senators Nething and Melland introduced:

Senate Bill No. 2190. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

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

Senator Butler introduced:

Senate Bill No. 2191. A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of clothing and wearing apparel sold to Minnesota residents.

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

Senator Nething introduced:

Senate Bill No. 2192. A Bill for an Act to amend and reenact section 16-04-01, 16-04-11, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to the date of the primary election, precinct committeemen meetings, and party conventions.

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

Senator Strand introduced:

Senate Bill No. 2193. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts when students attend school in another state.

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

Senators Hoffner and Morgan introduced:

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 20.1-05-06 of the North Dakota Century Code as contained in section 12 of House Bill No. 1041, as approved by the forty-

third legislative assembly, relating to the color of garments worn by big game hunters.

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

Senator Wright introduced:

Senate Bill No. 2195. A Bill for an Act to amend and reenact subsection 1 of section 57-37-24 of the North Dakota Century Code, relating to the specification of principal and interest in estate tax payments.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1063. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to definitions of "projects" and "municipalities", and declaring an emergency.

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

House Bill No. 1075. A Bill for an Act to amend and reenact subsection 3 of section 39-10-05 of the North Dakota Century Code, relating to right turns on red signals after stopping.

Which was read the first time and referred to the Committee on Transportation.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3005. A concurrent resolution urging the United States Civil Aeronautics Board to grant authority to a second airline to serve North Dakota on east-west routes.

Which was read the first time and referred to the Committee on Transportation.

SECOND READING OF SENATE BILLS

Senate Bill No. 2032. A Bill for an Act to provide for administration of the assets of the North Dakota rural rehabilitation corporation if these assets are released to the state of North Dakota by an Act of Congress of the United States.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Anderson Nasset

So the bill passed and the title was agreed to.

MOTION

Senator Goldberg moved that Senate Concurrent Resolution No. 4002 be placed at the head of the calendar, which motion prevailed.

**SECOND READING
OF A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4002. A Concurrent Resolution requesting the Congress of the United States to unconditionally release to the State of North Dakota, free of any trust agreement, the assets of the North Dakota Rural Rehabilitation Corporation.

Which has been read.

Senator Reiten moved that Senate Concurrent Resolution No. 4002 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2044. A Bill for an Act to create and enact section 12.1-31-03 of the North Dakota Century Code, relating to sale of tobacco to minors and use of tobacco by minors; providing a penalty; and providing an effective date.

Which has been read.

Senator Ringsak moved that Senate Bill No. 2044 be re-referred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 2102. A Bill for an Act to amend and reenact section 65-05-26 of the North Dakota Century Code to provide an increase in burial expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill the roll was called and there were ayes, 43; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Sandness
Berube	Jones	Nasset	Schultz, C.
Butler	Kautzmann	Nothing	Schultz, J.
Christensen	Larson	Page	Shablow
Erdman	Lee	Peterson	Smykowski
Freed	Lips	Pyle	Solberg
Goldberg	Litten	Rait	Strand
Gronhovd	Longmire	Redlin	Thane
Hoffner	Melland	Reiten	Wenstrom
Holand	Morgan	Ringsak	Wright
Iszler	Mutch	Roen	

Those voting in the negative were:

Coughlin	Goodman	Strinden	Tweten
Fritzell	Sands		

Absent and not voting:

Anderson	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2103. A Bill for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code to include the Secretary of State.

Which has been read.

Senator Gronhovd moved that Senate Bill No. 2103 be amended as follows:

In line 9, page 2, insert triple parentheses before the word "such", and after the word "bureau", and in that same line after the word "bureau" insert the word "them"

In line 12, page 2, after the word "commissioner", insert the following: " , the secretary of state,"

"On page 2, in line 13, insert triple parentheses before and after the second word "the" and insert in lieu thereof the word "their" and insert beginning triple parentheses before the second word "of"

On page 2, in line 14, insert ending triple parentheses after the word "bureau"

And renumber the lines accordingly.

Which motion prevailed.

Senator Gronhovd moved that the rules be suspended, that Senate Bill No. 2103 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Reiten	Stroup
Goodman	Longmire	Ringsak	Thane
Gronhovd	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright

Those voting in the negative were:

Butler Redlin

Absent and not voting:

Anderson

So the bill passed and the title was agreed to.

Senate Bill No. 2104. A Bill for an Act to amend and reenact sections 65-05-12 and 65-05-13 of the North Dakota Century Code, providing for weekly compensation in the amount of forty dollars.

Which has been read.

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

ROLL CALL

Those voting in the affirmative were:

Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Those voting in the negative were:

Thane

Absent and not voting:

Anderson

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2006

Senate Bill No. 2011

Senate Bill No. 2053

Senate Bill No. 2065

Senate Bill No. 2087

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1039

House Bill No. 1041

House Bill No. 1047

House Bill No. 1055

House Bill No. 1114

House Concurrent Resolution No. 3010

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 P.M., January 11, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



SEVENTH DAY AFTER RECESS
AND EIGHTH DAY

Bismarck, January 11, 1973

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2019 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 19 after "~~department's~~" delete "~~central~~" and insert "**purchasing**"

On page 2, line 20 delete "**duplicating service**" and insert "**and printing division**"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2025 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 12 after "~~funds~~" delete "**in such manner as may be authorized by the board**" and insert "**under the direction of the investment director as set forth in Chapter 21-10**"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2037 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2051 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "to", insert the following words: "create and enact section 36-04-03.1 of the North Dakota Century Code, relating to license checks for livestock dealers; to"

On page 1, line 2, delete the numeral and comma "36-04-08,"

On page 1, line 5, delete the word "section" and insert in lieu

thereof the word "sections"; and following the numeral "36-04-06", insert the word and numeral "and 36-04-08"

On page 1, line 7, delete the semicolon and the words "and declaring an emergency"

On page 1, line 19, insert triple parentheses around the word and comma "selling",

On page 2, line 13, following the word "agent", insert the words "or agents"

On page 2, line 16, following the word "agent," insert the words "or agents"

On page 2, line 25, following the word "his", insert the word "designated", and after the word "agent" insert the following words: "or agents"

On page 2, following line 25, insert the following section: "SECTION 3.) Section 36-04-03.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

36-04-03.1. DEALER'S LICENSE CHECK REQUIRED — HEARING FOR FAILURE.) Weighmasters, local brand inspectors, livestock auction markets, and terminal markets, before providing services to or doing business with a person in possession of or seeking to purchase livestock or wool, shall determine whether such person is a licensed and bonded dealer or an authorized agent of a licensed and bonded dealer under the provisions of this Act. Upon failure of such person to produce proof of license, or an authorization to act as an agent of a licensed and bonded dealer, the weighmaster, local brand inspector, livestock auction market, or terminal market shall refuse to issue a scale ticket, brand inspection certificate, or to sell to such person, and shall notify the department of such refusal.

Upon discovery by the commissioner of a violation of the above-mentioned provision by a weighmaster, local brand inspector, livestock auction market, or terminal market, he shall:

1. File a complaint with the department of weights and measures for a license revocation hearing against any weighmaster who knowingly issues a scale ticket to an unlicensed dealer or his agent;
2. File a complaint with the North Dakota stockmen's association for a license revocation hearing against any local brand inspector who knowingly issues a brand inspection certificate to an unlicensed dealer or his agent; or
3. File a complaint with the livestock sanitary board for a license revocation hearing against any livestock auction market or terminal market which knowingly sells to an unlicensed dealer or his agent."

On page 4, line 32, following the word "additional", insert the words "or increased"

On page 4, line 34, insert triple parentheses around the words "or of any agent named by the principal"

On page 5, line 24, following the word "license", delete the triple parentheses

On page 5, line 26, insert triple parentheses before and after the word "ten" and insert in lieu thereof the word "twenty-five"

On page 5, line 27, insert triple parentheses before the numeral "2."

On page 5, line 28, insert triple parentheses after the numeral "3." and insert in lieu thereof the numeral "2."

On page 5, line 29, insert triple parentheses before and after the numeral "4." and insert in lieu thereof the numeral "3."

On page 5, insert triple parentheses at the beginning of line 32

On page 6, line 4, beginning with the comma, delete the remainder of line 4 and lines 5 through 22

On page 6, delete lines 29 through 35

On page 7, delete lines 1 through 5

On page 8, following line 11, insert the following new subsection:

"6. Terminal markets, auction markets, and weigh stations are subject to the provisions of this section."

On page 13, delete lines 11, 12, and 13

On page 13, line 9, delete the word "Section" and insert in lieu thereof the word "Sections", and following the numeral "36-04-06", insert the word and numeral "and 36-04-08"

And number the lines accordingly.

And when so amended recommends the same do. pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2058 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2063 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2077 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2084 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following:

"for an Act to amend and reenact section 16-04-21 of the North Dakota Century Code, relating to party committees filling vacancies occurring in nominations of various offices.

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

SECTION 1. AMENDMENT.) Section 16-04-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-04-21. PARTY COMMITTEES TO FILL VACANCY OCCURRING IN NOMINATION FOR PARTY OFFICE.) 1. Should a vacancy occur in any part endorsement by certificate for nomination at the primary election for any state or legislative district office, the proper state or district executive committee of the political party may fill such vacancy by filing another certificate of endorsement with the proper officer as provided in sections 16-04-02 and 16-04-04.

2. If no party endorsement has been made by certificate and a vacancy occurs in a slate of candidates seeking party nomination by petition at the primary election, the proper state or dis-

strict executive committee may fill such vacancy by filing a certificate of endorsement with the proper officer as provided in sections 16-04-02 and 16-04-04.

3. If party endorsements by certificate have been made for any state or district office and a vacancy occurs in the slate of persons seeking nomination at the primary election because of the unavailability of the person who is seeking nomination by petition, such vacancy shall not be filled except by petition.

4. Should a vacancy occur in a slate of candidates after such candidates have been nominated at the primary election, the proper state or district executive committee may fill such vacancy by filing a certificate of nomination with the secretary of state. The chairman and secretary of such committee shall make and file with the secretary of state the certificate setting forth the cause of the vacancy, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies, and such further information as may be required to be given in an original certificate of nomination. When such a certificate is filed, the secretary of state, in certifying the nomination to the various auditors, shall insert the name of the person who has been nominated to fill the vacancy in place of the original nominee. If the secretary of state already has forwarded his certificate, he forthwith shall certify to the auditor of the proper county or counties the name and postoffice address of the person nominated to fill a vacancy, the office he is nominated for, the party or political principle he represents, and the name of the person for whom such nominee is substituted. The failure to publish the name of a person substituted shall not invalidate the election.

Vacancies to be filled according to the provisions of this section may be filled not later than thirty-five days prior to the election with the exception of vacancies filled pursuant to section 16-05-08.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2094 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, insert triple parentheses before and after "other"

On page 1, line 13, insert triple parentheses before the first word "county" and after "officers" and insert "state officials"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2097 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete lines 16 and 17

On page 2, line 18 delete "5" and insert "4"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2098 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2114 has had the same under consideration and recommends that the same be amended as follows:

Line 2 after "recorders" insert ", hour meters on tachometers or other hour recorders"

Line 9 after "RECORDERS" insert ", HOUR METERS ON TACHOMETERS OR OTHER HOUR RECORDERS"

Line 11 after "recorder" insert ", hour meter on tachometer or other hour recorder"

Renumber lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4003 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 22 after "be" delete "saved" and insert "served"

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2062

Senate Bill No. 2103

And find the same correctly Engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2003 as recommended by the Committee on Appropriations as printed on page 91 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2029 as recommended by the Committee on Finance and Taxation as printed on page 92 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2071 as recommended by the Committee on Industry, Business and Labor as printed on page 92 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2075 as recommended by the Committee on Industry, Business and Labor as printed on pages 92 and 93 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2089 as recommended by the Committee on Industry, Business and Labor as printed on page 93 of the Senate Journal be adopted, which motion prevailed.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2003, 2029, 2071, 2075, 2089 and 2098, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

EIGHTH DAY

Bismarck, January 11, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Clarence Walth, North American Baptist General Conference, Bismarck.

"Eternal God, our Father, help us exercise faith for the challenge of obligations facing us this day. We have no higher authority to look to than Thee, O Thou searcher of human hearts.

"If we tend to reach for service free of trials and difficulties, remind us, dear Lord, that trees grow strongest in contrary winds and diamonds are formed under pressure.

"Endow us with courage that is born of loyalty to all that is noble, and faith that knows no fear when truth and right are in jeopardy.

"Soften our hearts toward those who suffer injustice throughout our communities. Like Thy own Son, our Saviour, teach us to become instruments of peace. Grant us wisdom for the numerous decisions facing us during the New Year. Guide us individually and collectively to seek Divine blessing and freedom for all concerned. To that end, loving God, keep us mentally alert and morally straight.

Deliver us from selfishness and pride. Forgive us, our Father, of the sins committed. We remember the Scriptures which declare: 'If I regard iniquity in my heart, the Lord will not hear me.' In Christ's name . . .

Amen"

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixth Day after recess and the Seventh Day and recommends that the same be corrected as follows: On page 97, delete the bottom five lines and insert in lieu thereof the following:

"On page 2, in line 13, insert triple parentheses before and after the second word "the" and insert in lieu thereof the word "their and insert beginning triple parentheses before the second word "of"

On page 2, in line 14, insert ending triple parentheses after the word "bureau"

On page 92 of the Journal, in the bottom line, delete the word "a"

On page 91, in the sixth line from the top of the page, delete the word "Fifth" and insert in lieu thereof the word "Sixth"

On page 91, in the seventh line from the top of the page, delete the word "Sixth" and insert in lieu thereof the word "Seventh"

On page 94, in the thirteenth line from the bottom of the page, delete the word "SIXTH" and insert in lieu thereof the word "SEVENTH"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

FIRST READING OF SENATE BILLS

Senator Lips introduced:

Senate Bill No. 2196. A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries.

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

Senator Longmire introduced:

Senate Bill No. 2197. A Bill for an Act to amend and reenact subsection 3 of section 29-01-14 and section 29-01-15 of the North Dakota Century Code, relating to the definition of a magistrate, including small claims court referees as magistrates, and relating to the jurisdiction of county justices and county judges; and to repeal subsection 13 of section 12-01-04 of the North Dakota Century Code, defining magistrates.

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

Senator Longmire introduced:

Senate Bill No. 2198. A Bill for an Act to provide for an extension in the term of office of a member of the board of barber examiners; and to amend and reenact sections 43-04-04, 43-04-07, 43-04-34, and 43-04-42 of the North Dakota Century Code, relating to the board of barber examiners, compensation for the board, provision for re-examination of those who fail, and fees.

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

Senators Fritzell and Lee introduced:

Senate Bill No. 2199. A Bill for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of rare and endangered animals; and to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to powers of the commissioner.

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

Senators Fritzell and Lee introduced:

Senate Bill No. 2200. A Bill for an Act to amend and reenact subsection 10 of section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of harmful wild birds.

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

Senators Lips and Nasset introduced:

Senate Bill No. 2201. A Bill for an Act to amend and reenact subsection 5 of section 57-39.2-04 of the North Dakota Century Code, relating to the sales tax exemption upon the sale of books and school supplies to nonprofit institutions of higher learning.

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

Senators Ringsak, Butler, Shablow and Thane introduced:

Senate Bill No. 2202. A Bill for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to the distribution of the oil and gas gross production tax.

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

Senator Butler introduced:

Senate Bill No. 2203. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to movement of certain vehicles on the highways of this state and setting limitations

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

Senators Coughlin, Strinden, Thane and Page introduced:

Senate Bill No. 2204. A Bill for an Act to amend and reenact sections 24-01-13 and 49-18-45 of the North Dakota Century Code, relating to enforcement activities of appointees of the commissioner of the state highway department.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator Lee introduced:

Senate Concurrent Resolution No. 4008. A Concurrent Resolution requesting the Board of University and School Lands to rescind its resolution, dated November 29, 1971, placing a moratorium on the sale of certain state lands.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1039. A Bill for an Act providing for disposition of community property rights upon the death of a spouse having such rights, such Act to be known as the Uniform Disposition of Community Property Rights at Death Act.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1041. A Bill for an Act to create and enact sections 4-01-17.1, 4-01-17.2 4-01-17.3, 11-11-57, 11-11-57.1, 11-27-09.1, and title 20.1 of the North Dakota Century Code relating to game, fish, predators, and boating; to amend and reenact sections 12-18-07 and 47-27-03 of the North Dakota Century Code, relating to laying out poison and forfeiture of hunting licenses; and to repeal title 20 and chapter 61-27 of the North Dakota Century Code, relating to game, fish, predators, and boating regulations.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1047. A Bill for an Act to provide that the office of the attorney general shall review each bill introduced during any session of the legislative assembly which provides for the sale or exchange of specific state-owned land, or for the purchase of specific land by the state.

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

House Bill No. 1055. A Bill for an Act to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to the examination of the books and records of state agencies and the occupational and professional boards and commissions.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1114. A Bill for an Act to provide civil remedies for the recovery of care and support provided children under the age of eighteen years and for judicial determination and enforcement of child support obligations.

Which was read the first time and referred to the Committee on Judiciary.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3010. A Concurrent Resolution urging the Attorney General of the State of North Dakota to bring suit in federal court to restore the second United States Representative to the State.

Which was read the first time and referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 2021. A Bill for and Act to amend and reenact section 54-44.1-08 of the North Dakota Century Code, relating to the reproduction of the budget report.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:

Tweten

So the bill passed and the tile was agreed to.

Senate Bill No. 2022. A Bill for an Act to amend and reenact section 46-02-04 of the North Dakota Century Code, relating to the classes of state printing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:

Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2024. A Bill for an Act to repeal section 46-03-06 of the North Dakota Century Code, relating to the printing of legislative calendars.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Smykowski Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2028. A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to the mailing of notice of increased assessments.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden ^r	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Those voting in the negative were:

Sands

Absent and not voting:

Smykowski

So the bill passed and the title was agreed to.

Senate Bill No. 2052. A Bill for an Act to provide for an additional one-mill levy for county agent work.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50, nays, 1; absent and not voting 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow

Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Those voting in the negative were:

Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2062. A Bill for an Act to allow the sale of preserved sandwiches, pre-packaged under federal inspection, from vending machines without the purchase of a restaurant license.

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, 3; absent and not voting 0.

Those voting in the affirmative were:

Absent and not voting:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sands	Wright

Those voting in the negative were:

Rait Redlin Schultz, C.

So the bill passed and the title was agreed to.

Senate Bill No. 2064. A Bill for an Act to amend and reenact subsection 10 of section 57-37-11 and section 57-37-12 of the North Dakota Century Code, relating to estate tax deductions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senate Bill No. 2056. A Bill for an Act to allow state agencies to grant easements in land under their jurisdiction and to repeal section 15-10-33 of the North Dakota Century Code.

Which has been read.

Senator Lips moved that Senate Bill No. 2056 be amended as follows:

On page 1, line 3, before the period insert the following: “, and declaring an emergency”

On page 2, following line 11, insert the following:

“SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.”

And renumber the lines accordingly.

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2056 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

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

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2032

Senate Bill No. 2102

Senate Bill No. 2103

Senate Bill No. 2104

Senate Concurrent Resolution No. 4002

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1034

House Bill No. 1035

House Bill No. 1037

House Bill No. 1096

House Bill No. 1106

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., January 12, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

EIGHTH DAY AFTER RECESS
AND NINTH DAY

Bismarck, January 12, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2018 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2023 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2092 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2128 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2129 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2131 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Transportation to whom was

referred Senate Bill No. 2137 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2162 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2163 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

FIRST READING OF SENATE BILLS

Senator Lee introduced:

Senate Bill No. 2205. A Bill for an Act to amend and reenact section 65-07-01 of the North Dakota Century Code, to include self-employed persons and members of volunteer organizations, and sections 65-07-02 and 65-07-03 of the North Dakota Century Code, redefining insurance, and section 65-07-04 of the North Dakota Century Code to include self-employed persons and members of volunteer organizations under benefits.

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

Senators Barth and C. Schultz introduced:

Senate Bill No. 2206. A Bill for an Act to repeal chapter 80 of the 1957 Session Laws, providing an appropriation for grasshopper control.

Was read the first time and referred to the Committee on Appropriations.

FIRST READING OF A SENATE RESOLUTION

Senator Litten introduced:

Senate Resolution No. 3. A Resolution providing for the appointment of a special Senate committee for the purpose of studying and reviewing existing and impending heating fuel shortages in North Dakota.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1034. A Bill for an Act to authorize the industrial commission to issue debentures through the Bank of North Dakota to provide funds to participate with other banks and lending agencies in loans for irrigation development.

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

House Bill No. 1035. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to loans made by the Bank of North Dakota.

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

House Bill No. 1037. A Bill for an Act to enact the Model Relocation Assistance Act providing state and local governmental assistance programs for relocation of persons and businesses displaced by governmental construction programs; and to repeal sec-

tion 32-15-22.1 of the North Dakota Century Code, relating to payments for the relocation of personal property displaced by eminent domain proceedings.

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

House Bill No. 1096. A Bill for an Act to create and enact section 34-14-02.1 of the North Dakota Century Code, to require employers to furnish statements of wages.

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

House Bill No. 1106. A Bill for an Act to amend and reenact sections 19-01-01, 19-01-02, 19-01-03, 19-01-04, 19-01-06, 19-01-08, and 19-01-17 of the North Dakota Century Code, relating to the state laboratories commission and providing that the governor and the state laboratories department and its director assume the functions of the commission.

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2056

And find the same correctly Re-Engrossed.

SENATOR JACOBSON, Chairman

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

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

Senate Bill No. 2003

Senate Bill No. 2029

Senate Bill No. 2071

Senate Bill No. 2075

Senate Bill No. 2089

And find the same correctly Engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2019 as recommended by the Committee on Judiciary as printed on page 101 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2025 as recommended by the Committee on Judiciary as printed on page 101 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2051 as recommended by the Committee on Agriculture as printed on pages 101, 102 and 103 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2084 as recommended by the Committee on Judiciary as printed on pages 103 and 104 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to Senate Bill No. 2094 as recommended by the Committee on Political Subdivisions as printed on page 104 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to Senate Bill No. 2097 as recommended by the Committee on Political Subdivisions as printed on page 104 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2114 as recommended by the Committee on Judiciary as printed on page 105 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Concurrent Resolution No. 4003 as recommended by the committee on Judiciary as printed on page 105 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Litten moved that Senate Bill No. 2084 be reprinted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2003. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, 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, 45; nays, 1; absent and not voting 5.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd			

Those voting in the negative were:

Wright

Absent and not voting:

Holand	Nething	Rait	Smykowski
Larson			

So the bill passed and the title was agreed to.

Senate Bill No. 2029. A Bill for an Act to provide for the mailing of real estate tax statements.

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, 37; nays, 9; absent and not voting 5.

Those voting in the affirmative were:

Anderson	Goodman	Longmire	Schultz, J.
Barth	Gronhovd	Melland	Shablow
Berube	Hoffner	Peterson	Solberg
Butler	Jacobson	Pyle	Strand
Christensen	Jones	Redlin	Strinden
Coughlin	Kautzmann	Reiten	Stroup
Erdman	Lee	Ringsak	Tweten
Freed	Lips	Roen	Wenstrom
Fritzell	Litten	Sands	Wright
Goldberg			

Those voting in the negative were:

Iszler	Naaden	Page	Schultz, C.
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Morgan	Nasset	Sandness	Thane
Mutch			
Absent and not voting:			
Holand	Nething	Rait	Smykowski
Larson			

So the bill passed and the title was agreed to.

Senate Bill No. 2071. A Bill for an Act to repeal section 34-06-06 of the North Dakota Century Code, relating to limitations on the hours of labor for women.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting 5.

Those voting in the affirmative were:			
Anderson	Hoffner	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Lee	Redlin	Strinden
Erdman	Lips	Reiten	Stroup
Freed	Litten	Ringsak	Thane
Fritzell	Longmire	Roen	Tweten
Goldberg	Melland	Sands	Wenstrom
Goodman	Morgan	Sandness	Wright
Gronhovd	Mutch		

Absent and not voting:			
Holand	Nething	Rait	Smykowski
Larson			

So the bill passed and the title was agreed to.

Senate Bill No. 2075. A Bill for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to the employment of musicians under twenty-one years of age in establishments where alcoholic beverages are sold.

Which has been read.

Senator Goldberg moved that Senate Bill No. 2075 be amended as follows: "On page 2, line 2, delete the word 'only'. Renumber the lines accordingly."

Senator Litten moved that Senate Bill No. 2075 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2089. A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignments of wage claims to the commissioner of labor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting 5.

Those voting in the affirmative were:			
Anderson	Hoffner	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Lee	Redlin	Strinden
Erdman	Lips	Reiten	Stroup
Freed	Litten	Ringsak	Thane
Fritzell	Longmire	Roen	Tweten
Goldberg	Melland	Sands	Wenstrom
Goodman	Morgan	Sandness	Wright

Gronhovd Mutch

Absent and not voting:

Holand

Nething

Rait

Smykowski

Larson

So the bill passed and the title was agreed to.

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 11-19A-17 of the North Dakota Century Code, relating to a limitation on the application of chapter 11-19A and excepting 11-19A-03 from the limitation.

Which has been read.

Senator Litten moved that Senate Bill No. 2098 be laid over one legislative day, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2018, 2019, 2023, 2025, 2051, 2084, 2092, 2094, 2097, 2114, 2128, 2129, 2131, 2137, 2162, 2163, and Senate Concurrent Resolution No. 4003, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

NINTH DAY

Bismarck, January 12, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Clemens Auch, The Baptist Home, Bismarck.

"Dear God of creation and order, we thank You that we are privileged to address You, and ask for Your blessing.

"Today we come on behalf of this Senate, we ask that You will give to each Senator a sense of Your presence. May the decisions made today reflect a consciousness of the responsibility that You, O God, have placed upon all in authority over us. Grant a clarity of thought and the guidance of the Holy Spirit so that we may be governed by laws which reflect Your will for us.

"Bless our Governor in his responsibilities and enable him to make the adjustments to his new office. Give him wisdom to lead us in the coming term.

"Bless now the deliberations of this group and may the name of the Lord be uplifted in all that we do today. We pray in the name of Jesus Christ our Lord, Amen."

Roll Call: All Senators present except Holand, Larson, Nething, Rait, and Smykowski.

A quorum was declared by the President.

IN HONOR AND MEMORY OF SENATOR WITTEMAN

Senator Christensen announced that former State Senator Orville Witteman passed away this morning, and requested that the Senate stand in silence for one minute in honor and memory of Senator Orville Witteman, and the Senate stood for one minute in silence in honor and memory of Senator Orville Witteman.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the seventh day after recess and the eighth day and recommends that the same be corrected as follows:

On page 112, in line 21 from the top of the page, delete the numerals "54" and insert in lieu thereof the numerals "51"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2021
Senate Bill No. 2022
Senate Bill No. 2024
Senate Bill No. 2028
Senate Bill No. 2052
Senate Bill No. 2056
Senate Bill No. 2062
Senate Bill No. 2064

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1019
House Bill No. 1023
House Bill No. 1046
House Bill No. 1052
House Bill No. 1059
House Bill No. 1085
House Bill No. 1102
House Bill No. 1110
House Bill No. 1111
House Bill No. 1116
House Concurrent Resolution No. 3008

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., January 15, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

NINTH DAY AFTER RECESS
AND TENTH DAY

January 15, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2083 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2090 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2118 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2136 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2142 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2143 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2147 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2154 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 6, delete beginning triple parentheses before the word "In"

On page 2, line 10, insert beginning triple parentheses before "eight" and ending triple parentheses after "cents" and insert "nine dollars".

On page 2, line 11, insert beginning triple parentheses before "The"

On page 2, line 12, insert ending triple parentheses after the period.

On page 2, line 14, delete ending triple parentheses after the period.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2054 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4004 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete "strong" and insert "more appropriate"

On page 1, line 19, delete "strong" and insert "more appropriate"

On line 22 after "sentences" insert a comma and delete "and" and after "details" insert a comma and delete "in"

On line 23 delete "in lieu of monetary" and insert "and"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Resolution No. 3 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1043 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2019

Senate Bill No. 2025
 Senate Bill No. 2051
 Senate Bill No. 2084
 Senate Bill No. 2094
 Senate Bill No. 2097
 Senate Bill No. 2114
 Senate Concurrent Resolution No. 4003
 And find the same correctly Engrossed.

SENATOR JACOBSON, Chairman

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

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2075

And find the same correctly Re-Engrossed.

SENATOR JACOBSON, Chairman

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

FIRST READING OF SENATE BILLS

Senator Lips introduced:

Senate Bill No. 2207. A Bill for an Act to appropriate funds in accordance with chapter 54-35 of the North Dakota Century Code to study the need for computerized assessment of real property in North Dakota.

Was read the first time and referred to the Committee on Appropriations.

Senator Reiten introduced:

Senate Bill No. 2208. A Bill for an Act to create and enact sections 43-29-05.1 and 43-29-16.1 of the North Dakota Century Code, relating to the executive secretary of the state board of veterinary medical examiners and abandonment of animals by the owner; and to amend and reenact sections 43-29-01, 43-29-02, 43-29-03, 43-29-05, 43-29-06, 43-29-07, 43-29-08, 43-29-09, 43-29-11, 43-29-13, 43-29-14, 43-29-15, and subsection 3 of section 43-29-17 of the North Dakota Century Code, relating to purposes, appointment, qualifications, officers, rules and regulations, examinations, compensation, application for licenses, fees, renewals, temporary permits, exemptions, refusal to issue and grounds for revocation of licenses, hearings and penalties of the state board of veterinary medical examiners.

Was read the first time and referred to the Committee on Agriculture.

Senator Lee introduced:

Senate Bill No. 2209. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to the membership of the district executive committee of each political party.

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

Senator Page introduced:

Senate Bill No. 2210. A Bill for an Act to amend and reenact section 14-03-09 of the North Dakota Century Code, relating to who may perform marriages.

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

Senators Freed and Hoffner introduced:

Senate Bill No. 2211. A Bill for an Act to amend and reenact subsection 11 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

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

Senators Jones, Lips, Christensen, Barth and Anderson introduced:

Senate Bill No. 2212. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme court judges and district court judges.

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

Senator Butler introduced:

Senate Bill No. 2213. A Bill for an Act to amend and reenact sections 57-54-16 and 57-54-22 of the North Dakota Century Code, relating to deduction of cost of collecting motor vehicle fuel taxes.

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

Senator Butler introduced:

Senate Bill No. 2214. A Bill for an Act to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to the purchase of cigarette stamps at a discount.

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

The Committee on Political Subdivisions introduced:

Senate Bill No. 2215. A Bill for an Act to amend and reenact section 40-24-10 and subsection 2 of section 40-61-10 of the North Dakota Century Code, relating to municipal bonds and debts being approved by boards of budget review, and to repeal chapter 40-41 of the North Dakota Century Code, relating to boards of budget review.

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

The Committee on Appropriations introduced:

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 50-26-01 of the North Dakota Century Code, relating to the activities of the governor's council on human resources.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Butler introduced:

Senate Bill No. 2217. A Bill for an Act to create and enact section 39-04-37.1 of the North Dakota Century Code, relating to motor vehicles operating in violation of registration laws.

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

Senator Lee introduced:

Senate Bill No. 2218. A Bill for an Act to create and enact a new subsection to section 54-12-01 of the North Dakota Century Code, relating to duties of the attorney general.

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

Senator Lee introduced:

Senate Bill No. 2219. A Bill for an Act to amend and reenact subsection 7 of section 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal investigation.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1019. A Bill for an Act relating to governmental

biennial reports; to amend and reenact sections 2-05-04, 4-05-10, 4-06-04, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-11-14, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20.1-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-23-21, 27-15-08, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-23-02, 43-28-09, 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 53-01-08, 54-06-03, 54-06-04, subsection 12 of section 54-11-01, sections 54-12-05, 54-17-06, 54-21-09, 54-21-10, 54-36-06, 54-42-05, subsections 15 and 16 of section 54-44-04, sections 54-46-11, 54-49-08, subsection 9 of section 57-01-02, sections 61-03-04, and 65-02-09 of the North Dakota Century Code, relating to biennial reports of executive and administrative agencies and departments, the time when such reports shall be made, and the contents, printing, and binding of such reports; and to repeal section 44-04-08 of the North Dakota Century Code, relating to the reporting of salaries in biennial reports.

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

House Bill No. 1023. A Bill for an Act to amend and reenact section 38-09-15 of the North Dakota Century Code, relating to the notice of the leasing of certain state mineral rights.

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

House Bill No. 1046. A Bill for an Act to create and enact section 37-15-14.1 of the North Dakota Century Code relating to charging a membership contribution at the soldiers' home, to creation of a special fund consisting of membership contribution receipts, and stating the purposes of that fund; and to amend and reenact section 21-10-06 of the North Dakota Century Code, relating to the funds invested by the state investment board.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1052. A Bill for an Act to reallocate the grant lands and assets of the Ellendale fund and to direct the deposit of the remainder of the Ellendale branch fire proceeds in the state's general fund.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1059. A Bill for an Act to amend and reenact subsection 10 of section 1-03-01 of the North Dakota Century Code, relating to Veterans Day.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1085. A Bill for an Act to amend and reenact sections 54-46.1-01 and 54-46.1-05 of the North Dakota Century Code, relating to central microfilming of records of county and state institutions.

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

House Bill No. 1102. A Bill for an Act to amend and reenact section 58-05-02 of the North Dakota Century Code, relating to townships abolishing the post of township assessor or contracting with a county or any other political subdivision or individual for the assessment duties.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1110. A Bill for an Act to amend and reenact section 65-05-19 of the North Dakota Century Code, providing for nondependency payments to dependent and nondependent children.

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

House Bill No. 1111. A Bill for an Act to amend and reenact section 65-05-27 of the North Dakota Century Code, relating to an increased amount that the bureau may pay without probate proceedings.

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

House Bill No. 1116. A Bill for an Act to amend and reenact section 57-38-56 of the North Dakota Century Code, relating to the powers of the tax commissioner.

Which was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3008. A Concurrent Resolution urging that the United States Congress change Veterans Day back to November 11.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 2019. A Bill for an Act to amend and reenact section 46-01-02 of the North Dakota Century Code, relating to printing duties of the department of accounts and purchases.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2019 be moved to the head of the calendar, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goodman	Longmire	Ringsak	Thane
Gronhovd	Melland	Sands	Tweten
Hoffner	Morgan	Sandness	Wright
Holand	Mutch		

Absent and not voting:

Christensen	Rait	Roen	Wenstrom
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2018. A Bill for an Act to amend and reenact section 16-01-07, subsection 1 of section 16-04-13, and sections 16-04-17 and 16-06-02 of the North Dakota Century Code, relating to the form and preparation of sample ballots.

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, 5.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, J.
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Barth	Jones	Nothing	Shablow
Berube	Kautzmann	Page	Smykowski
Butler	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goodman	Melland	Sands	Tweten
Gronhovd	Morgan	Sandness	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler	Naaden		

Absent and not voting:
 Christensen Hoffner Rait Roen
 Goldberg

So the bill passed and the title was agreed to.

MOTION

Senator Lee moved that Senate Bill No. 2080 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Lee requested unanimous consent of the Senate to withdraw Senate Bill No. 2080, which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2023. A Bill for an Act to amend and reenact section 46-02-15 of the North Dakota Century Code, relating to where state and other political subdivision printing is to be done.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Nasset	Shablow
Berube	Jones	Nothing	Smykowski
Butler	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Absent and not voting:
 Christensen Goldberg Rait Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2025. A Bill for an Act relating to the investment of endowment funds by the institutions under the control of the board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Nothing	Shablow

Berube	Jones	Page	Smykowski
Butler	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goodman	Longmire	Sands	Tweten
Gronhovd	Melland	Sandness	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand	Mutch		

Absent and not voting:

Christensen	Nasset	Rait	Roen
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2051. A Bill for an Act to create and enact section 36-04-03.1 of the North Dakota Century Code, relating to license checks for livestock dealers; to amend and reenact sections 36-04-01, 36-04-03, 36-04-04, 36-04-05, 36-04-07, 36-04-09, 36-04-10, 36-04-11, 36-04-12, 36-04-13, 36-04-14, 36-04-15, 36-04-16, 36-04-17, 36-04-18, 36-04-19, and 36-04-20 of the North Dakota Century Code; to repeal sections 36-04-06 and 36-04-08 of the North Dakota Century Code, all relating to livestock dealer licensing and bonding.

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, 4.

Those voting in the affirmative were:

Anderson	Izler	Naaden	Schultz, J.
Barth	Jacobson	Nasset	Shablow
Berube	Jones	Nothing	Smykowski
Butler	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Absent and not voting:

Christensen	Goldberg	Rait	Roen
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So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that Senate Bill No. 2051 be reprinted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2084. A Bill for an Act to repeal section 16-04-08 of the North Dakota Century Code, relating to filling vacancies in party primary election ballots.

Which has been read.

Senator Sands moved that Senate Bill No. 2084 be amended as follows:

On page 1, in line 13, after the word "any", delete the word "part" and insert in lieu thereof the word "party"

Which motion prevailed.

Senator Sands moved that the rules be suspended, that Senate Bill No. 2084 be deemed properly re-engrossed, and placed on

the calendar for second reading and final passage, which motion prevailed.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Nasset	Shablow
Berube	Jones	Nothing	Smykowski
Butler	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Absent and not voting:

Christensen	Goldberg	Rait	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2092. A Bill for an Act to amend and reenact subsection 1 of section 39-04-19 of the North Dakota Century Code, relating to non-resident mile tax in lieu of motor vehicle registration.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Nasset	Shablow
Berube	Jones	Nothing	Smykowski
Butler	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Absent and not voting:

Christensen	Goldberg	Rait	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2094. A Bill for an Act to amend and reenact section 15-22-01 of the North Dakota Century Code, relating to the county superintendent of schools' term of office.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, J.
Barth	Jones	Nothing	Shablow
Berube	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg

Erdman	Lee	Pyle	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goodman	Longmire	Ringsak	Thane
Gronhovd	Melland	Sands	Tweten
Hoffner	Morgan	Sandness	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler	Naaden		

Those voting in the negative were:
Butler

Absent and not voting:
Christensen Goldberg Rait Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2097. A Bill for an Act to provide for the licensing of operators of surface ambulance services; to provide a fee therefore; to provide standards for qualifying as licensed operators of ambulance services; to provide for a penalty; and to provide for 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, 42; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Shablow
Barth	Jones	Nasset	Smykowski
Berube	Kautzmann	Nething	Solberg
Butler	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Fritzell	Lips	Reiten	Stroup
Goodman	Litten	Ringsak	Thane
Gronhovd	Longmire	Sands	Tweten
Hoffner	Melland	Sandness	Wenstrom
Holand	Morgan	Schultz, J.	Wright
Iszler	Mutch		

Those voting in the negative were:

Coughlin	Page	Redlin	Schultz, C.
Freed			

Absent and not voting:
Christensen Goldberg Rait Roen

So the bill passed and the title was agreed to.

MOTION

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

REPORT OF PUBLIC SERVICE COMMISSION

Senator Litten moved that the Senate accept the report of the Public Service Commission, to the 43rd Legislative Assembly of the State of North Dakota, as printed in its entirety on pages 145, 146, 147, 148 and 149 of the House Journal, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2083, 2090, 2118, 2136, 2142, 2143, 2147, and S.R. No. 3, and House Bill No. 1043, that the Senate adjourn.

LEO LEIDHOLM, Secretary

TENTH DAY

Bismarck, January 15, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ed Werner, Cathedral of the Holy Spirit, Bismarck.

"God, our Father, much have you done for us in our deliberations thus far. Continue to fill us with your light so that all we consider this day may be done so in view of your plan for us.

"May our concern always be for the good of the people you have called us to serve, and not for our own good alone.

"May the Spirit of peace and justice which is yours be also ours — this day and always. In your name we pray through Christ our Lord. Amen."

Roll Call: All Senators present except Christensen, Goldberg, Rait and Roen.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighth Day after recess and the Ninth Day and recommends that the same be corrected as follows:

After line 37, from the top of the page, insert the following:

"Senator Goldberg moved that Senate Bill No. 2075 be amended as follows: "On page 2, line 2, delete the word "only". Renumber the lines accordingly".

Which motion prevailed.

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2114. A Bill for an Act to provide that the alteration of odometers or other mileage recorders, hour meters on tachometers or other hour recorders is a misdemeanor, and providing a penalty.

Senator Butler moved that Senate Bill No. 2114 be amended as follows:

"In line 2 of the engrossed bill, after the word "recorders" delete ", hour meters on tachometers or

In line 3, delete "other hour recorders"

In line 9, delete "HOUR METERS ON TACHOMETERS OR OTHER HOUR RECORDERS"

In line 11, delete the comma

In line 12, delete "hour meter on tachometer or other hour recorder"

Renumber the lines accordingly.

Which motion failed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Melland	Ringsak
Barth	Iszler	Morgan	Sands
Berube	Jones	Nasset	Schultz, C.
Erdman	Kautzmann	Nothing	Schultz, J.
Freed	Larson	Page	Solberg
Fritzell	Lee	Peterson	Strinden
Goldberg	Lips	Pyle	Thane
Goodman	Litten	Redlin	Tweten

Gronhovd	Longmire	Reiten	Wenstrom
Hoffner			

Those voting in the negative were:

Butler	Mutch	Shablow	Stroup
Coughlin	Naaden	Smykowski	Wright
Jacobson	Sandness	Strand	

Absent and not voting:

Christensen	Rait	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2128. A Bill for an Act to create and enact sections 39-04-54 and 39-04-55 of the North Dakota Century Code, and to repeal sections 39-05-10 and 39-05-12 of the North Dakota Century Code, relating to the registration of motor vehicles; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sands	Wright
Hoffner	Morgan	Sandness	

Absent and not voting:

Christensen	Rait	Roen	Stroup
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So the bill passed and the title was agreed to.

MOTION

Senator Morgan moved that Senate Bill No. 2131 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2131. A Bill for an Act to amend and reenact section 60-05-02 of the North Dakota Century Code, relating to examination of financial accounts of elevator or warehouse by competent examiner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sandness	Wright

Those voting in the negative were:

Jones Naaden Strinden

Absent and not voting:

Christensen Rait Roen Sands

So the bill passed and the title was agreed to.

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees of examiner for installing and examining accounting system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill the roll was called and there were ayes, 31; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Iszler	Nasset	Schultz, J.
Berube	Jones	Nothing	Smykowski
Erdman	Kautzmann	Peterson	Strand
Fritzell	Lips	Redlin	Thane
Goodman	Litten	Reiten	Tweten
Gronhovd	Longmire	Ringsak	Wenstrom
Hoffner	Melland	Sandness	Wright
Holand	Morgan	Schultz, C.	

Those voting in the negative were:

Anderson	Goldberg	Mutch	Shablow
Butler	Jacobson	Naaden	Solberg
Coughlin	Larson	Page	Strinden
Freed	Lee	Pyle	Stroup

Absent and not voting:

Christensen Rait Roen Sands

So the bill passed and the title was agreed to.

Senate Bill No. 2137. A Bill for an Act to amend and reenact section 39-05-32 of the North Dakota Century Code, relating to enforcement of motor vehicle title law.

Which has been read.

Senator Mutch moved that Senate Bill No. 2137 be re-referred to the Committee on Transportation, which motion carried.

Senate Bill No. 2162. A Bill for an Act to amend and reenact section 39-18-01 of the North Dakota Century Code, relating to licensing of mobile home dealers.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright

Absent and not voting:

Christensen Rait Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2163. A Bill for an Act to amend and reenact section 39-18-03 of the North Dakota Century Code, relating to the registration period for mobile homes, house trailers and travel trailers and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Sandness
Barth	Holand	Morgan	Schultz, J.
Berube	Iszler	Mutch	Shablow
Butler	Jacobson	Nasset	Smykowski
Coughlin	Jones	Nething	Solberg
Erdman	Kautzmann	Peterson	Strand
Freed	Larson	Pyle	Thane
Fritzell	Lee	Redlin	Tweten
Goldberg	Lips	Reiten	Wenstrom
Goodman	Litten	Ringsak	Wright
Gronhovd	Longmire	Sands	

Those voting in the negative were:

Naaden	Schultz, C.	Strinden	Stroup
Page			

Absent and not voting:

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Resolution No. 2

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

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

SIGNING OF A RESOLUTION

The Secretary announced that the President was about to sign: Senate Resolution No. 2

And the President signed the same in the presence of the Senate.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 1

Senate Resolution No. 2

Were delivered to the Secretary of State at the hour of 2:30 o'clock p.m., January 15, 1973.

SENATOR JACOBSON, Chairman

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2003

Senate Bill No. 2029

Senate Bill No. 2071

Senate Bill No. 2089

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

- House Bill No. 1021
- House Bill No. 1082
- House Bill No. 1095
- House Bill No. 1097
- House Bill No. 1115
- House Bill No. 1119
- House Bill No. 1128

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 p.m., January 16, 1973.

LEO LEIDHOLM, Secretary



**TENTH DAY AFTER RECESS AND
ELEVENTH DAY**

January 16, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2095 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 13 after the period insert "The secretary of state shall notify the electors of said meeting."

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2099 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 9 insert the beginning triple parentheses before the word "The"

On page 2 line 14 delete the triple parentheses around "1969" and delete "1972"

On page 2 line 17 delete the triple parentheses around "1969" and delete "1972"

On page 2 line 19 delete the triple parentheses around "1969" and delete "1972"

On page 2 line 23 insert the ending triple parentheses after the period

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2117 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2121 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2123 has had the same under consideration and recommends that the same be amended as follows:

On page 4, line 3 delete the words "twenty-five" and insert in lieu thereof the words "thirty-five"

On page 5, line 25 insert beginning triple parentheses before the second word "in" and insert ending triple parentheses after the word "state"

On page 5, line 26 insert triple parentheses around the word "five" and insert in lieu thereof "three" and insert triple parentheses around the word "immediately"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2124 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 2 delete ending triple parentheses after the word "Where" and delete the following "Shall, where"

On page 2 line 4 delete triple parentheses around "shall"

On page 2 line 5 insert ending triple parentheses after the colon and insert in lieu thereof the following "Shall immediately under the name of each office be placed the language"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2151 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 10 delete the period and insert a semicolon and add the following new subsection:

"10. Licensed and bonded collection agencies."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2161 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2166 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2167 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2169 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22, before the word "No" delete the triple parentheses; and insert triple parentheses around the word "four-year" and insert in lieu thereof the word "six-year"

On page 1, line 23, delete the triple parentheses after the period

On page 2, line 4, insert triple parentheses around the word "nine" and insert in lieu thereof the word "thirteen"

On page 2, line 6, following the period, insert the following words: "For purposes of this Act, any board member appointed to a term of four years pursuant to the provisions of section 2 of chapter 466 of the 1971 Session Laws shall be deemed to have been appointed to a term of six years."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2187 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 3 after "in" delete "separte" and insert in lieu thereof "separate".

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2192 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3007 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Mutch moved that the amendments to Senate Bill No. 2154 as recommended by the Committee on Transportation as printed on page 122 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Concurrent Resolution No. 4004 as recommended by the Committee on Transportation as printed on page 122 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Longmire moved that the Secretary of the Senate be allowed to send a complete set of bills, calendars and journals to the law library at the University of North Dakota, which motion prevailed.

MOTION

Senator Tweten moved that the Senate reconsider the action by which Senate Bill No. 2025 was passed, which motion prevailed.

Senator Tweten moved that Senate Bill No. 2025 be amended as follows:

"In line 12 of the engrossed bill, delete "as set forth in Chapter"

In line 13, delete "21-10"

Re-number the lines accordingly."

Which motion prevailed.

Senator Tweten moved that the rules be suspended, that Senate Bill No. 2025 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

Senator Mutch moved that Senate Bill No. 2025 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4003. A Concurrent Resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts, the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges, to confirmation of incumbent judges running unopposed, and to tribunals of conciliation; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

Which has been read.

Senator Jones moved that Senate Concurrent Resolution No. 4003 be re-referred to the Rules Committee, which motion prevailed.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2121, 2154, 2166 and 2192, and SCR 4004 and HCR 3007, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

ELEVENTH DAY

Bismarck, January 16, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Christopher Davis, Annunciation Priory, Bismarck.

"Father in heaven, and guiding spirit of the world, unite these your senators assembled here so that they may deliberate all issues with a view to the faith in God which animates the great majority of men, and whose rights it has ever been the business of our country to honour.

"Allow these men to maintain their courage in the face of the serious social problems which are escalating throughout the land. Give them a steady purpose, so that they may pursue the greatest good of the people of this state, yet with reference to the pressing needs of the Third World and to the needs of persons everywhere who are dislocated by wars and by natural disasters.

"Give them detachment and impartiality, so that they may study questions of conservation with a broad view of the needs of all the people of our country, not only now, but in the years to come.

"Above all, let them 'seek peace, and pursue it,' as the psalmist

says. (Ps. 34:14b) Let them be men of peace. To this end, let them not only desire order in the commonwealth, but also allow them to know that thirst for the divine peace which Isaiah promised when he said:

“If you take away from the midst of you the yoke,
the pointing of the finger, and speaking wickedness,
if you pour yourself out for the hungry
and satisfy the desire of the afflicted,
then shall your light rise in the darkness
and your gloom be as the noonday.” (Is.58:9b-10)

“And may ‘the peace of God, which passes all understanding,’ be present in this chamber, and pass from it to the fields beyond. (cf.Phil.4:7) Amen.”

Roll Call: All Senators present except Roen.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the ninth day after recess and the tenth day, and finds the same to be correct.

SENATOR THANE, Chairman

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

FIRST READING OF SENATE BILLS

Senators Lips, Strand and Christensen introduced:

Senate Bill No. 2220. A Bill for an Act to amend and reenact subsection 2 of section 15-38.1-13 of the North Dakota Century Code, providing for machinery for the resolution of impasses in professional negotiations in the public schools.

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

Senators Berube and Nething introduced:

Senate Bill No. 2221. A Bill for an Act to amend and reenact section 48-10-01 of the North Dakota Century Code, relating to the capitol grounds planning commission.

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

Senators Melland, Anderson and Wright introduced:

Senate Bill No. 2222. A Bill for an Act to repeal section 5-01-07 of the North Dakota Century Code, relating to township beer and liquor licenses.

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

Senators Longmire, Lips, Hoffner and Strand introduced:

Senate Bill No. 2223. A Bill for an Act to amend and reenact Section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

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

Senator Holand introduced:

Senate Bill No. 2224. A Bill for an Act to require a statement for a certificate or declaration of full consideration with certain deeds filed for record in the office of the county register of deeds; and providing for a penalty.

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

Senator Holand introduced:

Senate Bill No. 2225. A Bill for an Act to amend and reenact section 54-03-02 of the North Dakota Century Code, relating to the convening date of the legislative assembly.

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

Senators Longmire and Ringsak introduced:

Senate Bill No. 2226. A Bill for an Act to amend and reenact section 11-15-03.1 of the North Dakota Century Code and to create and enact a new subsection thereto, relating to salary of county sheriff.

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

Senator Jacobson introduced:

Senate Bill No. 2227. A Bill for an Act relating to and defining abandoned severed mineral interests, providing methods for same to be taken into the custody of the state, for its sale, for an administrator, for a penalty, and providing an appropriation.

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

Senators Thane, Mutch, Ringsak, Erdman and Jacobson introduced:

Senate Bill No. 2228. A Bill for an Act to amend and reenact sections 26-01-11 and 26-15-13 of the North Dakota Century Code, relating to a county mutual insurance premium tax, and the territorial limits of operation of county mutual insurance companies.

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

Senator Nasset introduced:

Senate Bill No. 2229. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land owned by the state of North Dakota for the use and benefit of the Hettinger sub-station of the North Dakota agricultural college of the state of North Dakota to the Hettinger municipal airport authority and appropriating the proceeds of sale to the state board of higher education for the purpose of acquiring other land.

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

Senators Ringsak, Jones and Kautzmann introduced:

Senate Bill No. 2230. A Bill for an Act to regulate and license persons offering or performing accounting services for the public, and providing a penalty.

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

Senator Litten introduced:

Senate Bill No. 2231. A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state.

Was read the first time and referred to the Committee on Appropriations.

Senator Holand introduced:

Senate Bill No. 2232. A Bill for an Act to amend and reenact section 4-22-17 of the North Dakota Century Code, relating to the filing of the nominating petition of a candidate for the office of soil conservation district supervisor.

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

Senators Thane, Strinden, Mutch and Pyle introduced:

Senate Bill No. 2233. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to the exemption of self-propelled fertilizer spreaders from width limitations on vehicles.

Was read the first time and referred to the Committee on Agriculture.

Senators Longmire and Coughlin introduced:

Senate Bill No. 2234. A Bill for an Act to amend and reenact section 40-51.2-10 of the North Dakota Century Code, relating to the annexation review commission and changing the composition of the commission.

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

Senator Sandness introduced:

Senate Bill No. 2235. A Bill for an Act to amend and reenact section 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township supervisors, clerks, and treasurers.

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

Senators Ringsak, Page, Shablow, and Larson introduced:

Senate Bill No. 2236. A Bill for an Act to provide an appropriation for the construction of a new administration building at the Grafton state school.

Was read the first time and referred to the Committee on Appropriations.

Senator Christensen introduced:

Senate Bill No. 2237. A Bill for an Act to amend and reenact section 20.1-01-11 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to hunting game from motor-driven vehicles.

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

Senator Christensen introduced:

Senate Bill No. 2238. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land, appropriating the proceeds of such sale to the state board of higher education for the purpose for which the land was originally received, and declaring an emergency.

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

Senators Fritzell and Christensen introduced:

Senate Bill No. 2239. A Bill for an Act to provide for actions for declaratory and equitable relief for protection of the air, water, and other natural resources; to prescribe the rights, duties, and functions of the attorney general, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization, or other legal entity; and to provide for judicial proceedings relative thereto.

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

Senators Ringsak, Morgan, Stroup, Nething and Hoffner introduced:

Senate Bill No. 2240. A Bill for an Act to require the state and all its political subdivisions to carry liability insurance in areas of common risk, and to repeal section 39-01-08 of the North

Dakota Century Code, authorizing political subdivisions to carry insurance on vehicles.

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

Senators Fritzell and Christensen introduced:

Senate Bill No. 2241. A Bill for an Act to create and enact subsection 8 of section 15-66-03 and section 15-66-13 of the North Dakota Century Code, relating to the powers of the midwestern board for medical and allied health education and the secretary of state's duties regarding changes in and appropriations for chapter 15-66; to amend and reenact sections 15-66-01 and 15-66-04 of the North Dakota Century Code, relating to the purposes and membership of the board; to repeal section 15-66-12 of the North Dakota Century Code, relating to expenses of board members; and to provide an appropriation.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Nething and Pyle introduced:

Senate Bill No. 2242. A Bill for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code as amended by section 3 of chapter 493 of the 1971 Session Laws of North Dakota, relating to auditing of political subdivisions.

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

Senators Reiten and Larson introduced:

Senate Bill No. 2243. A Bill for an Act to amend and reenact sections 11-19-18, 23-06-03, 50-24-13, and 50-24-33 of the North Dakota Century Code, relating to payment of expenses for burial of deceased persons without kin, duty of burial of deceased persons, and ownership and recovery of property of welfare recipients.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Litten introduced:

Senate Bill No. 2244. A Bill for an Act to prohibit referral sales, multilevel sales distributorships, and chain sales schemes, and to provide penalties for such sales.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Longmire and Wenstrom introduced:

Senate Concurrent Resolution No. 4009. A Concurrent Resolution designating February 2, 1973, as North Dakota Editors Day at the Forty-third Legislative Assembly, and welcoming Mr. John Finnegan, a distinguished journalist and executive editor of the St. Paul Pioneer Press and Dispatch, to North Dakota.

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution be not printed as a bill but printed in the Journal and placed on second reading and final passage, which motion prevailed.

Page No. 1

SENATE CONCURRENT RESOLUTION No. 4009

Introduced by Senators Longmire and Wenstrom

- 1 A concurrent resolution designating February 2, 1973, as
- 2 North Dakota Editors Day at the Forty-third Legislative
- 3 Assembly, and welcoming Mr. John Finnegan, a distinguished
- 4 journalist and executive editor of the St. Paul Pioneer
- 5 Press and Dispatch, to North Dakota.

6
 7 WHEREAS, the members of North Dakota's esteemed Fourth
 8 Estate, the editors and reporters of the State's daily,
 9 semiweekly, and weekly newspapers, are dedicated to
 9a informing
 10 the citizens of the State and thus serve a vital function
 11 in the democratic processes; and
 12 WHEREAS, the North Dakota professional chapter of
 13 Sigma Delta Chi and the North Dakota Newspaper Association
 14 (NDNA) are sponsoring the biennial Editors Day at the Legis-
 15 lature February 2, 1973; and
 16 WHEREAS, the Editors Day Luncheon, to which members
 17 of the Forty-third Legislative Assembly have been invited by
 18 members of the Press from their respective districts, will
 19 feature as speaker Mr. John R. Finnegan, who has long been a
 20 leading participant in the campaign to protect and further
 21 freedom of the press in Minnesota and throughout the Nation;
 22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
 22a OF THE
 23 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING
 23a TATIVES CONCURRING
 24 THEREIN:

Page No. 2

1 That the Forty-third Legislative Assembly commends North
 2 Dakota's editors and reporters for their continuing service
 3 to all the citizens of the State, and declares that February 2,
 4 1973, is hereby designated Editors Day at the 1973 Legislature;
 5 and
 6 BE IT FURTHER RESOLVED, that the Forty-third
 6a Legislative
 7 Assembly extends a hearty and sincere North Dakota welcome
 7a to
 8 Mr. John R. Finnegan, and hopes that his stay in the State is
 9 pleasant and enjoyable; and
 10 BE IT FURTHER RESOLVED, that each Senator and
 10a Represen-
 11 tative make every effort to attend the luncheon February 2,
 12 1973, at the invitation of Sigma Delta Chi and the NDNA; and
 13 BE IT FURTHER RESOLVED, that the Secretary of State
 14 send copies of this resolution to the national and North Dakota
 15 presidents of Sigma Delta Chi, the president of the North
 16 Dakota Newspaper Association, and to Mr. John R. Finnegan,
 17 Executive Editor, St. Paul Pioneer Press and Dispatch.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4009. A Concurrent Resolution designating February 2, 1973, as North Dakota Editors Day at the Forty-third Legislative Assembly, and welcoming Mr. John Finnegan, a distinguished journalist and executive editor of the St. Paul Pioneer Press and Dispatch, to North Dakota.

Which has been read.

The question being on the final passage of the resolution.

So the resolution was declared adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 1021. A Bill for an Act to require prompt delivery and publication of the proceedings of any political subdivision required by law to publish its minutes, and to amend sections 11-11-37, 15-28-11, and 40-08-12, relating to the publication of county commission, school board, and city council minutes.

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

House Bill No. 1082. A Bill for an Act to amend and reenact section 11-19A-04 of the North Dakota Century Code relating to eligibility for the office of county coroner.

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

House Bill No. 1095. A Bill for an Act to amend and reenact section 43-07-20 of the North Dakota Century Code, relating to employment preferences in contracts.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1097. A Bill for an Act to create and enact section 34-14-04.1 of the North Dakota Century Code, relating to limitations on withholdings by employers.

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

House Bill No. 1115. A Bill for an Act to amend and reenact subsection 2 of section 4-09-14 of the North Dakota Century Code, relating to labeling requirements and the sale of seed.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1119. A Bill for an Act to amend and reenact section 65-05-28 of the North Dakota Century Code, providing that no compensation be paid when claimant refuses to reasonably participate under certain conditions.

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

House Bill No. 1128. A Bill for an Act to amend and reenact section 4-13-10 of the North Dakota Century Code relating to license fees for engaging in the poultry business and raising the amount of such fees.

Which was read the first time and referred to the Committee on Agriculture.

SECOND READING OF SENATE BILLS

Senate Bill No. 2075. A Bill for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to the employment of musicians under twenty-one years of age in establishments where alcoholic beverages are sold.

Which has been read.

Senator Goldberg moved that Senate Bill No. 2075 be amended as follows:

On page 2, line 1 of the engrossed bill, delete the word "under", and insert in lieu thereof the words "from eighteen to"

And renumber the lines accordingly.

Which motion prevailed.

Senator Goldberg moved that the rules be suspended, that Senate Bill No. 2075 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

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, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Shablow
Barth	Jacobson	Nasset	Smykowski
Berube	Jones	Nething	Solberg
Butler	Kautzmann	Page	Strand
Coughlin	Lee	Peterson	Strinden
Erdman	Lips	Pyle	Stroup
Fritzell	Litten	Rait	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom

Gronhovd	Morgan	Schultz, J.	Wright
Hoffner	Mutch		

Those voting in the negative were:

Christensen	Iszler	Redlin	Schultz, C.
Freed	Larson	Sandness	

Absent and not voting:

Roen	Sands
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So the bill passed and the title was agreed to.

MOTION

Senator Ringsak moved that the Senate reconsider its action by which it re-referred Senate Concurrent Resolution No. 4003 to the Rules Committee, which motion failed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 11-19A-17 of the North Dakota Century Code, relating to a limitation on the application of chapter 11-19A and excepting 11-19A-03 from the limitation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Roen	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 2083. A Bill for an Act to amend and reenact sections 10-31-06 and 10-31-13 of the North Dakota Century Code, relating to simultaneous officeholding in professional corporations, and the contents and filing of the annual reports of professional corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, J.
Coughlin	Jacobson	Nasset	Solberg
Erdman	Kautzmann	Page	Strand
Freed	Larson	Peterson	Strinden
Fritzell	Lee	Pyle	Stroup
Goldberg	Lips	Rait	Thane
Goodman	Litten	Reiten	Tweten
Gronhovd	Longmire	Ringsak	Wenstrom
Hoffner	Melland	Sands	Wright

Those voting in the negative were:

Berube	Jones	Redlin	Shablow
Butler	Morgan	Schultz, C.	Smykowski
Christensen			

Absent and not voting:

Nothing Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2090. A Bill for an Act to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to maximum hours of labor for minors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2118. A Bill for an Act to amend and reenact section 16-07-09 of the North Dakota Century Code, relating to notification by the county auditor to the governor when a vacancy occurs in the office of a member of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2136. A Bill for an Act to repeal chapter 197 of the 1969 Session Laws of North Dakota, relating to adoption of the quarter system educational term by all institutions of higher education.

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, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nothing	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright

Those voting in the negative were:

Jones Naaden

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2142. A Bill for an Act to amend and reenact section 51-05-13 of the North Dakota Century Code, relative to license applications for auctioneers and renewal thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Erdman Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2143. A Bill for an Act to authorize the state board of higher education to sell self-liquidating tax-exempt bonds and provide for the use of the proceeds of such self-liquidating bonds for the purpose of constructing or purchasing revenue producing buildings and other campus improvements at institutions of higher learning in this state under the jurisdiction of the board, at such maximum amounts, at such locations, and for such purposes as are hereinafter provided.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz, J.
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Barth	Hoffner	Nothing	Shablow
Berube	Holand	Page	Solberg
Christensen	Jacobson	Peterson	Strand
Coughlin	Jones	Pyle	Strinden
Erdman	Kautzmann	Rait	Stroup
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goldberg	Longmire	Ringsak	Wenstrom
Goodman	Melland	Sandness	

Those voting in the negative were:

Butler	Lee	Naaden	Smykowski
Iszler	Morgan	Sands	Wright
Larson	Mutch	Schultz C.	

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2147. A Bill for an Act to create and enact section 34-14-09.1 of the North Dakota Century Code, to provide that employees are entitled to interest on unpaid wages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Roen Tweten

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 3. A Resolution providing for the appointment of a special Senate committee for the purpose of studying and reviewing existing and impending heating fuel shortages in North Dakota.

Which has been read.

The question being on the final passage of the Resolution.

So the resolution was adopted.

FUEL STUDY COMMITTEE

Senator Litten moved that the President appoint a Fuel Study Committee, pursuant to Senate Resolution No. 3.

The President appointed as such committee: Senator Melland, Chairman, and Senators Longmire, Coughlin, Erdman and Jacobson.

SECOND READING OF A HOUSE BILL

House Bill No. 1043. A Bill for an Act to amend and reenact the initial paragraph of section 55-08-05, and section 55-08-06.1 of the North Dakota Century Code, relating to the provision of special services in state parks and recreation areas, providing exceptions

from the necessity of obtaining park permits, and to delete references to the state park advisory council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

MOTION

Senator Wenstrom moved that Senate Bill No. 2120 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Wenstrom requested unanimous consent to withdraw Senate Bill No. 2120, which request was granted.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2018

Senate Bill No. 2019

Senate Bill No. 2023

Senate Bill No. 2051

Senate Bill No. 2084

Senate Bill No. 2092

Senate Bill No. 2094

Senate Bill No. 2097

Senate Bill No. 2114

Senate Bill No. 2128

Senate Bill No. 2129

Senate Bill No. 2131

Senate Bill No. 2162

Senate Bill No. 2163

Senate Concurrent Resolution 4009

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 1:30 P.M. January 17, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



**ELEVENTH DAY AFTER RECESS AND
TWELFTH DAY**

January 17, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2027 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2039 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2068 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2091 has had the same under consideration and recommends that the same be amended as follows:

Page 2, line 1, delete the words "soil conservation service", and insert in lieu thereof the words "national cooperative"

Page 5, line 19, delete the word "to"

Page 5, line 20, delete the words "the extent available"

Page 5, line 21, before the period, insert a semicolon and the following: "provided, however, that if two feet of such material is not available within the permit area, all topsoil or approved surface material that is available shall be spread over the regraded area"

Page 9, line 32, delete the word "he" and insert in lieu thereof the word "it"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Vice Chairman

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

Mr. President: Your Committee on Industry, Business and Labor

to whom was referred Senate Bill No. 2111 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 delete the beginning triple parentheses before "the" and insert triple parentheses around "twenty-five" and insert in lieu thereof "thirty-seven" and delete the ending triple parentheses after "dollars" and insert "and fifty cents"

On page 1, line 16 delete the triple parentheses around the semicolon and delete "an amount"

On page 1, delete all of lines 17 through 19

On page 1, line 20 after "widower" delete the remainder of the line

On page 2, line 2 insert ending triple parentheses after "twenty-five" and insert in lieu thereof "thirty-seven" and after "dollars" insert "and fifty cents"

On page 2, line 3 delete the ending triple parentheses after the semicolon and delete "forty"

On page 2, delete all of lines 4 through 6

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2119 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2134 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2138 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2139 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2140 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2141 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2145 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2170 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2173 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2174 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2184 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2185 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2186 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the numerals "42-04-03" and insert in lieu thereof the numerals "52-04-03"

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2188 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2197 has had the same under consideration and recommends that the same be amended as follows:

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

On page 2, line 16, delete the triple parentheses before the semicolon

On page 2, line 19, delete the triple parentheses after the word "determine"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1117 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2154

Senate Concurrent Resolution No. 4004

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2025

Senate Bill No. 2075

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2095, 2099, 2123, 2124, 2151, 2169 and 2187 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2095 as recommended by the Committee on Judiciary as printed on page 137 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2099 as recommended by the Committee on Finance and Taxation as printed on page 137 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2123 as recommended by the Committee on Business, Industry and Labor as printed on page 138 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2124 as recommended by the Committee on Judiciary as printed on page 138 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2151 as recommended by the Committee on Business, Industry and Labor as printed on page 138 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved, that the amendments to Senate Bill No. 2169 as recommended by the Committee on Social Welfare and

Veterans' Affairs as printed on page 139 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2187 as recommended by the Committee on State and Federal Government as printed on page 139 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2121. A Bill for an Act to provide that a purchase money security interest in a mobile home shall take certain priorities in the event that taxing officials have failed or refused to try to collect the tax liability.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 28; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Goldberg	Lee	Redlin
Butler	Goodman	Lips	Schultz, J.
Christensen	Gronhovd	Litten	Smykowski
Coughlin	Jacobson	Longmire	Tweten
Erdman	Kautzmann	Nasset	Wright
Fritzell			

Those voting in the negative were:

Barth	Larson	Peterson	Schultz C.
Berube	Melland	Pyle	Shablow
Freed	Morgan	Rait	Solberg
Hoffner	Mutch	Reiten	Strand
Holand	Naaden	Ringsak	Strinden
Iszler	Nething	Sands	Stroup
Jones	Page	Sandness	Thane

Absent and not voting:

Roen Wenstrom

So the bill was declared lost.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2027, 2039, 2068, 2095, 2099, 2123, 2124, 2134, 2138, 2139, 2140, 2145, 2151, 2169, 2170, 2173, 2174, 2184, 2185, 2187, and 2188, and House Bill No. 1117 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWELFTH DAY

January 17, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Ed Wehner, Cathedral of the Holy Spirit, Bismarck.

"Father, you have caused the sun to rise upon this day, and permitted us to rise with it. Your light illumens us here in this chamber as we begin this sessions deliberations. May we be proper instruments by which Your light may be made to shine upon the people of our State. It is in this that your people and our State will be a haven of peace, prosperity and happiness. It is in this that the darkness of fear, injustice and poverty will be overcome — for You are the Light of the World. And we — we are the chosen administrators of that Light. May we always let it shine. May darkness be no more.

We ask this through Christ our Lord. Amen.

Roll Call: All Senators present except Roen and Wenstrom.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Tenth Day after recess and the Eleventh Day, and finds the same to be correct.

SENATOR THANE, Chairman

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

FIRST READING OF SENATE BILLS

Senators Strinden, Ringsak, Schultz and Coughlin introduced:

Senate Bill No. 2245. A Bill for an Act to provide for a transfer from the general fund to the Vietnam veterans' bonus adjusted compensation fund, and to provide an appropriation to the adjutant general for the purpose of administering the provisions of the Vietnam Conflict Veterans' Adjusted Compensation Act.

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

Senator Kautzmann introduced:

Senate Bill No. 2246. A Bill for an Act to repeal subsection 5 of section 20.1-03-04 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to hunting and fishing without a license by military personnel, during the open season in a time of war.

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

Senators Barth, Page, Hoffner, Wright and Berube introduced:

Senate Bill No. 2247. A Bill for an Act to create and enact sections 26-26-07.1, 26-27-10.1, 26-27-10.2, 26-27.1-11.1, and 26-27.1-11.2 of the North Dakota Century Code, and to amend and reenact sections 26-26-01, 26-26-08, 26-27-02, 26-27-08, 26-27-10, 26-27.1-02, 26-27.1-09, and 26-27.1-11 of the North Dakota Century Code, to subject hospital, medical, and dental service corporations to regulations by the insurance commissioner.

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

Senators Wenstrom and Litten introduced:

Senate Bill No. 2248. A Bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption from the sales and use tax of food and food products.

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

Senator Wenstrom introduced:

Senate Bill No. 2249. A Bill for an Act to amend and reenact section 35-01-05.1 of the North Dakota Century Code, relating to security interests in motor vehicles.

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

Senator Wenstrom introduced:

Senate Bill No. 2250. A Bill for an Act to amend and reenact section 39-24-02 of the North Dakota Century Code, relating to the registration and titling of snowmobiles.

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

Senators Page, Morgan and Barth introduced:

Senate Bill No. 2251. A Bill for an Act to amend and reenact sections 39-04-08 and 39-04-11 of the North Dakota Century Code, relating to license plates on motor vehicles.

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

Senator Nasset introduced:

Senate Bill No. 2252. A Bill for an Act to amend and reenact sections 15-55-20 and 15-55-21 of the North Dakota Century Code, relating to the maintaining of financial records and expenses of revenue producing buildings.

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

Senators Longmire, Lips, Reiten and Butler introduced:

Senate Bill No. 2253. A Bill for an Act to amend and reenact subsection 1 of section 2-06-03 of the North Dakota Century Code, relating to the creation of a regional airport authority.

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

The Committee on Appropriations introduced:

Senate Bill No. 2254. A Bill for an Act to provide an appropriation for the salaries and expenses of the state economic opportunity office.

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

The Committee on Appropriations introduced:

Senate Bill No. 2255. A Bill for an Act to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor fuel tax laws.

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

The Committee on Appropriations introduced:

Senate Bill No. 2256. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys.

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

Senator Butler introduced:

Senate Bill No. 2257. A Bill for an Act to amend and reenact sections 11-10.1-01, 11-10.1-05 and 11-10.1-07 of the North Dakota Century Code, relating to qualifications, duties and term of office of county director of tax equalization and city assessor, and providing for a reimbursement to the counties for a portion of the salaries of the county directors of tax equalization; and providing for an appropriation.

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

Senators Melland and Nething introduced:

Senate Bill No. 2258. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota and used by the North Dakota state hospital.

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

Senator J. Schultz introduced:

Senate Bill No. 2259. A Bill for an Act to amend and reenact section 57-55-10 of the North Dakota Century Code, relating to exemptions and exceptions to the taxation of mobile homes.

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

The Committee on Appropriations introduced:

Senate Bill No. 2260. A Bill for an Act to provide an appropriation for salaries and expenses of the merit system council.

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

Senators Sands, Thane and Freed introduced:

Senate Bill No. 2261. A Bill for an Act to create and enact sections 8-10-07.2 and 8-10-07.3 of the North Dakota Century Code, relating to the criminal offense of making, selling, or possessing a device to be used for fraudulently obtaining telecommunication services, and to the criminal offense of publishing a credit card number or code with intent or belief that it will be used to avoid lawful telecommunication charges, and providing penalties.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Hoffner and Reiten introduced:

Senate Concurrent Resolution No. 4010. A Concurrent Resolution for a constitutional amendment requiring all meetings of governmental bodies to be open to the public, and for the amendment of section 50 of the Constitution of the State of North Dakota, relating to open meetings of the legislative assembly and its committees.

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

MOTION

Senator Sands moved that the Senate reconsider its action whereby Senate Bill No. 2121 was declared lost, which motion prevailed.

Senator Sands moved that Senate Bill No. 2121 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2154. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 39-04-19 of the North Dakota Century Code, relating to registration of motor buses.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing.	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wright

Absent and not voting:

Hoffner	Roen	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 2166. A Bill for an Act to amend and reenact section 10 of chapter 462 of the 1969 Session Laws of North Dakota, as amended by section 2 of chapter 526 of the 1971 Session Laws of North Dakota, relating to the permanent repository of the records of the North Dakota Constitutional Convention of 1971-1972.

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 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wright
Holand	Mutch	Sandness	

Absent and not voting:

Coughlin	Hoffner	Roen	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 2192. A Bill for an Act to amend and reenact section 16-04-01, 16-04-11, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to the date of the primary election, precinct committeemen meetings, and party conventions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 13; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Larson	Nasset	Schultz C.
Berube	Lee	Nothing	Shablow
Freed	Lips	Page	Smykowski
Goldberg	Litten	Peterson	Strand
Gronhovd	Longmire	Pyle	Strinden
Holand	Melland	Reiten	Thane
Iszler	Morgan	Ringsak	Tweten
Jones	Mutch	Sands	Wright
Kautzmann	Naaden	Sandness	

Those voting in the negative were:

Barth	Fritzell	Jacobson	Schultz, J.
Butler	Goodman	Rait	Solberg
Christensen	Hoffner	Redlin	Stroup
Erdman			

Absent and not voting:

Coughlin	Roen	Wenstrom
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So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4004. A Concurrent Resolution expressing support for the imposition of more appropriate sentences by the courts of this state for persons convicted of driving while intoxicated.

Which has been read.

Senator Mutch moved that Senate Concurrent Resolution No. 4004 be adopted, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3007. A Concurrent Resolution requesting the Legislative Council to study North Dakota laws regarding the bonding of public employees.

Which has been read.

Senator Stroup moved that House Concurrent Resolution No. 3007 be adopted, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2025. A Bill for an Act relating to the investment of endowment funds by the institutions under the control of the board of higher education.

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, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz C.
Berube	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:

Wenstrom

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2075
Senate Bill No. 2083
Senate Bill No. 2090
Senate Bill No. 2098
Senate Bill No. 2118
Senate Bill No. 2136
Senate Bill No. 2142
Senate Bill No. 2143
Senate Bill No. 2147

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1030
House Bill No. 1078
House Bill No. 1080
House Bill No. 1147
House Bill No. 1174
House Bill No. 1176
House Concurrent Resolution No. 3026

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

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

WEDNESDAY, JANUARY 17, 1973

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Senate Concurrent Resolution No. 4009
Senate Bill No. 2041

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 p.m.,
January 18, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

TWELFTH DAY AFTER RECESS AND
THIRTEENTH DAY

* Bismarck, January 18, 1973

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2045 has had the same under consideration and recommends that the same be amended as follows:

On page 10, line 8, delete the word "**LIABILITY**" and insert in lieu thereof the word "**RESPONSIBILITY**"

On page 44, line 27, delete the words "**interstate or**"

On page 44, line 28, delete the word "**foreign**"

On page 47, line 17, delete the letter and word "**A misdemeanor**" and insert in lieu thereof the letter and word "**C felony**"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2055 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 delete "subsection" and insert "subsections" and after "1" insert "and 2"

On page 1 at the end of line 20 insert the following:

"2. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield provided that a driver's duty to yield does not relieve a pedestrian from the requirement to care for his safety."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2060 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Appropriations to whom was

referred Senate Bill No. 2088 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2100 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Industry, Business, and Labor to whom was referred Senate Bill No. 2112 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2164 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2172 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2182 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2194 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1022 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1063 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2091, 2111, 2186 and 2197 be dispensed with, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2091 as recommended by the Committee on Natural Resources as printed on page 153 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2111 as recommended by the Committee on Industry, Business and Labor as printed on page 154 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2186 as recommended by the Committee on Industry, Business and Labor as printed on page 155 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2197 as recommended by the Committee on Judiciary as printed on pages 155 and 156 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2095
 Senate Bill No. 2099
 Senate Bill No. 2123
 Senate Bill No. 2124
 Senate Bill No. 2151
 Senate Bill No. 2169
 Senate Bill No. 2187

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

FIRST READING OF SENATE BILLS

Senators Goldberg, Reiten and Redlin introduced:

Senate Bill No. 2262. A Bill for an Act to establish a state crime laboratory.

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

Senator Goldberg introduced:

Senate Bill No. 2263. A Bill for an Act to provide for regulation and licensing of mobile home parks and providing a penalty.

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

Senators Nething and Thane introduced:

Senate Bill No. 2264. A Bill for an Act to create and enact a new subsection to section 20.1-01-02, and a new section to chapter 20.1-03 of the North Dakota Century Code as contained in sections 8 and 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of waterfowl, and the time period during which nonresidents may hunt and possess waterfowl.

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

Senator Nething introduced:

Senate Bill No. 2265. A Bill for an Act to amend and reenact subsection 2 of section 39-17-07 of the North Dakota Century Code, relating to the limitation of amounts payable from the unsatisfied judgment fund.

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

Senators Ringsak, Morgan, Freed and Holand introduced:

Senate Bill No. 2266. A Bill for an Act to create and enact section 30-10-02.1 of the North Dakota Century Code, authorizing the appointment of a guardian of the person or estate of a competent person.

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

Senators Melland and Tweten introduced:

Senate Bill No. 2267. A Bill for an Act to amend and reenact section 23-17.2-06 of the North Dakota Century Code, relating to authority of the North Dakota state health council regarding certificates of need.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Melland and Tweten introduced:

Senate Bill No. 2268. A Bill for an Act to amend and reenact sections 43-34-03, 43-34-05, and 43-34-10 of the North Dakota Century Code, relating to the licensing of nursing home administrators.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Melland and Tweten introduced:

Senate Bill No. 2269. A Bill for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to exemptions from real property taxation.

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

Senators Berube and Nasset introduced:

Senate Bill No. 2270. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to county committees on school district reorganization.

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

Senator Melland introduced:

Senate Bill No. 2271. A Bill for an Act to provide legal redress for franchisees whose franchises have been cancelled, terminated, or not renewed by a franchisor without due cause.

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

Senator Strinden introduced:

Senate Bill No. 2272. A Bill for an Act to repeal chapter 54-53 of the North Dakota Century Code, relating to the upper great plains transportation institute.

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

Senator Strinden introduced:

Senate Bill No. 2273. A Bill for an Act to provide an appropriation to the North Dakota winter show for the showing and competition of livestock.

Was read the first time and referred to the Committee on Appropriations.

Senators Christensen and Fritzell introduced:

Senate Bill No. 2274. A Bill for an Act to require permits for and environmental impact statements from all persons whose activities significantly affect the quality of the human environment, and providing a penalty.

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

Senators Goldberg and Stroup introduced:

Senate Bill No. 2275. A Bill for an Act to amend and reenact section 29-06-15 of the North Dakota Century Code, relating to arrest of a person without a warrant.

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

Senators Goldberg and Stroup introduced:

Senate Bill No. 2276. A Bill for an Act to amend and reenact section 12-21-11 of the North Dakota Century Code, relating to seizure of equipment used in connection with manufacture or display of obscene matter.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Ringsak introduced:

Senate Bill No. 2277. A Bill for an Act to permit the depositing in school district general funds of moneys accumulated in such districts from tuition levies for now defunct county agricultural and training schools, and declaring an emergency.

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

Senators Roen, Jacobson, Anderson, Nasset and Christensen introduced:

Senate Bill No. 2278. A Bill for an Act to create and enact section 2-07-06.4, and to amend and reenact section 2-07-06, subsections 2 and 3 of section 2-07-06.1, and sections 2-07-06.2, 2-07-06.3, 2-07-08, 2-07-09, and 2-07-10 of the North Dakota Century Code, relating to the creation of a weather modification authority, continuation of an authority, contents of the petition, powers of the authority, and liability for activities.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1030. A Bill for an Act to transfer the responsibility for the state division of vocational rehabilitation from the state board of public school education to the social service board of North Dakota; and to amend and reenact sections 15-20.1-01, 15-20.1-04, 15-20.1-05, and 15-20.1-21, relating to the division of vocational rehabilitation; and to repeal sections 15-20.1-12, 15-20.1-13, 15-20.1-14, 15-20.1-15, 15-20.1-16, 15-20.1-17, 15-20.1-18, 15-20.1-19, and 15-20.1-20 of the North Dakota Century Code, relating to the division of vocational rehabilitation under the board of public school education.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1078. A Bill for an Act to create and enact section 16-16-17.1 of the North Dakota Century Code, relating to allowing former North Dakota residents to vote in North Dakota.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1080. A Bill for an Act to amend and reenact section 14-10-17 of the North Dakota Century Code relating to minors contracting for medical treatment.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1147. A Bill for an Act to repeal section 15-47-03 of the North Dakota Century Code, relating to the English language in schools.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1174. A Bill for an Act to create and enact sub-

section 24 of section 4-09-01, and sections 4-09-11.1 and 4-09-11.2 of the North Dakota Century Code, relating to definitions and labeling requirements for flower, tree, and shrub seeds; and to amend and reenact subsection 15 of section 4-09-01, section 4-09-12, subsection 1 of section 4-09-14, and section 4-09-15 of the North Dakota Century Code, relating to definitions, invoices and records, prohibitions, and exemptions.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1176. A Bill for an Act to amend and reenact subsections 2 and 5 of section 57-38-38 of the North Dakota Century Code, relating to the audit of returns and assessment of tax by the tax commissioner; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3026. A Concurrent Resolution providing and designating House and Senate employees and fixing their salaries.

Which was read the first time.

Senator Kautzmann moved that the rules be suspended, that House Concurrent Resolution No. 3026, as printed on pages 222, 223, 224 and 225 of the House Journal, be not read, and placed on the calendar for second reading and final passage, which motion prevailed.

Senator Kautzmann moved that House Concurrent Resolution No. 3026 be amended as follows: "On page 4, line 31, delete "Typist 132.00" and insert in lieu thereof "Clerk 114.00", which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that House Concurrent Resolution No. 3026, as amended, be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3026. A Concurrent Resolution providing and designating House and Senate employees and fixing their salaries.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright

Absent and not voting:

Sands Tweten

So the resolution passed and the title was agreed to.

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

REPORT OF INSURANCE COMMISSIONER

Senator Litten moved that the Senate accept the report of Mr. J. O. Wigen, Commissioner of Insurance, to the 43rd Legislative Assembly of the State of North Dakota, as printed in its entirety on pages 167 and 168 of the House Journal, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2088, 2091, 2100, 2111, 2112, 2164, 2172, 2182, 2186, 2194, 2197, and House Bills No.s 1022 and 1063 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTEENTH DAY

Bismarck, January 18, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Blaine Cook, Corpus Christi, Bismarck.

"Almighty God, as our Legislative Lords have begun their new biennium — we pray that they may be so aware of their awesome burden as legislators.

"Their personal weakness and their own limitations could be easily foisted on their constituents as laws.

"Thus we pray that their bias may be illumined with factual knowledge — their bigotries become open ended stances which are subject to modification — that their convictions become opinions which need to be bolstered or to be cast aside — that their fixed ideas become concepts that are not an end but just a beginning for possible solutions or presentations of a newer plan.

"In our desire to promote ways of life or modern life styles, may we always have the humility to second guess ourselves, and to give a second chance to others. Amen."

Roll Call: All Senators present except Sands and Tweten.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the eleventh day after recess and the twelfth day, and finds the same to be correct.

SENATOR THANE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2027. A Bill for an Act to amend and reenact subsections 1, 2, 4, and 6 of section 57-02-11, sections 57-02-31, 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-12-01, 57-12-01.1, 57-12-08, 57-13-03, 57-13-07, and 57-23-02 of the North Dakota Century Code, relating to property tax assessment procedures, assessment dates, and meeting dates of township, city, county, and state boards of equalization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow

Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2039 A Bill for an Act to establish a revenue sharing trust fund for deposit of revenue sharing payments received by the state, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Sands Tweten

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

Senate Bill No. 2068. A bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption of oleomargarine from the sales and use tax; and to repeal chapter 19-05 of the North Dakota Century Code relating to the taxation and regulation of oleomargarine.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Roen
Butler	Lee	Nothing	Schultz C.
Fritzell	Lips	Peterson	Schultz, J.
Goldberg	Litten	Pyle	Solberg
Goodman	Melland	Redlin	Wright

Those voting in the negative were:

Barth	Holand	Naaden	Shablow
Berube	Iszler	Nasset	Smykowski
Christensen	Jones	Page	Strand
Coughlin	Kautzmann	Rait	Strinden
Erdman	Larson	Reiten	Stroup
Freed	Longmire	Ringsak	Thane

Gronhovd Morgan Sandness Wenstrom
Hoffner

Absent and not voting:
Sands Tweten

So the bill was declared lost.

Senator Ringsak moved that the vote by which Senate Bill No. 2068 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2095. A Bill for an Act to provide for a time and place for a meeting of the presidential and vice presidential electors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:
Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2099. A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of sales to residents of adjoining states and Canada.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:
Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2123. A Bill for an Act to create and enact subsection 4 of section 43-11-27 of the North Dakota Century Code, relating to renewals of cosmetology instructors' licenses; and to amend and reenact sections 43-11-16, 43-11-25, 43-11-26, and subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to qualifications of schools of hairdressing and cosmetology, reciprocity fees, and qualifications for obtaining a manager-operator's license and an instructor's license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan		

Those voting in the negative were:

Coughlin	Ringsak	Schultz C.
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Absent and not voting:

Sands	Tweten
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So the bill passed and the title was agreed to.

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-08-02 and subsection 4 of section 16-11-04 of the North Dakota Century Code, relating to voting instructions on no-party and general election ballots.

Which has been read.

MOTION

Senator Freed moved that Senate Bill No. 2124 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2134. A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to expense allowances of members of the legislative assembly, and declaring an emergency.

Which has been read.

Senator Stroup moved that Senate Bill No. 2134 be amended as follows:

"On page 1, line 13, of the bill, delete the words **"AND LEADERSHIP"**

Renumber the lines accordingly.

Which motion prevailed.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2134 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Goodman	Nasset	Schultz C.
Barth	Gronhovd	Nothing	Shablow
Berube	Hoffner	Peterson	Strand
Butler	Holand	Pyle	Strinden
Christensen	Jones	Rait	Stroup
Erdman	Kautzmann	Reiten	Thane
Freed	Litten	Ringsak	Wenstrom
Fritzell	Longmire	Roen	Wright
Goldberg	Melland	Sandness	

Those voting in the negative were:

Coughlin	Lee	Naaden	Schultz, J.
Iszler	Lips	Page	Smykowski
Jacobson	Morgan	Redlin	Solberg
Larson	Mutch		

Absent and not voting:

Sands Tweten

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

Senate Bill No. 2138. A Bill for an Act to amend and reenact section 43-15-18 of the North Dakota Century Code, relating to registration of pharmacy interns.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 3; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Roen
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Ringsak	Wright
Hoffner	Morgan		

Those voting in the negative were:

Coughlin Schultz C. Strinden

Absent and not voting:

Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2139. A Bill for an Act to amend and reenact section 43-15-25 of the North Dakota Century Code, relating to certificates issued to pharmacists.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 3; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden

Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Mutch		

Those voting in the negative were:
Coughlin Morgan Schultz C.

Absent and not voting:
Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2140. A Bill for an Act to amend and reenact section 43-15-34 of the North Dakota Century Code, relating to the permit and fee required for the operation of a pharmacy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 4; absent and not voting 3.

Those voting in the affirmative were:			
Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Ringsak	Wright

Those voting in the negative were:
Coughlin Morgan Roen Schultz C.

Absent and not voting:
Jones Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2141. A Bill for an Act to amend and reenact subsection 2 of section 43-15-38 of the North Dakota Century Code, relating to the fee to be paid on reinstatement of pharmacy permit.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting 2.

Those voting in the affirmative were:			
Anderson	Holand	Morgan	Ringsak
Barth	Iszler	Mutch	Sandness
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Smykowski
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright
Hoffner			

Those voting in the negative were:
Coughlin Roen Schultz C. Strinden

Absent and not voting:
Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2145. A Bill for an Act to amend and reenact subsection 4 of section 43-15-15 of the North Dakota Century Code, relating to qualifications of registered pharmacists.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Ringsak
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Kautzmann	Nething	Smykowski
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Freed	Lips	Pyle	Stroup
Fritzell	Litten	Rait	Thane
Goldberg	Longmire	Redlin	Wenstrom
Goodman	Melland	Reiten	Wright
Gronhovd			

Those voting in the negative were:

Jones	Roen	Schultz C.	Strinden
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Absent and not voting:

Sands	Tweten
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So the bill passed and the title was agreed to.

Senate Bill No. 2151. A Bill for an Act to prohibit the business of debt adjusting when conducted for profit; to provide exemptions for certain businesses and activities; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Sands	Tweten
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So the bill passed and the title was agreed to.

Senate Bill No. 2169. A Bill for an Act to amend and reenact section 50-06-03 of the 1971 Supplement to the North Dakota Century Code, relating to the term of office of public welfare board members and declaring an emergency.

Which has been read.

Senator Rait moved that Senate Bill No. 2169 be amended as follows:

"On page 2, line 5, of the engrossed bill, place beginning triple parentheses before the word "To"

On line 7 place triple ending parentheses after the period.

Renumber the lines accordingly".

Which motion failed.

MOTION

Senator Ringsak moved that Senate Bill No. 2169 be amended as follows:

'On page 1, line 3 of the engrossed bill, delete the words 'public welfare' and insert in lieu thereof the words 'social service'

In line 12, delete the words "PUBLIC WELFARE" and insert in lieu thereof the words "SOCIAL SERVICE"

In line 13, delete the words "public welfare" and insert in lieu thereof the words "social service"

Renumber the lines accordingly"

Which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 2169 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Sands Tweten

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

Senate Bill No. 2170. A Bill for an Act to amend and reenact section 65-09-01 of the North Dakota Century Code relating to liability of uninsured employer; section 65-09-02 of the 1971 Supplement to the North Dakota Century Code relating to time for filing original claims for compensation and employer to furnish payroll report; section 65-09-03 of the North Dakota Century Code relating to order of bureau to contain amount of premium and penalty, filing of record of proceedings and entering judgment; section 65-09-04 of the North Dakota Century Code relating to determination of premiums, penalties and interest on wages to be paid by employer; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
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Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:
Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2173. A Bill for an Act to amend and reenact section 52-06-04 of the 1971 Supplement to the North Dakota Century Code, relating to schedule of unemployment compensation benefits, qualifying wages and definitions.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Those voting in the negative were:

Butler Roen

Absent and not voting:

Peterson Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2174. A Bill for an Act to amend and reenact section 52-04-16 of the North Dakota Century Code, relating to limitation of time to start civil actions for collection of money owing to the employment security bureau.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Roen
Barth	Holand	Morgan	Sandness
Berube	Iszler	Mutch	Schultz, J.
Christensen	Jacobson	Naaden	Shablow
Coughlin	Kautzmann	Nasset	Smykowski
Erdman	Larson	Nothing	Strand
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Wenstrom

Goodman	Longmire	Ringsak	Wright
Gronhovd			
Those voting in the negative were:			
Butler	Page	Solberg	Strinden
Jones	Schultz, C.		
Absent and not voting:			
Peterson	Pyle	Sands	Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2184. A Bill for an Act to create and enact a new subdivision of subsection 13 of section 52-01-01 of the North Dakota Century Code, relating to the unemployment compensation definition of employment, to amend and reenact subsection 1 of section 52-01-01, subsection 2 of section 52-01-01, subsection 3 of section 52-01-01, subsection 5 of section 52-01-01, subsection 9 of section 52-01-01, subdivision b of subsection 13 of section 52-01-01, subdivision g of subsection 15 of section 52-01-01, paragraph (6) of subdivision i of subsection 15 of section 52-01-01, section 52-03-01, paragraph (1) and paragraph (2) of subdivision c of subsection 1 of section 52-03-07, subsection 4 of section 52-04-06, section 52-04-10, section 52-06-19, and section 52-06-29 of the North Dakota Century Code, the beginning sentence of section 52-01-01, section 52-01-07, section 52-04-07, subsection 1 of section 52-04-12, subdivision c of subsection 1 of section 52-04-18, and section 52-04-19 of the 1971 Supplement to the North Dakota Century Code, relating to unemployment compensation provisions, such as definitions, exclusions from employment, maintenance of fund, use of Federal funds credited, tax rates, employer appeals, payment of benefits, charge back of benefits, civil collection process, change of payments by non-profit organizations on a reimbursable basis to a rated payment basis, and financing benefits for state hospitals and state institutions of higher education, and to repeal paragraph 2 of subdivision i of subsection 15 of section 52-01-01, subsection 2 and subsection 3 of section 52-04-12, paragraph (1) and paragraph (2) of subdivision b of subsection 3 of section 52-06-01, and paragraph (1) and paragraph (2) of subdivision c of subsection 3 of section 52-06-01 of the North Dakota Century Code, and subsection 7 of section 52-01-01 and subsection 5 of section 52-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to unemployment compensation provisions, such as exclusion from definition of unemployment, civil collection process, removal of certain benefit ineligibility conditions, conflicting definition of division, and rate increase.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Ringsak
Barth	Holand	Morgan	Sandness
Berube	Iszler	Mutch	Schultz, J.
Christensen	Jacobson	Naaden	Shablow
Coughlin	Jones	Nasset	Smykowski
Erdman	Kautzmann	Nothing	Solberg
Freed	Larson	Page	Strand
Fritzell	Lee	Pyle	Strinden
Goldberg	Lips	Rait	Stroup
Goodman	Litten	Redlin	Thane
Gronhovd	Longmire	Reiten	Wenstrom

Those voting in the negative were:

Butler	Roen	Schultz, C.	Wright
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Absent and not voting:

Peterson Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2185. A Bill for an Act to amend and reenact section 52-07.1-03 of the 1971 Supplement to the North Dakota Century Code, relating to definitions in chapter 52-07.1 which provides for extended unemployment compensation benefits.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:

Peterson Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2187. A Bill for an Act authorizing the state of North Dakota acting by the North Dakota employment security bureau to sell and convey in separate transactions for each tract of land: lot thirteen in block nineteen of the original townsite of Williston, Williams County, North Dakota; all of lot eighteen in block twenty-four of the original townsite of Jamestown, Stutsman County, North Dakota; the westerly sixty-five feet and the northerly ten feet of the east seventy-five feet of lot eight in block twenty of the original town of Mandan, Morton County, North Dakota; and lots eight and nine of block twenty-eight of Robert's Second Addition to the City of Fargo, less the east seven and one-half feet, Cass County, 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, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Wenstrom
Goodman	Melland	Roen	Wright
Gronhovd	Morgan	Sandness	

Absent and not voting:

Holand Peterson Sands Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2188. A Bill for an Act to authorize the North

Dakota legislative council to make corrections in the North Dakota Unemployment Compensation Law to be submitted to the publisher of the North Dakota Century Code for inclusion in the publication of Replacement Volume Ten.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:

Peterson Sands Tweten

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE BILL

House Bill No. 1117. A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense of state officers and employees.

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 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:

Peterson Sands Tweten

So the bill passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2041

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

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

SIGNING OF A BILL

The Secretary announced that the President was about to sign

Senate Bill No. 2041 and the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 2041

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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2025

Senate Bill No. 2154

Senate Bill No. 2166

Senate Bill No. 2192

Senate Concurrent Resolution No. 4004

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1043

House Concurrent Resolution No. 3007

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3026

Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

Senate Bill No. 2017

Senate Bill No. 2067

Senate Bill No. 2082

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

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

House Bill No. 1031

House Bill No. 1079

House Bill No. 1125

House Bill No. 1193

House Bill No. 1195

House Bill No. 1201

House Bill No. 1202

House Bill No. 1219

House Bill No. 1233

House Bill No. 1220

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

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

Senate Bill No. 2041

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

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

House Concurrent Resolution No. 3026

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 12:30 p.m., January 19, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTEENTH DAY AFTER RECESS
AND FOURTEENTH DAY

Bismarck, January 19, 1973

The Senate convened at 1:30 p.m., pursuant to recess, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2086 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 24 after "employees" insert "appointed before July 1, 1973"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2113 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2126 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2127 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 23 after the first comma insert "15-41-06,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2135 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2179 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22, after the word "or" delete the rest of the line

On page 1, line 23, delete "referrals made therefrom" and insert in lieu thereof the following words: "any referrals made from a state operated institution"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2199 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2200 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4006 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1032 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1128 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

MESSAGE FROM THE HOUSE

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

House Bill No. 1042

ROY GILBREATH, Chief Clerk

MOTION

Senator Nething moved that House Bill No. 1042 be placed on the Fifth Order, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Joint Committee on Reapportionment to

whom was referred House Bill No. 1042 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2045 and 2055 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2045 as recommended by the Committee on Judiciary as printed on page 165 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2055 as recommended by the Committee on Transportation as printed on page 165 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2091
Senate Bill No. 2111
Senate Bill No. 2134
Senate Bill No. 2186
Senate Bill No. 2197

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2169

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2088. A Bill for an Act to amend and reenact section 15-03-01.3 of the North Dakota Century Code, relating to the apportionment of maintenance fund balances quarterly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goldberg	Melland	Ringsak	Stroup
Goodman	Morgan	Roen	Thane
Gronhovd	Mutch	Sands	Wenstrom

Holand	Naaden	Sandness	Wright
Iszler			
Absent and not voting:			
Anderson	Hoffner	Peterson	Tweten
Butler	Longmire		

So the bill passed and the title was agreed to.

Senate Bill No. 2091. A Bill for an Act to create and enact subsections 14, 15, and 16 of section 38-14-02, sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, relating to definitions, the powers of the public service commission in the regulation of strip coal mining, notice provisions, and limitations in granting permits; to amend and reenact sections 38-14-04, 38-14-05, 38-14-07, 38-14-08, 38-14-12, and 38-14-13 of the North Dakota Century Code, relating to license applications, duties of the operator, bond of the operator, the deposit of forfeitures and penalties, and cooperation with federal and state agencies; and to repeal section 38-14-11 of the North Dakota Century Code, relating to the administrative officer in strip coal mining regulation.

Which has been read.

PERSONAL PRIVILEGE

Senator Stroup: Mr. President. I rise on a point of personal privilege.

Mr. President: State your privilege, Senator Stroup.

Senator Stroup:

"The second portion of Senate Bill No. 2091 has caused a lot of concern by individuals, so at this point I would like to explain this portion of the Bill, and ask that my remarks be printed in the Journal. So there will be no confusion as to the intent, to clarify any misconception and to avoid possible misunderstanding as to the intent of Subsection 2, Section 5, Chapter 38-14-05 of the Bill, I would offer the following statement of intent of the Natural Resources Committee and myself as the chief sponsor: This Subsection as amended now reads, "The operator shall spread top soil or approved surface material within the perimt area, over the regraded area to a depth of two feet. Provided, however, that if two feet of such material is not available within the permit area, all topsoil or approved surface material that is available, shall be spread over the regraded area." Now it is our intent that if the land to be mined have two feet or more topsoil or approved surface material, as defined in the Bill, the mine will be responsible for spreading two feet over the regraded area. However, if there were only one foot of approved material on the average in the permit area, this is all that would be required to be respread. The same thing would hold true if there were only 6 inches within that area. They would only be required to respread 6 inches over the regarded or reclaimed area. It is not our intent to force the operators to secure any topsoil more than existed within the permit area nor to force them to go out beyond the permit area to secure this necessary topsoil to be able to respread over the area. Now the phrase "approved surface material" has been questioned as to definition. We have no definition other than should soil scientists determine that another material could be substituted more economically, other than the true soil, to provide a suitable medium for plant growth consistent with the approved plan of reclamation, then the administrator could accept this substitute material.

ROLL CALL

The question being on the final passage of the bill as amended on page 153 of the Senate Journal, the roll was called and there were ayes, 44; nays, 1; absent and not voting 6.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, J.

Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Wenstrom
Holand	Mutch	Sands	Wright

Those voting in the negative were:
Schultz, C.

Absent and not voting:

Anderson	Hoffner	Peterson	Tweten
Butler	Longmire		

So the bill passed and the title was agreed to.

Senate Bill No. 2100. A Bill for an Act to amend and reenact section 61-02-12 of the North Dakota Century Code, relating to the compensation and expenses of the appointive members of the state water commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Erdman	Larson	Pyle	Smykowski
Freed	Lee	Rait	Solberg
Fritzell	Lips	Redlin	Strand
Goldberg	Litten	Reiten	Strinden
Goodman	Melland	Ringsak	Stroup
Gronhovd	Morgan	Roen	Thane
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright

Absent and not voting:

Anderson	Coughlin	Longmire	Tweten
Butler	Hoffner	Peterson	

So the bill passed and the title was agreed to.

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, changing the amount of weekly compensation for death claims.

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, 0; absent and not voting 9.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Erdman	Larson	Rait	Smykowski
Freed	Lee	Redlin	Solberg
Fritzell	Lips	Reiten	Strand
Goldberg	Litten	Ringsak	Strinden
Goodman	Melland	Roen	Thane
Gronhovd	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler	Naaden		

Absent and not voting:

Anderson	Hoffner	Peterson	Stroup
Butler	Longmire	Pyle	Tweten
Coughlin			

So the bill passed and the title was agreed to.

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, providing for a weekly compensation equal to sixty percent of the average weekly wage.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting 9.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Erdman	Larson	Rait	Smykowski
Freed	Lee	Redlin	Solberg
Fritzell	Lips	Reiten	Strand
Goldberg	Litten	Ringsak	Strinden
Goodman	Melland	Roen	Thane
Gronhovd	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler	Naaden		

Absent and not voting:

Anderson	Hoffner	Peterson	Stroup
Butler	Longmire	Pyle	Tweten
Coughlin			

So the bill passed and the title was agreed to.

Senate Bill No. 2164. A Bill for an Act to amend and reenact section 12-44-15 of the North Dakota Century Code, relating to sheriffs' annual jail report.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting 9.

Those voting in the affirmative were:

Barth	Jones	Nothing	Schultz, J.
Berube	Kautzmann	Page	Shablow
Christensen	Larson	Rait	Smykowski
Erdman	Lee	Redlin	Solberg
Freed	Lips	Reiten	Strand
Fritzell	Litten	Ringsak	Strinden
Goodman	Melland	Roen	Stroup
Gronhovd	Morgan	Sands	Thane
Holand	Mutch	Sandness	Wenstrom
Iszler	Naaden	Schultz, C.	Wright
Jacobson	Nasset		

Absent and not voting:

Anderson	Goldberg	Longmire	Pyle
Butler	Hoffner	Peterson	Tweten
Coughlin			

So the bill passed and the title was agreed to.

Senate Bill No. 2172. A Bill for an Act to amend and reenact section 25-05-01 of the North Dakota Century Code, relating to the administrative placement of the San Haven state hospital as a division of the Grafton state school.

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, 0; absent and not voting 8.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler	Naaden	Schultz, C.	

Absent and not voting:

Anderson	Goldberg	Longmire	Sands
Butler	Hoffner	Peterson	Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2182. A Bill for an Act to provide penalties for chasing, harassing, or willfully or negligently frightening domestic animals.

Which has been read.

Senator Freed moved that Senate Bill No. 2182 be amended as follows:

In line 2 delete the words "or negligently"

In line 10 delete the words "or negligently"

Renumber the lines accordingly.

Which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2182 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting 8.

Those voting in the affirmative were:

Barth	Jones	Nothing	Schultz, J.
Berube	Kautzmann	Page	Shablow
Christensen	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goodman	Melland	Ringsak	Stroup
Gronhovd	Morgan	Roen	Thane
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright
Jacobson	Nasset	Schultz, C.	

Absent and not voting:

Anderson	Coughlin	Hoffner	Peterson
Butler	Goldberg	Longmire	Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2186. A Bill for an Act to amend and reenact section 52-04-03 of the 1971 Supplement to the North Dakota Century Code, relating to rate of unemployment tax and wages subject to tax; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goodman	Melland	Ringsak	Stroup
Gronhovd	Morgan	Roen	Thane
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright

Absent and not voting:

Anderson	Goldberg	Longmire	Tweten
Butler	Hoffner	Peterson	

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

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 20.1-05-06 of the North Dakota Century Code as contained in section 12 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the color of garments worn by big game hunters.

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, 1; absent and not voting 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Wenstrom
Holand	Mutch	Sands	Wright
Iszler	Naaden	Sandness	

Those voting in the negative were:

Smykowski

Absent and not voting:

Anderson	Goldberg	Longmire	Tweten
Butler	Hoffner	Peterson	

So the bill passed and the title was agreed to.

Senate Bill No. 2197. A Bill for an Act to amend and reenact subsection 3 of section 29-01-14 and section 29-01-15 of the North Dakota Century Code, relating to the definition of a magistrate, including small claims court referees as magistrates, and relating to the jurisdiction of county justices and county judges; and to repeal subsection 13 of section 12-01-04 of the North Dakota Century Code, defining magistrates.

Which has been read.

Senator Holand moved that Senate Bill No. 2197 be re-referred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-08-02 and subsection 4 of section 16-11-04 of the North Dakota Century Code, relating to voting instructions on no-party and general election ballots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended on page 138 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goodman	Melland	Ringsak	Stroup
Gronhovd	Morgan	Roen	Thane
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright

Absent and not voting:

Anderson	Goldberg	Longmire	Tweten
Butler	Hoffner	Peterson	

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1022. A Bill for an Act to amend and reenact sections 46-05-01 and 46-06-02 of the North Dakota Century Code, relating to the definitions of legal and official newspapers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goodman	Melland	Ringsak	Stroup
Gronhovd	Morgan	Roen	Thane
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright

Absent and not voting:

Anderson	Goldberg	Longmire	Tweten
Butler	Hoffner	Peterson	

So the bill passed and the title was agreed to.

House Bill No. 1063. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to definitions of "projects" and "municipalities", and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goodman	Melland	Ringsak	Stroup
Gronhovd	Morgan	Roen	Thane
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright

Absent and not voting:

Anderson	Goldberg	Longmire	Tweten
Butler	Hoffner	Peterson	

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

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

Senator Litten moved that after the reading of Senate Bills Nos. 2045, 2055, 2113, 2126, 2135, 2199, 2200, House Concurrent Resolution No. 4006, and House Bills Nos. 1042 and 1128 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTEENTH DAY

Bismarck, January 19, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John Pfeifer, St. Anne's Catholic Church, Bismarck.

"Father, Your Son pleaded the case of the human family when there was not a thing that could be said in its favor. You have called some men to the vocation of representing people in the complicated business of the law. Let their service be professionally good, morally correct and humanly helpful. Make them always aware of the responsibility of their actions.

"To be in politics is not easy, Lord. One is expected to satisfy so many. Yet one thing is necessary, to satisfy You. This is the one question we shall all have to answer when our career is at an end.

"Father, give these men the prudence and insight to fulfill their duties as representatives of the people with a good conscience. Help them to be honorable in all their dealings, pursuant of the common good in their deliberations, and motivated by principle in all their actions.

"Let them seek your aid more often in prayer. Send your Holy Spirit to guide them particularly in those dark hours when the right course is not clearly evident, since the lives and happiness of many depend on good representatives.

"There is so much to do for good. Let us not compromise, but be motivated by the love that You have shown for us. Amen"

Roll Call: All Senators present except Anderson, Butler, Goldberg, Hoffner, Longmire, Peterson and Tweten.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twelfth Day after recess and the Thirteenth Day, and finds the same to be correct.

SENATOR THANE, Chairman

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

FIRST READING OF SENATE BILLS

Senators Jones, Anderson and Wright introduced:

Senate Bill No. 2279. A Bill for an Act to prohibit a bank or bank holding company or its affiliates or any employee, officer or agent, thereof being licensed as an insurance agent or organized as an insurer within this state, and providing exceptions.

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

Senators Wright and Page introduced:

Senate Bill No. 2280. A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the North Dakota Century Code, to provide for the inclusion of certain motor vehicles used in the business of a dealer within the definition of trade-in for purposes of determining the purchase price for excise tax purposes.

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

Senator Lee introduced:

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 57-38-49 and subsections 4 and 5 of section 57-39.2-13 of the North Dakota Century Code, relating to preservation of liens.

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

Senators Stroup, Rait and Roen introduced:

Senate Bill No. 2282. A Bill for an Act to amend and reenact sections 38-14-03, 38-14-04, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to the removal of the ten-foot depth requirement for reclamation purposes, and providing a penalty.

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

Senators Melland, Jones, Kautzmann and Wenstrom introduced:

Senate Bill No. 2283. A Bill for an Act to provide for the creation of a North Dakota student financial assistance program, and providing an appropriation.

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

Senators Ringsak, Freed and Morgan introduced:

Senate Bill No. 2284. A Bill for an Act to provide a limitation on the recovery for damages arising from the illegal sale or disposition of alcoholic beverages.

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

Senators Roen, Nasset and Freed introduced:

Senate Bill No. 2285. A Bill for an Act to provide an appropriation for the development of recreational facilities in the city of Medora.

Was read the first time and referred to the Committee on Appropriations.

Senator Holand introduced:

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to salaries paid to judges of county courts of increased jurisdiction and raising such salaries.

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

Senator Holand introduced:

Senate Bill No. 2287. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the salary and expenses of county commissioners.

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

Senator Holand introduced:

Senate Bill No. 2288. A Bill for an Act to amend and reenact section 15-47-21, subsection 2 of section 15-53.1-01, and sections 15-53.1-05, 15-53.1-06, 15-53.1-07, 15-53.1-11, 15-53.1-12, 15-53.1-13, 15-53.1-14, 15-53.1-15, 15-53.1-16, 15-53.1-17, 15-53.1-18, 15-53.1-19, 15-53.1-20, 15-53.1-25, 15-53.1-26, 15-53.1-28, 15-53.1-29, 15-53.1-30, 15-53.1-32, 15-53.1-33, 15-53.1-37, 15-53.1-39, 15-53.1-41, and 15-53.1-42 of the North Dakota Century Code, relating to changing the county reorganization committee to a regional committee.

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

Senator Kautzmann introduced:

Senate Bill No. 2289. A Bill for an Act to amend and reenact section 21-04-14 of the North Dakota Century Code, relating to bid proposals for public deposits.

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

Senators Freed and Nething introduced:

Senate Bill No. 2290. A Bill for an Act to amend and reenact sections 33-12-31 and 40-18-12 of the North Dakota Century Code, relating to the power of county justices and municipal judges to commit convicted persons to jail for offenses or ordinance violations; and to repeal sections 29-26-21 and 40-11-12 of the North Dakota Century Code, relating to imprisonment for failure to pay a fine imposed.

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

Senators Freed and Nething introduced:

Senate Bill No. 2291. A Bill for an Act to repeal section 29-05-22 of the North Dakota Century Code, relating to involuntary waivers of preliminary examinations through posting of bond.

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

Senator Mutch introduced:

Senate Bill No. 2292. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to obtaining absentee voters' ballots.

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

Senator J. Schultz introduced:

Senate Bill No. 2293. A Bill for an Act to establish a state board of assessing officials, providing for the establishing, conducting, reviewing, supervising, coordinating or approving courses in assessment practices, and establishing criteria for determining qualifications of assessors and county directors of tax equalization; and providing for an appropriation.

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

Senator Goldberg introduced:

Senate Bill No. 2294. A Bill for an Act to amend and reenact section 10-19-44 of the North Dakota Century Code, relating to corporate dividends, and declaring an emergency.

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

Senators Thane and Nething introduced:

Senate Bill No. 2295. A Bill for an Act to create and enact a new subsection to sections 20.1-01-02, 20.1-02-05, and 20.1-03-12 of the North Dakota Century Code as contained in sections 8, 9, and 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to guides.

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

Senators Stroup and Freed introduced:

Senate Bill No. 2296. A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to the calling of a state's attorney's inquiry; and to repeal section 11-19A-09 of the North Dakota Century Code, relating to state's attorneys' inquiries in counties of over eight thousand population.

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

Senator Fritzell introduced:

Senate Bill No. 2297. A Bill for an Act to create a state board of nature preserves, to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves, and making an appropriation.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Morgan and Mutch introduced:

Senate Concurrent Resolution No. 4011. A Concurrent Resolution urging the United States Department of Agriculture, the United States Department of Commerce, and the United States Department of Transportation to assist and encourage further experimentation to determine the feasibility of using grain alcohol in motor vehicle fuels.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1031. A Bill for an Act relating to the establishment of human service centers to provide human services from a single unit in accordance with the joint exercise of governmental powers.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1079. A Bill for an Act to amend and reenact section 16-01-03 of the North Dakota Century Code, relating to qualifications of electors.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1125. A Bill for an Act to amend and reenact section 65-05-24 of the North Dakota Century Code, relating to penalty for accepting compensation after marriage.

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

House Bill No. 1193. A Bill for an Act to amend and reenact section 12-47-06 of the North Dakota Century Code, relating to appointment of officers at the penitentiary.

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

House Bill No. 1195. A Bill for an Act to amend and reenact section 12-48-03.1 of the North Dakota Century Code, relating to the establishment, or discontinuance of prison industries.

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

House Bill No. 1201. A Bill for an Act to amend and reenact section 57-38-34 and subsection 3 of section 57-38-57 of the North Dakota Century Code, relating to provisions of the income tax law.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1202. A Bill for an Act to amend and reenact subsection 1 of section 57-38-66 of the North Dakota Century Code, relating to the business privilege tax, and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1219. A Bill for an Act to amend and reenact sections 6-08-26, 7-07-02, 10-07-04, 12-39-02, 15-51-07, 15-53.1-04, 21-03-21, 26-10-19, 40-01-02, 40-01-14, 40-04-04, 40-05-13, 40-14-06, subsection 2 of section 40-16-03, sections 40-16-09, 40-22-35, 40-33-18, 40-53.1-05, 43-23-10, 49-12-03, and 61-07-06 of the North Dakota Century Code, relating to deletion of references to corporate seals; and to repeal subsection 1 of section 6-03-02, subsection 2 of section 7-02-01, section 9-06-10, subsection 3 of section 10-19-04, subsection 3 of section 10-24-05, subsection 3 of section 23-11-11, and subsection 2 of section 40-61-03 of the North Dakota Century Code, relating to corporate seals.

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

House Bill No. 1220. A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries; to amend and reenact subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1233. A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to mechanic's lien.

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

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2027
Senate Bill No. 2039
Senate Bill No. 2095
Senate Bill No. 2099
Senate Bill No. 2123
Senate Bill No. 2134
Senate Bill No. 2138
Senate Bill No. 2139
Senate Bill No. 2140
Senate Bill No. 2141
Senate Bill No. 2145
Senate Bill No. 2151
Senate Bill No. 2169
Senate Bill No. 2170
Senate Bill No. 2173
Senate Bill No. 2174
Senate Bill No. 2184

Senate Bill No. 2185

Senate Bill No. 2187

Senate Bill No. 2188

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1117

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 1:30 P.M. January 22, which motion prevailed.

LEO LEIDHOLM, Secretary



FOURTEENTH DAY AFTER RECESS AND
FIFTEENTH DAY

January 22, 1973

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

MOTION

Senator Litten moved that House Bill No. 1042 be removed from the calendar and placed on the Thirteenth Order of Business, which motion prevailed.

FIRST READING OF A HOUSE BILL

House Bill No. 1042. A Bill for an Act to provide for state legislative apportionment, and repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code, and chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

Which was read the first time and referred to the Joint Committee on Re-apportionment.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2130 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, after the word "livestock," insert the "and"

On page 1, line 14, insert beginning triple parentheses before the word "and"

On page 1, line 15, insert ending triple parentheses after the word "supplies"

On page 1, line 19, insert ending triple parentheses before the word "the"

On page 1, line 20, insert ending triple parentheses after the word "supplies"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2146 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 2 delete the word "recreation" and insert in lieu thereof the words "public use development".

On page 1 line 20 before the word "and" insert the following language: "the east half of the west half."

On page 2 line 4 delete the word "recreation" and insert in lieu thereof the words "public use development."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2153 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2156 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 9 delete "five" and insert in lieu thereof "ten"

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2171 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2204 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2206 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2211 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2221 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 3 after "commission" insert the following "and declaring an emergency."

On page 2 at the end of line 8 add the following new section: "SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2225 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2229 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2238 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2252 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "buildings" insert the following: ", and declaring an emergency"

On page 2, after line 8 insert the following:

"SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2261 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 1025 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 1051 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 1052 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Transportation to whom was

referred House Bill No. 1075 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3005 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2041

Was delivered to the Governor for his approval at the hour of 10:00 o'clock A.M.

SENATOR JACOBSON, Chairman

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2045

Senate Bill No. 2055

Senate Bill No. 2182

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Bill No. 2086 as recommended by the Committee on Education as printed on page 185 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2127 as recommended by the Committee on Education as printed on page 185 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 2179 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 186 of the Senate Journal be adopted, which motion prevailed.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2086, 2127, 2153, 2171, 2179, 2204, 2206, 2225, 2229, 2238, 2261, House Bills Nos. 1025, 1042, 1051, 1052, 1075, and House Concurrent Resolution No. 3005, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTEENTH DAY

Bismarck, January 22, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Walter Ellingson, St. George's Episcopal Church, Bismarck.

"O Lord God Almighty, guide, we pray you, all those to whom you have committed the government of this state. Grant to them at this time special gifts of wisdom and understanding, of counsel and strength — that upholding what is right, and following what is

true, they may obey Your holy will and fulfill Your divine purpose — to the benefit of all who reside in this state. Amen.”

Roll Call: All Senators present except Stroup.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirteenth day after recess and the fourteenth day, and finds the same correct.

SENATOR THANE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2045. A Bill for an Act to create and enact chapters 12.1-01, 12.1-02, 12.1-03, 12.1-04, 12.1-05, 12.1-06, 12.1-07, 12.1-08, 12.1-09, 12.1-10, 12.1-11, 12.1-12, 12.1-13, 12.1-14, 12.1-15, 12.1-16, 12.1-17, 12.1-18, 12.1-19, 12.1-21, 12.1-22, 12.1-23, 12.1-24, 12.1-25, 12.1-26, 12.1-27, 12.1-28, 12.1-29, 12.1-30, 12.1-31, 12.1-32, and 12.1-33, and to create and enact sections 16-12-16, 29-03-01.1, and 29-03-21, all of the North Dakota Century Code, comprising a new criminal code defining all major offenses and providing penalties, providing for alternative sentencing limits and procedures, defining certain electoral offenses, providing jurisdiction over certain offenses commenced outside this state, and providing venue where the offense involves the mailing of a letter; to amend and reenact section 12-53-14, subsection 1 of section 12-55-07, and sections 12-59-17, 16-12-14, and 29-03-01 of the North Dakota Century Code, relating to parole board jurisdiction, to crimes committed partially without this state, and to criminal penalties for causing probationer or parolee to violate parole, to voting right challenges; to repeal chapters 12-01 through 12-06, chapters 12-08 through 12-21.1, chapters 12-23 through 12-29, chapters 12-31 through 12-43, chapter 12-50, chapter 12-54, and sections 12-07-01, 12-07-02, 12-07-03, 12-07-04, 12-07-05, 12-07-06, 12-22-01, 12-22-14, 12-22-15, 12-22-17, 12-22-19, 12-22-20, 12-22-21, 12-22-22, 12-22-23, 12-22-24, 12-22-25, 12-22-26, 12-22-27, 12-22-28, 12-22-29, 12-22-30, 12-55-21, 12-59-11, 12-59-13, 12-59-13.1, chapter 29-20, and sections, 29-26-20 and 31-01-08 of the North Dakota Century Code, relating to definitions of various sexual offenses, to posting notice of probation or parole hearings, to procedures for determining a defendant's mental capacity to stand trial, to provision for successive terms of imprisonment, and to indeterminate sentences; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 165 of the Senate Journal, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Netting	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Twetten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Those voting in the negative were:

Mutch

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2055. A Bill for an Act to create and enact subsection 2 of section 39-10-28 of the North Dakota Century Code, and to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code, relating to pedestrians crossing at intersections.

Which has been read.

Senator Mutch moved that Senate Bill No. 2055 be amended as follows:

On page 1 of the engrossed bill, delete lines 1 through 3 and insert in lieu thereof the following:

"A BILL for an Act to create and enact subsection 2 of section 39-10-28 of the North Dakota Century Code, and to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code, relating to pedestrians crossing at intersections."

On page 1 of the engrossed bill, after line 21 insert the following:

"SECTION 2.) Subsection 2 of section 39-10-28 of the North Dakota Century Code is hereby created and enacted to read as follows:"

Which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2055 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, page 165 of the Senate Journal, and as amended on the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Absent and not voting:

Goodman Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2113. A Bill for an Act to create and enact chapter 37-19.1 of the North Dakota Century Code, relating to preferences for veterans in gaining governmental employment, and providing means for enforcing those preferences; to amend and reenact section 37-15-08 of the North Dakota Century Code, relating to appointment of subordinate officers of the soldiers' home; and to repeal chapter 37-19 and section 37-01-31 of the North Dakota Century Code, relating to governmental employment preferences for veterans.

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, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Christensen	Jones	Nothing	Schultz, J.
Coughlin	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strand
Goldberg	Litten	Redlin	Strinden
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Those voting in the negative were:

Tweten

Absent and not voting:

Butler Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2126. A Bill for an Act to amend and reenact section 15-21-01 of the North Dakota Century Code, relating to term of office of superintendent of public instruction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2135. A Bill for an Act to repeal section 15-38-13 of the North Dakota Century Code, relating to power of the teacher to suspend pupils.

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, 7; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Schultz, J.
Barth	Iszler	Page	Shablow
Berube	Jacobson	Pyle	Smykowski
Christensen	Jones	Rait	Solberg

Erdman	Kautzmann	Redlin	Strand
Freed	Lips	Reiten	Strinden
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Nasset	Schultz, C.	

Those voting in the negative were:

Butler	Larson	Mutch	Peterson
Coughlin	Lee	Naaden	

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2199. A Bill for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of rare and endangered animals; and to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to powers of the commissioner.

Which has been read.

Senator Roen moved that Senate Bill No. 2199 be re-referred to the Committee on Natural Resources, which motion prevailed.

Senate Bill No. 2200. A Bill for an Act to amend and reenact subsection 10 of section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of harmful wild birds.

Which has been read.

Senator Roen moved that Senate Bill No. 2200 be re-referred to the Committee on Natural Resources, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4006. A Concurrent Resolution directing a study by the Legislative Council for the purpose of determining if some control is needed over the location and construction of power transmission lines, both public and private.

Which has been read.

Senator Roen moved that Senate Concurrent Resolution No. 4006 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1032. A Bill for an Act to amend and reenact section 6-03-05 of the North Dakota Century Code, relating to loans on real estate.

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, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Peterson	Smykowski

Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright

Those voting in the negative were:

Page Strinden

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

House Bill No. 1128. A Bill for an Act to amend and reenact section 4-13-10 of the North Dakota Century Code relating to license fees for engaging in the poultry business and raising the amount of such fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

FIRST READING OF SENATE BILLS

Senator Barth introduced:

Senate Bill No. 2298. A Bill for an Act to repeal section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of the list of publications of the agricultural college.

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

Senator Barth introduced:

Senate Bill No. 2299. A Bill for an Act to repeal section 15-12-11 of the North Dakota Century Code, relating to the furnishing of a list of its publications by the agricultural college to county auditors.

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

Senator Wright introduced:

Senate Bill No. 2300. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code, relating to the definition of a telephone company for taxation purposes.

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

Senator Wright introduced:

Senate Bill No. 2301. A Bill for an Act to create and enact section 57-15-51.1 of the North Dakota Century Code, to authorize a special townships tax levy for ambulance services.

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

Senators Naaden and Strinden introduced:

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsections 1 and 2 of section 37-25-02 of the North Dakota Century Code, relating to the period of service needed to be eligible for the Vietnam bonus.

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

Senator Lips introduced:

Senate Bill No. 2303. A Bill for an Act to provide for bonding of each person charged with the responsibility of setting aside and depositing funds in a perpetual care fund; to create and enact sections 23-21.1-02.1 and 23-21.1-02.2 of the North Dakota Century Code, relating to licensing of perpetual care cemeteries; to amend and reenact sections 23-06-04, 23-06-10, 23-06-20, 23-21.1-02, 23-21.1-03, 23-21.1-05, and 23-21.1-09 of the North Dakota Century Code, relating to the time within which burial must be made, contents of burial-transit permits, duties of sextons, regulation of cemeteries, definition of cemeteries, creation of perpetual care funds, and non-perpetual care cemeteries; and providing a penalty.

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

Senator Solberg introduced:

Senate Bill No. 2304. A Bill for an Act to amend and reenact section 19-10-19 of the North Dakota Century Code, relating to inspection fees payable to the state laboratories department for the shipping or transporting of petroleum fuels into this state.

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

Senator Lee introduced:

Senate Bill No. 2305. A Bill for an Act to amend and reenact subsections 1 and 7 of section 54-52.1-01 and sections 54-52.1-02, 54-52.1-03, 54-52.1-04, 54-52.1-06, and 54-52.1-09 of the North Dakota Century Code, relating to the uniform group insurance program and membership therein for county employees.

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

Senator Stroup introduced:

Senate Bill No. 2306. A Bill for an Act to require hearing examiners in matters of administrative agencies.

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

Senators Anderson, Coughlin, Jacobson and Rait introduced:

Senate Bill No. 2307. A Bill for an Act to provide an option to postpone the reporting of crop insurance proceeds for income tax purposes.

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

Senator Litten introduced:

Senate Bill No. 2308. A Bill for an Act to provide that the name of the department of accounts and purchases be changed to the department of administration; and to amend and reenact chapter 54-44, and sections 54-44.1-02, 54-44.1-11, and 54-44.2-01 of the North Dakota Century Code, relating to changing the name of the de-

partment of accounts and purchases to the department of administration.

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

Senator Litten introduced:

Senate Bill No. 2309. A Bill for an Act to provide for the licensure of audiologists, and providing a penalty.

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

Senator Holand introduced:

Senate Bill No. 2310. A Bill for an Act to create the North Dakota post-secondary education commission and to repeal sections 15-10-29, 15-10-30, 15-10-31 and 15-10-32 of the North Dakota Century Code.

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

Senator Butler introduced:

Senate Bill No. 2311. A Bill for an Act to amend and reenact subsections 5 and 6 of section 57-39.2-01 of the North Dakota Century Code, relating to sales conducted at auction.

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

Senators Barth and Hoffner introduced:

Senate Bill No. 2312. A Bill for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to salary deductions from employee.

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

Senators Barth and Hoffner introduced:

Senate Bill No. 2313. A Bill for an Act to amend and reenact section 57-02-33 of the North Dakota Century Code, relating to assessor districts for unorganized territory.

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

Senator C. Schultz introduced:

Senate Bill No. 2314. A Bill for an Act to amend and reenact section 57-53-09 of the North Dakota Century Code, relating to the deposit of special fuel tax levy funds.

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

Senators Barth and Ringsak introduced:

Senate Bill No. 2315. A Bill for an Act to amend and reenact section 16-13-47.1 of the North Dakota Century Code, relating to the availability of a recount of ballots cast for candidates to a congressional, state, legislative, or county office.

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

Senator Jones introduced:

Senate Bill No. 2316. A Bill for an Act to authorize the director of institutions to sell and convey certain land owned by the state of North Dakota which was formerly used by the state school for the deaf.

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

Senator Holand introduced:

Senate Bill No. 2317. A Bill for an Act to amend and reenact subsection 1 of section 30-17-01, the initial paragraph of section 30-17-05, and subsection 1 of section 30-17-07 of the North Dakota

Century Code, providing the maximum size of a decedent's estate where summary administration or transfer by probate will be allowed.

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

Senator Butler introduced:

Senate Bill No. 2318. A Bill for an Act to provide a statement of legislative intent concerning the property tax exemption on farm structures and improvements; to create and enact subsection 11 of section 57-02-01 of the North Dakota Century Code, relating to the definition of a farm; and to amend and reenact subsection 10 of section 57-02-01 of the North Dakota Century Code, relating to the definition of a farmer.

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

Senator Lee introduced:

Senate Bill No. 2319. A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the compensation retained by county auditors for the issuance of hunting and fishing licenses.

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

Senators Jones, C. Schultz, Butler, Tweten and Anderson introduced:

Senate Bill No. 2320. A Bill for an Act to create and enact section 39-02-03.1 of the North Dakota Century Code, requiring the motor vehicle registrar, when establishing a branch office, or when an existing contract for an already established branch office expires, to select the chamber of commerce of the city as the operator of the branch office if the chamber applies therefor.

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

Senators Roen, Mutch, Nasset and Anderson introduced:

Senate Bill No. 2321. A Bill for an Act to amend and reenact section 15-29-13 of the North Dakota Century Code, relating to increasing the amount of a school district's incidental revolving fund.

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

Senators Morgan and Jacobson introduced:

Senate Bill No. 2322. A Bill for an Act to repeal sections 4-01-17, 18-08-05, and 18-08-06 of the North Dakota Century Code, relating to regulations governing control of the European corn borer, and setting fires for the destruction of grasshoppers.

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

Senator Butler introduced:

Senate Bill No. 2323. A Bill for an Act to amend and reenact section 57-38-30.2 of the North Dakota Century Code, relating to the surtax on income, providing for an effective date, and declaring an emergency.

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

Senator Butler introduced:

Senate Bill No. 2324. A Bill for an Act to create and enact a new section to chapter 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of aviation gasoline and other motor fuel and jet aviation motor fuel used by aircraft.

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

Senator Butler introduced:

Senate Bill No. 2325. A Bill for an Act to amend and reenact section 57-34-03 of the North Dakota Century Code, relating to taxation of mutual or cooperative telephone companies; and providing for an effective date.

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

Senator Butler introduced:

Senate Bill No. 2326. A Bill for an Act to create and enact section 57-36-06.1 of the North Dakota Century Code, to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to permission for deferred payments for purchase of cigarette stamps and meter register settings; providing for a surety bond, establishing due dates, penalties, provisions for cancellation of permits and relating to discounts; and providing for an appropriation.

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

Senator Butler introduced:

Senate Bill No. 2327. A Bill for an Act to amend and reenact subsection 1 of section 57-33-04 and subsection 1 of section 57-33.1-02 of the North Dakota Century Code, relating to taxation of rural electric cooperatives and cooperative electrical generating plants; and providing for an effective date.

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

Senator Freed introduced:

Senate Bill No. 2328. A Bill for an Act to repeal section 25-01-01.1 of the North Dakota Century Code, relating to the coordinating committee on mental retardation.

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

Senators Melland and Butler introduced:

Senate Bill No. 2329. A Bill for an Act relating to income tax credits for charitable contributions to nonprofit private institutions of higher education.

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

Senators Jacobson, Christensen, Lips and Thane introduced:

Senate Bill No. 2330. A Bill for an Act to provide an appropriation to the state soil conservation committee for the purpose of employing soil scientists for the completion of a soils survey of North Dakota.

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

Senators Wenstrom and Redlin introduced:

Senate Bill No. 2331. A Bill for an Act relating to investments of state banks.

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

Senators Nasset and Melland introduced:

Senate Bill No. 2332. A Bill for an Act to amend and reenact sections 15-22-23, 15-28-03, 15-28-04, 15-28-07, 15-28-08, 15-28-10, 15-51-01, and 15-51-02 of the North Dakota Century Code, relating to the holding of school district elections in conjunction with municipal elections, and the date on which school district elections are held.

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

Senators Wenstrom and Goldberg introduced:

Senate Bill No. 2333. A Bill for an Act to amend and reenact section 54-06-04.1 of the North Dakota Century Code, relating to reports to be made by state agencies charging fees.

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

Senators Wenstrom, Solberg, Jones, Larson and Jacobson introduced:

Senate Bill No. 2334. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-08 of the North Dakota Century Code, relating to state aid to educational centers.

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

Senators Barth, Ringsak, Morgan, Hoffner and Nething introduced:

Senate Bill No. 2335. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county employees and raising such salaries.

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

Senators Redlin, Wright and Anderson introduced:

Senate Bill No. 2336. A Bill for an Act to amend and reenact subsection 1 of section 15-03-04 and section 15-03-07 of the North Dakota Century Code, relating to investments and farm loans made by the board of university and school lands.

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

Senator Lips introduced:

Senate Bill No. 2337. A Bill for an Act to provide state solid waste management and land protection, and providing a penalty.

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

Senators Butler and Lips introduced:

Senate Bill No. 2338. A Bill for an Act to create and enact subsections 14, 15, and 16 of section 2-06-01, sections 2-06-11.1, 2-06-11.2, 2-06-11.3, and 2-06-11.4, and to amend and reenact subsections 12 and 13 of section 2-06-01 of the North Dakota Century Code, relating to the imposition, collection, and use of airport service fees by airport authorities; and providing a penalty.

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

Senator Reiten introduced:

Senate Bill No. 2339. A Bill for an Act to authorize the North Dakota state department of health to make and administer grants within legislative appropriations for the purpose of aiding in the construction of water pollution control projects; and to provide an appropriation.

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

Senator Kautzmann introduced:

Senate Bill No. 2340. A Bill for an Act to require a prescription for the sale and purchase of hypodermic needles and hypodermic syringes, to forbid the possession of such instruments, to require records to be kept, to exempt certain individuals and professions, and to provide a penalty.

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

Senator Kautzmann introduced:

Senate Bill No. 2341. A Bill for an Act to amend and reenact sections 28-23-08 and 28-29-05 of the North Dakota Century Code, relating to postponement of foreclosure sales and orders of the court in foreclosure proceedings.

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

Senators Ringsak, Morgan and Goldberg introduced:

Senate Bill No. 2342. A Bill for an Act to amend and reenact subsection 7 of section 57-23-04 of the North Dakota Century Code, relating to the abatement or refund of taxes by county commissioners in cases of property destroyed or injured by fire, flood, or tornado.

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

Senators Nething and Barth introduced:

Senate Bill No. 2343. A Bill for an Act to create and enact chapter 47-20.1 of the North Dakota Century Code, relating to landmarks, land surveying and corner recording; to repeal chapter 47-20 of the North Dakota Century Code; and providing an effective date; and providing a penalty.

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

Senators Nething and Melland introduced:

Senate Bill No. 2344. A Bill for an Act to amend and reenact section 25-09-04 of the North Dakota Century Code, relating to liability of relatives for expenses of care and treatment of patients of the state hospital, state school, and San Haven state hospital.

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

Senators Nething and Melland introduced:

Senate Bill No. 2345. A Bill for an Act to authorize the director of the North Dakota mental health and retardation division of the state health department to sell and convey certain lands, owned by the state of North Dakota and used by the state hospital, at public auction or by sealed bids, the proceeds of which will be used for the benefit of the state hospital, and declaring an emergency.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Stroup and Roen introduced:

Senate Concurrent Resolution No. 4012. A concurrent resolution urging that public agencies and private individuals cooperate with the North Dakota Geological Survey by furnishing data from lignite test holes.

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

Senators Jones and Jacobson introduced:

Senate Concurrent Resolution No. 4013. A concurrent resolution directing the Legislative Council to conduct a study to determine what progress has been made in exploring the feasibility of developing and improving certain North Dakota waterways for the purpose of utilizing these waterways for barge traffic and other navigational purposes.

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

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2088
 Senate Bill No. 2091
 Senate Bill No. 2100
 Senate Bill No. 2111
 Senate Bill No. 2112
 Senate Bill No. 2124
 Senate Bill No. 2164
 Senate Bill No. 2172
 Senate Bill No. 2182
 Senate Bill No. 2186
 Senate Bill No. 2194

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1022
 House Bill No. 1063
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1004
 House Bill No. 1013
 House Bill No. 1048
 House Bill No. 1067
 House Bill No. 1077
 House Bill No. 1123
 House Bill No. 1157
 House Bill No. 1168
 House Bill No. 1184
 House Bill No. 1187
 House Bill No. 1206
 House Bill No. 1210
 House Bill No. 1222
 House Bill No. 1236
 House Concurrent Resolution No. 3016

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

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

Senate Bill No. 2038
 Senate Bill No. 2043

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., January 23, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTEENTH DAY AFTER RECESS
AND SIXTEENTH DAY

Bismarck, January 23, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2044 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2046 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2066 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2079 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A Bill" and insert in lieu thereof the following: "for an Act to create and enact section 54-46-08.1 of the North Dakota Century Code, relating to the transfer of records to the state historical society.

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

SECTION 1.) Section 54-46-08.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-46-08.1. PRESERVATION OF RECORDS.) The administrator shall transfer any records subject to disposal pursuant to the provisions of this chapter to the state historical society. Should any college or university library within this state request such records, duplicate copies of specified records will be made available under such terms mutually agreed upon.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDNESS, Vice-Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2081 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following:

"for an Act to amend and reenact sections 53-02-01, 53-02-02, 53-02-03, 53-02-05, 53-02-08, and 53-02-09 of the North Dakota Century Code, to provide a definition of music festivals, to require a permit for a music festival, to provide who shall issue a permit, to provide who may make application for a permit, to require a law enforcement officer to be present at such festivals, to provide for refusal and revocation of a permit for cause, and to except places of public lodging from certain requirements.

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

SECTION 1. AMENDMENT.) Section 53-02-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-02-01. DEFINITIONS.) In this chapter, unless the context or subject matter otherwise requires:

1. A "music festival" shall mean a musical performance by one or more groups held out of doors, whether or not an admission fee is charged;
2. A "public dancing place" shall mean a room, place, or space open to public patronage where dancing in which the public may participate is carried on and to which an admission may or may not be charged;
- ((2.)) 3. A "public dance" shall mean any dance where the public may participate, whether an admission fee is charged or not;
- ((3.)) 4. A "person" shall mean a natural person, firm, association, or corporation.

SECTION 2. AMENDMENT.) Section 53-02-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-02-02. PERMIT FOR PUBLIC DANCE OR MUSIC FESTIVAL REQUIRED - EXCEPTION.) No person shall give, hold, or conduct a public dance or music festival unless the owner of the place where the dance or music festival is given, or the person giving the same or in charge thereof, first shall have procured a permit to give, hold, and conduct such dance or music festival as provided in section 53-02-05. This provision shall not apply to a dance held or conducted in a ((hotel)) place of public lodging having more than fifty guest rooms, if held or conducted under the immediate control of the owner or operator of such ((hotel)) place of public lodging.

SECTION 3. AMENDMENT.) Section 53-02-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-02-03. WHO SHALL ISSUE PERMITS - PERMIT NOT TRANSFERABLE.) In each city ((, village,)) and organized township in this state, a permit must be procured from the governing body of the municipality or organized township. In an unorganized township, a permit must be obtained from the board of county commissioners of the county in which such public dance or music festival is to be held or in which the public dancing place or music festival site is located. Such permit may be issued at any one time for one or

more public dances or music festivals, or for a public dancing place or music festival site for a period of not more than one year. If a permit is issued to any person to conduct a public dancing place or music festival site, public dances or music, festivals may be conducted in such place only by the person to whom the permit is issued. Such permit shall not be transferable.

SECTION 4. AMENDMENT.) Section 53-02-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-02-05. APPLICATION FOR PERMIT.) Any person desiring to conduct a public dance or music festival or a public dancing place or music festival site shall make application for a permit to do so to the governing body of the municipality or organized township in which it is to be conducted, if it is to be conducted within the limits of any city ((, village,)) or organized township. In all other cases, the application shall be made to the board of county commissioners of the county in which such dance or music festival is to be conducted. The application shall set forth:

1. The name of the applicant;
2. The time or period for which the permit is desired; and
3. The place where such public dance or music festival is to be conducted or held.

SECTION 5. AMENDMENT.) Section 53-02-08 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-02-08. OFFICER OF LAW TO BE IN ATTENDANCE AT PUBLIC DANCE OR MUSIC FESTIVAL.) It shall be the duty of the sheriff in any county in which any public dance or music festival is held outside of an incorporated city, and of the chief peace officer of the city where the dance or music festival is held within the limits of a city, to police such dance or music festival so that law and order are there maintained. The person conducting any such dance or music festival, before the dance or music festival shall be held, shall pay to such sheriff or peace officer the expense of any deputy sheriff or special officer required for the proper policing of such dance or music festival, and no such dance or music festival shall be permitted to proceed unless such officer is present and his fees are paid. The holding of such dance or music festival without giving notice thereof to the sheriff of the county or the peace officer of the city, and without making provision for the policing thereof, is a misdemeanor. No person, directly or indirectly interested or concerned in the giving, holding, or conducting of such public dance or music festival, or connected with the person conducting the same, shall be eligible to appointment under this section as a special officer.

SECTION 6. AMENDMENT.) Section 53-02-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-02-09. REFUSAL AND REVOCATION OF PERMIT FOR CAUSE.) The governing body or board issuing a permit hereunder may revoke the same at any time for violation of any of the provisions of this chapter, and shall revoke the same upon conviction of the person to whom the same has been issued for a violation of any of the laws of this state. The governing body or board to which application for a permit is made, or by which a permit has been issued, shall refuse to issue such permit, and shall revoke a permit already issued, where it appears that:

1. The dancing place or music festival site is or is likely to become a public nuisance or detrimental to public morals;
2. The provisions of this chapter are being violated;
3. (((Intoxicating liquor))) An alcoholic beverage or controlled substance is being sold or given away; or
4. Any of the laws of the state are being violated.

The governing body or board to which application is made, or by which a permit has been issued, also shall refuse such application, and shall revoke such permit, when it appears that such public dancing place or music festival site is or will be conducted in a neighborhood or community contrary to the wishes of a majority of the people living therein."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2108 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, delete "ten" and insert in lieu thereof "twenty"

On page 2, at the end of line 15 add the following new paragraph:

"Nothing contained herein shall be construed to restrict the right of an agency to receive full service fees at the time of the referral, subject to subsequent refunding."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2150 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2152 has had the same under consideration and recommends that the same be amended as follows:

On page 2, at the end of line 2, insert "one or more"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2157 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2178 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 10, delete "experiencie" and insert in lieu thereof "experience".

And when so amended recommends the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on Finance and Taxation to

whom was referred Senate Bill No. 2191 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, delete "ten" and insert in lieu thereof "fifty"
And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2198 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2205 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2244 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Joint Committee on Reapportionment to whom was referred House Bill No. 1042 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2086

Senate Bill No. 2127

Senate Bill No. 2179

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2130, 2146, 2156, 2221 and 2252 be dispensed with, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2130 as recommended by the Committee on Transportation as printed on page 201 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2146 as recommended by the Committee on Transportation as printed on pages 201 and 202 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No.

2156 as recommended by the Committee on Transportation as printed on page 202 of the Senate Journal be adopted, which motion prevailed.

Senator Sandness moved that the amendments to Senate Bill No. 2221 as recommended by the Committee on State and Federal Government as printed on page 202 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2252 as recommended by the Committee on Education as printed on page 203 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2086. A Bill for an Act to create and enact subsection 13 to section 15-10-17 of the North Dakota Century Code, granting the state board of higher education power to establish an alternate retirement program.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 185 of the Senate Journal the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth	Sands	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2127. A Bill for an Act to amend and reenact subsection 1 of section 15-34.1-03 of the North Dakota Century Code, relating to school attendance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 185 of the Senate Journal the roll was called and there were ayes, 32; nays, 15; absent and not voting 4.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Schultz, C.
Berube	Larson	Peterson	Schultz, J.
Christensen	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Nasset	Sandness	Wright

Those voting in the negative were:

Butler	Jacobson	Mutch	Shablow
Coughlin	Jones	Naaden	Smykowski
Fritzell	Kautzmann	Page	Thane
Iszler	Morgan	Ringsak	

Absent and not voting:

Barth Goldberg Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2153. A Bill for an Act making an appropriation for the use of the state toxicologist.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2171. A Bill for an Act to create and enact a new section of chapter 52-10 of the North Dakota Century Code, relating to authorization to exclude from social security coverage, under Section 218 of the Act, service performed in the employ of a public school, college, or university by certain students.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 11; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Melland	Roen
Berube	Iszler	Nasset	Sandness
Butler	Jones	Nething	Schultz, J.
Coughlin	Kautzmann	Peterson	Solberg
Freed	Larson	Pyle	Strand
Fritzell	Lee	Rait	Thane
Goldberg	Lips	Redlin	Tweten
Goodman	Litten	Reiten	Wenstrom
Gronhovd	Longmire	Ringsak	Wright
Hoffner			

Those voting in the negative were:

Christensen	Morgan	Page	Smykowski
Erdman	Mutch	Schultz, C.	Strinden
Jacobson	Naaden	Shablow	

Absent and not voting:

Barth Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2179. A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to residency determination in child placement cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 186 of the Senate Journal the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth	Sands	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2204. A Bill for an Act to amend and reenact sections 24-01-13 and 49-18-45 of the North Dakota Century Code, relating to enforcement activities of appointees of the commissioner of the state highway department.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth	Sands	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2206. A Bill for an Act to repeal chapter 80 of the 1957 Session Laws, providing an appropriation for grasshopper control.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Those voting in the negative were:

Jones Ringsak

Absent and not voting:

Barth Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2225. A Bill for an Act to amend and reenact section 54-03-02 of the North Dakota Century Code, relating to the convening date of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablou
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand			

Those voting in the negative were:

Freed Mutch Ringsak

Absent and not voting:

Barth Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2229. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land owned by the state of North Dakota for the use and benefit of the Hettinger sub-station of the North Dakota agricultural college of the state of North Dakota to the Hettinger municipal airport authority and appropriating the proceeds of sale to the state board of higher education for the purpose of acquiring other land.

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 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablou
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright
Holand	Mutch	Sandness	

Absent and not voting:

Barth Butler Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2238. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land, appro-

prising the proceeds of such sale to the state board of higher education for the purpose for which the land was originally received, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Twetén
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roén	Wright

Absent and not voting:

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

Senate Bill No. 2261. A Bill for an Act to create and enact sections 8-10-07.2 and 8-10-07.3 of the North Dakota Century Code, relating to the criminal offense of making, selling, or possessing a device to be used for fraudulently obtaining telecommunication services, and to the criminal offense of publishing a credit card number or code with intent or belief that it will be used to avoid lawful telecommunication charges, and providing penalties.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Twetén
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roén	Wright

Absent and not voting:

Barth	Sands	Stroup
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1025. A Bill for an Act relating to out-of-state travel by persons employed by state institutions of higher education; and to amend and reenact section 54-06-10 of the North Dakota Century Code, relating to out-of-state travel of state employees.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth Sands Stroup

So the bill passed and the title was agreed to.

House Bill No. 1051. A Bill for an Act to amend and reenact section 15-10-01, subsection 8 of section 15-17-03, and section 15-47-02, relating to a state institution of higher learning at Ellendale in regard to institutions under control of the state board of higher education, the erection of dormitories by insitutional holding corporations, and institutions part of the free public school system; and to repeal chapter 15-14, relating to a state normal and industrial school at Ellendale.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth Sands Stroup

So the bill passed and the title was agreed to.

House Bill No. 1052. A Bill for an Act to reallocate the grant lands and assets of the Ellendale fund and to direct the deposit of the remainder of the Ellendale branch fire proceeds in the state's general fund.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.

Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Barth	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1075. A Bill for an Act to amend and reenact subsection 3 of section 39-10-05 of the North Dakota Century Code, relating to right turns on red signals after stopping.

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 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Barth	Iszler	Sands	Stroup
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So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3005. A concurrent resolution urging the United States Civil Aeronautics Board to grant authority to a second airline to serve North Dakota on east-west routes.

Which has been read.

Senator Goldberg moved the adoption of House Concurrent Resolution No. 3005, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Larson introduced:

Senate Bill No. 2346. A Bill for an Act relating to citizens' rights to know the activities of their government, and to provide for the disclosure of the financial interests of public officials, for the regulation of lobbyists, and for open governmental meetings; and to repeal sections 44-04-19, 54-05-02, 54-05-03, 54-05-04, 54-05-05, 54-05-06, 54-05-07, 54-05-08, 54-05-09, and 54-05-10 of the North Dakota Century Code, relating to open governmental meetings and legislative lobbying, and providing penalties.

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

Senator Wenstrom introduced:

Senate Bill No. 2347. A Bill for an Act to create and enact sections 54-38-01.1, 54-38-02.1, 54-38-10, 54-38-11, 54-38-12, 54-38-13, 54-38-14, 54-38-15, 54-38-16, 54-38-17, 54-38-18, 54-38-18.1, 54-38-19, 54-38-20, 54-38-21, 54-38-22, 54-38-23, 54-38-24, 54-38-25, 54-38-26,

54-38-27, 54-38-28, 54-38-29, 54-38-30, 54-38-31, 54-38-32, 54-38-33, 54-38-34, 54-38-35, 54-38-36, 54-38-37, 54-38-38, and 54-38-39 of the North Dakota Century Code, relating to a statement of policy, enumeration of the powers of the division, an interdepartmental coordinating committee, citizens advisory council, regional facilities, standards and enforcement procedures for public and private treatment facilities, rules for acceptance of treatment, involuntary, voluntary, and emergency treatment, records, visitation with patients, emergency service patrols, criminal law limitations, procedures for adoption of rules and their promulgation, procedures for judicial review and rules of evidence and appeal; and to amend sections 54-38-01, 54-38-02, 54-38-05, and 54-38-09 of the North Dakota Century Code, relating to definitions, creation of a division of alcoholism and drug abuse, duties of the division, and reimbursement for treatment; and to repeal sections 5-01-05.1, 5-01-05.2, 54-38-06, and 54-38-07 of the North Dakota Century Code, relating to assistance and medical care for intoxicated persons, criminal penalties for intoxication, contracting by the department of health with other agencies and facilities for the treatment of alcoholism; and providing a penalty.

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

Senators Smykowski and Nething introduced:

Senate Bill No. 2348. A Bill for an Act to amend and reenact sections 47-18-01, 47-18-03, 47-18-17, 47-18-18, and 47-18-19 of the North Dakota Century Code, relating to definitions of homesteads subject to exemption, selection of homestead exemption, who may make declaration of homestead, execution and acknowledgment of homestead declaration, and the contents of a homestead declaration.

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

Senator Wenstrom introduced:

Senate Bill No. 2349. A Bill for an Act to enact the Uniform Consumer Sales Practices Act, providing for the regulation of consumer sales practices, an enforcing authority, enforcement procedures, rulemaking procedures, and providing remedies.

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

Senators Naaden, Coughlin, Thane, Page and Mutch introduced:

Senate Bill No. 2350. A Bill for an Act to amend and reenact section 39-06-13 of the North Dakota Century Code, relating to examination of applicants for driver's licenses and requiring that the highway patrol appoint examiners for that purpose.

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

Senators Shablow and Nething introduced:

Senate Bill No. 2351. A Bill for an Act to amend and reenact section 39-10-46 of the North Dakota Century Code, relating to overtaking and passing a school bus.

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

Senator Lips introduced:

Senate Bill No. 2352. A Bill for an Act to create and enact section 40-58-20 of the North Dakota Century Code, relating to the computation, certification, and remittance of tax increments resulting from urban renewal for reimbursement of the cost of renewal and the interest and redemption premiums on obligations issued to pay such costs.

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

Senators Strand and Hoffner introduced:

Senate Bill No. 2353. A Bill for an Act to amend and reenact section 57-40.3-04 of the North Dakota Century Code, relating to tax exemptions.

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

Senator Wenstrom introduced:

Senate Bill No. 2354. A Bill for an Act to create and enact title 17 of the North Dakota Century Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation; to amend and reenact sections 6-01-01, relating to the authority of the commissioner of banking and financial institutions; 6-03-62, relating to interest on loans of a state banking association; 7-04-17, relating to the repayment of loans of a building and loan association; 28-22-14, relating to the exemption of property from execution; 28-25-11, relating to the exemption of earnings from execution; 32-09-01, relating to the right of a creditor to proceed by garnishment; subsection 2 of section 41-09-16, relating to the priority of statutes in case of conflict; 47-14-01, relating to the definition of a loan of money; 47-14-05, relating to the rate of interest on legal indebtedness in the absence of contract; 47-14-06, relating to an annual rate when period not specified; and 47-14-08, relating to the deduction of interest in advance on a loan; to repeal sections 6-06-18, 7-02-04, 47-14-09, 47-14-10, and 47-14-11, and chapters 13-03, 13-04, 51-13, and 51-14 of the North Dakota Century Code; providing a penalty; and providing for an appropriation.

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

Senator Reiten introduced:

Senate Bill No. 2355. A Bill for an Act to create a livestock feeding research fund under the supervision of the North Dakota business and industrial development department, and making an appropriation.

Was read the first time and referred to the Committee on Agriculture.

Senator Reiten introduced:

Senate Bill No. 2356. A Bill for an Act to amend and reenact sections 6-03-13.1, 6-02-13.2 and 6-03-13.3 of the North Dakota Century Code, relating to drive-in facilities of banks, their locations, and providing for the approval, in certain instances, of the controller of the currency.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 2357. A Bill for an Act making a deficiency appropriation for personal property tax replacement for the fiscal year ending June 30, 1973, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

Senator Melland introduced:

Senate Bill No. 2358. A Bill for an Act to repeal sections 15-55-18 and 15-55-19 of the North Dakota Century Code, relating to authority of junior colleges and off-campus educational institutions to issue

and sell tax exempt bonds ,and providing for the validity of bonds previously issued.

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

Senator Melland introduced:

Senate Bill No. 2359. A Bill for an Act to amend and reenact sections 15-18-04, 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to the board of higher education prescribing vocational education course standards at junior colleges and educational centers.

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

The Committee on Appropriations introduced:

Senate Bill No. 2360. A Bill for an Act to repeal section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

Was read the first time and referred to the Committee on Appropriations.

Senators Goldberg, Strinden, Pyle, Anderson, J. Schultz and Jacobson introduced:

Senate Bill No. 2361. A Bill for an Act to transfer one million dollars from the accumulated profits of the state mill and elevator association to the general fund.

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

Senator Goldberg introduced:

Senate Bill No. 2362. A Bill for an Act to amend and reenact section 24-09-08.1 of the North Dakota Century Code, relative to highway fund and increasing amount to be expended therefrom.

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

Senator Goldberg introduced:

Senate Bill No. 2363. A Bill for an Act to provide for a reservation on the sale of all land under the control of the board of university and school lands.

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

Senators Hoffner and Freed introduced:

Senate Bill No. 2364. A Bill for an Act to provide for the regulation of the sale, issuance, or delivery of money orders or similar instruments; imposing requirements in respect to same; prescribing remedies; exempting banks and certain other financial institutions; and providing for a penalty.

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

Senator Hoffner introduced:

Senate Bill No. 2365. A Bill for an Act to create a constitutional revision commission and set forth its membership, powers, and duties; to provide an appropriation; and declaring an emergency.

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

Senators Anderson and Butler introduced:

Senate Bill No. 2366. A Bill for an Act to amend and reenact sections 5-01-09 and 5-02-06 of the North Dakota Century Code, relating to delivery of or dispensing of alcoholic beverages to persons under twenty-one years of age.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Freed and Nething introduced:

Senate Bill No. 2367. A Bill for an Act to provide for an Ombudsman for the citizens of the State of North Dakota; and providing a penalty.

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

Senators Freed and Iszler introduced:

Senate Bill No. 2368. A Bill for an Act to create trustee for multi-unit buildings during period of foreclosure.

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

Senator Freed introduced:

Senate Bill No. 2369. A Bill for an Act relating to hearing procedures in dealing with interstate parolees or probationers being supervised under the interstate compact for the supervision of parolees and probationers.

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

Senator Sands introduced:

Senate Bill No. 2370. A Bill for an Act to provide cities with exclusive jurisdiction of zoning of all land lying within three miles of the corporate limits of the city; and to amend and reenact sections 11-35-02, 40-47-01, 40-47-02, and 40-47-03 of the North Dakota Century Code, relating to zoning of territory adjacent to cities, authority of cities to zone, division of adjacent territory into districts to carry out zoning regulations and purposes for which regulation for zoning shall be made.

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

Senators Strinden and Coughlin introduced:

Senate Bill No. 2371. A Bill for an Act to transfer the regulatory functions of the state laboratories department to the state department of health and provide for the testing functions of the state laboratories department to be performed by North Dakota state university; to amend and reenact sections 19-01-01, 19-01-02, 19-01-04, 19-01-05, 19-01-06, 19-01-07, 19-01-08, 19-01-10, 19-01-13, 19-01-18, subsection 1 of section 19-02.1-01, subsection 4 of section 19-02.1-05, section 19-02.1-07, subdivision c of subsection 5 of section 19-02.1-10, sections 19-02.1-11, 19-02.1-20, 19-02.1-21, subsection 12 of section 19-03.1-01, sections 19-03.1-02, 19-03.1-04, 19-03.1-06, 19-03.1-08, subsection 6 of section 19-03.1-09, section 19-03.1-10, subsection 3 of section 19-03.1-11, sections 19-03.1-12, 19-03.1-14, 19-03.1-15, 19-03.1-16, 19-03.1-17, 19-03.1-18, 19-03.1-19, 19-03.1-20, subsection 2 of section 19-03.1-22, section 19-03.1-26, subsection 2 of section 19-03.1-33, section 19-03.1-35, subsections 2, 4, 5, and 8 of section 19-03.1-36, sections 19-03.1-38, 19-03.1-39, subsection 4 of section 19-03.1-40, sections 19-05-01, 19-05-02, 19-05-11, 19-10-16, 19-13.1-01, 19-13.1-09, 19-13.1-10, 19-13.1-11, 19-13.1-12, subsection 3 of section 19-14-03, sections 19-16.1-01, 19-16.1-03, 19-16.1-14, 19-18-10, 19-20.1-01, subsection 8 of section 19-20.1-02, sections 19-20.1-08, 19-20.1-12, 19-20.1-17, subsection 1 of section 19-21-01, sections 19-22-03, 19-22.1-02, 23-10-02, 23-10-03, 23-10-04, 23-10-06, 23-10-10, 23-10-12, 47-23-01, 47-23-02, 47-23-03, 47-23-04, 47-23-05, 47-23-06, 47-23-07, 47-23-08, 47-23-09, and subsection 1 of section 54-06-04 of the North Dakota Century Code, relating to functions of the state laboratories department which are transferred to the state department of health; and to repeal section 19-01-03 of the North Dakota Century Code, relating to the appointment of a director of the state laboratories department by the state laboratories commission.

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

Senators Sands and C. Schultz introduced:

Senate Bill No. 2372 A Bill for an Act to suspend the operation of chapter 39-17 of the North Dakota Century Code, relating to the unsatisfied judgment fund, for all claims arising after July 1, 1973.

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

Senator Melland introduced:

Senate Bill No 2373 A Bill for an Act to provide for the establishment of recreation service districts for the purpose of providing police protection, water and sewer, and garbage removal services, to provide for elections and for a board of recreation service commissioners, and to provide for the levying of taxes and special assessments.

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

Senator Redlin introduced:

Senate Bill No 2374 A Bill for an Act to provide for treble damage recovery for persons damaged due to violation of provisions prohibiting purchase or receipt of stolen property; and to provide for presumptions in regard to dealers in secondhand property.

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

Senator Fritzell introduced:

Senate Bill No 2375 A Bill for an Act to amend and reenact section 40-54-10 of the North Dakota Century Code, relating to permission to sell gravel assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

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

Senator Fritzell introduced:

Senate Bill No 2376 A Bill for an Act to amend and reenact section 40-31-09 of the North Dakota Century Code, relating to permission to sell curbing and gutter assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

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

Senator Fritzell introduced:

Senate Bill No. 2377. A Bill for an Act to amend and reenact section 40-29-15 of the North Dakota Century Code, relating to permission to sell sidewalk assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

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

Senator Holand introduced:

Senate Bill No. 2378. A Bill for an Act to amend and reenact section 26-26-01 of the North Dakota Century Code, granting additional powers to hospital service corporations.

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

Senators Butler and Ringsak introduced:

Senate Bill No. 2379. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 and subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to definitions, adjustments to taxable income for corporations; to provide for an income tax rate study; and providing for an effective date.

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

Senators Ringsak and Butler introduced:

Senate Bill No. 2380. A Bill for an Act to create and enact a new section to chapter 40-57.1 and to amend and reenact section 40-57.1-02 of the North Dakota Century Code, relating to tax exemptions for new industries.

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

Senators Butler and Lips introduced:

Senate Bill No. 2381. A Bill for an Act to regulate the practice of public accounting in the public interest; to create a state board of accountancy and to prescribe its powers and duties; and to provide penalties for violations of the provisions of this Act; and to repeal Chapter 43-02 of the North Dakota Century Code.

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

Senators Solberg and Nething introduced:

Senate Bill No. 2382. A Bill for an Act to amend and reenact section 27-11-11 of the North Dakota Century Code, relating to compensation of members of the state bar board.

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

Senator Redlin introduced:

Senate Bill No. 2383. A Bill for an Act to create a new subsection to section 51-13-02 of the North Dakota Century Code, relating to retail installment sales contracts and providing that the holder of such a contract shall be responsible to the buyer of personal property for all guarantees and representations made to such buyer by the seller of the property.

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

Senator Redlin introduced:

Senate Bill No. 2384. A Bill for an Act to amend and reenact subsection 5 of section 40-49-12 of the North Dakota Century Code, to increase the maximum compensation payable to a clerk of a park district.

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

Senator Melland introduced:

Senate Bill No. 2385. A Bill for an Act designating the board of higher education as the board of vocational education; and to amend and reenact sections 15-18-04, 15-18-07, 15-18-08, 15-18-09, subsection 1 of section 15-20.1-01, sections 15-20.1-02, 15-20.1-03, 15-20.1-07, 15-41-05, 15-50-01, and 15-50-02 of the North Dakota Century Code, relating to the administration of vocational education by the board of higher education in place of the state board of public school education.

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

Senators Redlin, Nasset and J. Schultz introduced:

Senate Bill No. 2386. A Bill for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security interests in growing and unharvested crops.

Was read the first time and referred to the Committee on Agriculture.

Senator Solberg introduced:

Senate Bill No. 2387. A Bill for an Act to amend and reenact section 57-40.3-09 of the North Dakota Century Code, relating to reciprocity given for taxes paid in another state.

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

Senators Hoffner, Rait and Jacobson introduced:

Senate Bill No. 2388. A Bill for an Act to amend and reenact sections 16-12-06, 16-12-07, and 16-13-02 of the North Dakota Century Code, relating to write-in votes, to pasting or writing names over a printed name on a ballot, and to allowing election boards not to count the vote total in certain uncontested elections.

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

Senator Jones introduced:

Senate Bill No. 2389. A Bill for an Act to provide incentive payments to school districts which send students to another district to take vocational education courses; to provide procedures for the administration of such payments; and to provide an appropriation.

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

Senator Tweten introduced:

Senate Bill No. 2390. A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to issuance of general obligation bonds under agreements for federal aid highway projects and permitting cities to pay for one hundred percent of the total cost of all right of way to be acquired in connection therewith.

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

Senator Tweten introduced:

Senate Bill No. 2391. A Bill for an Act to amend and reenact section 40-44-06 of the North Dakota Century Code, relating to compensation and expenses of a civil service commissioner and commission members.

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

Senator Nething introduced:

Senate Bill No. 2392. A Bill for an Act to amend and reenact subsections 17, 25, 26, 27, and 28 of section 1, and subsections 17, 25, 26, 27, and 28 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Was read the first time and referred to the Committee on Joint Re-apportionment.

Senator Smykowski introduced:

Senate Bill No. 2393. A Bill for an Act to amend and reenact Section 46-05-03 of the North Dakota Century Code relating to the fees to be paid for the publication of legal notices.

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

Senator Nething introduced:

Senate Bill No. 2394. A Bill for an Act to amend and reenact subsections 35 and 37 of section 1, and subsections 35 and 37 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Was read the first time and referred to the Committee on Joint Re-apportionment.

Senators Shablow and J. Schultz introduced:

Senate Bill No. 2395. A Bill for an Act to create and enact section 15 to chapter 346 of the 1971 Session Laws of North Dakota to provide an appropriation; to create and enact section 17 to chapter 496 of the 1971 Session Laws of North Dakota to provide an appro-

priation; and to amend and reenact sections 2 and 16 of chapter 496 of the 1971 Session Laws of North Dakota to provide authority for issuing additional bonds of North Dakota Vietnam conflict adjusted compensation series and to appropriate funds required for payment of the principal and interest thereon.

Was read the first time and referred to the Committee on Appropriations.

Senator Nething introduced:

Senate Bill No. 2396. A Bill for an Act to provide for the inspection, licensing, and regulation of carnival and amusement rides; to provide for the safety of the public utilizing carnival and amusement rides; to create a carnival-amusement safety board in the department of labor; to provide for the disposition of revenues; to make an appropriation; to provide a penalty; and declaring an emergency.

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

Senators Rait, J. Schultz, Lee and Wright introduced:

Senate Bill No. 2397. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund and to the apportionment and distribution of such fund to the state highway department, counties and cities.

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

Senator Jones introduced:

Senate Bill No. 2398. A Bill for an Act to amend and reenact subsection 10 of section 1 and subsections 10 and 15 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Was read the first time and referred to the Committee on Joint Re-apportionment.

Senators Hoffner and Solberg introduced:

Senate Bill No. 2399. A Bill for an Act to provide for the creation of a board of corrections and a division of corrections within the social service board; to create an advisory board of corrections; to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the powers and duties of the social service board; to amend and reenact sections 27-21-01 and 54-23-01 of the North Dakota Century Code, relating to the state youth authority and to institutions under the control of the director of institutions; and to repeal chapters 12-52 and 12-59 and sections 12-47-27, 12-55-07, 12-55-15, 12-55-21, 12-55-27, 12-55-28, 12-55-30, 12-55-31, 54-21-25, 54-23-22, and 54-23-28 of the North Dakota Century Code, relating to the custody and imprisonment of persons convicted of public offenses and to the parole and probation of such persons.

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

Senators Nething and Nasset introduced:

Senate Bill No. 2400. A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for a trust fund and for the allocation of the interest from such fund to counties and for distribution to schools; and to provide a penalty.

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

Senators Lips, Christensen and Nasset introduced:

Senate Bill No. 2401. A Bill for an Act expressing the intent of

the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

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

Senator Goodman introduced:

Senate Bill No. 2402. A Bill for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to resolutions of necessity for sewer and water main projects.

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

Senator Goodman introduced:

Senate Bill No. 2403. A Bill for an Act to amend and reenact 40-21-05 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks at municipal elections.

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

Senators Butler, Melland, Freed and Ringsak introduced:

Senate Bill No. 2404. A Bill for an Act regulating abortion; providing for punishment for unauthorized abortion; providing for record keeping by the Division of Vital Statistics; and to repeal Section 12-25-01, 12-25-02, 12-25-04 and 12-25-07 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Lee and Sandness introduced:

Senate Bill No. 2405. A Bill for an Act to amend and reenact section 36-21.1-03 of the North Dakota Century Code, to require that vehicles hauling live animals in the winter months be covered, and providing a penalty.

Was read the first time and referred to the Committee on Agriculture.

Senator Kautzmann introduced:

Senate Bill No. 2406. A Bill for an Act to amend and reenact section 50-09-21 of the North Dakota Century Code, relating to county reimbursement liability in aid to dependent children cases.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Longmire introduced:

Senate Bill No. 2407. A Bill for an Act to provide for the salary of the clerk of the district court and to amend and reenact subsections 1 and 2 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county officers.

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

Senators Naaden and Mutch introduced:

Senate Bill No. 2408. A Bill for an Act to provide for the state board of equalization to review the amount of surplus in the general fund, to make rate adjustments to the sales and use tax law, and to repeal sections 57-39.2-03.1 and 57-40.2-03.1 of the North Dakota Century Code.

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

Senators Naaden and Mutch introduced:

Senate Bill No. 2409. A Bill for an Act to prohibit discrimina-

tion in employment because of race, color, religion, sex, or national origin, and providing a penalty.

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

Senators Erdman, Redlin and Ringsak introduced:

Senate Bill No. 2410. A Bill for an Act to provide for the comprehensive regulation of persons and organizations owning, controlling, operating, and managing community antenna television systems; and providing a penalty.

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

Senators Reiten, Lips and Pyle introduced:

Senate Bill No. 2411. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, defining "projects" under the Municipal Industrial Development Act of 1955 as amended.

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

Senator Lips introduced:

Senate Bill No. 2412. A Bill for an Act making an appropriation to permit North Dakota to continue the provisions of the National Defense Education Act for purposes of improving instruction in the state in accordance with the Act.

Was read the first time and referred to the Committee on Appropriations.

Senator Lips introduced:

Senate Bill No. 2413. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the Bank of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

Senator Lips introduced:

Senate Bill No. 2414. A Bill for an Act to create and enact section 11-33-21 of the North Dakota Century Code, relating to the general penalties for violation of zoning regulations and restrictions.

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

Senator Lips introduced:

Senate Bill No. 2415. A Bill for an Act to amend and reenact sections 54-17.1-02 and 54-17.1-03 of the North Dakota Century Code, relating to a second issue of Vietnam veterans' bonus bonds, and providing appropriations for the expense of issuing the bonds and the administration of the bonus.

Was read the first time and referred to the Committee on Appropriations.

Senators Christensen and Jacobson introduced:

Senate Bill No. 2416. A Bill for an Act to provide for a tax on coal mined in North Dakota, to provide for the administration thereof, to provide for the distribution of the proceeds of such tax; and providing for a penalty.

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

Senators Christensen and Larson introduced:

Senate Bill No. 2417. A Bill for an Act to amend and reenact sections 16-17-01, 16-17-02, 16-17-10, 16-17-13, 16-17-16, 16-17-17, and 16-17-18 of the North Dakota Century Code, relating to the election of precinct committeemen and to party organization.

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

Senator Christensen introduced:

Senate Bill No. 2418. A Bill for an Act to create and enact chapter 54-55 and sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, establishing a department of natural resources through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee; providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies; to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission; to amend and reenact section 20.1-02-07, as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly; to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, subsection 12 of section 38-14-02, sections 38-14-03, 38-14-04, the first paragraph and subsections 7, 8, 9, 10, 11, and 12 of section 38-14-05, sections 38-14-06, 38-14-07, 38-14-09, 38-14-10, 38-14-12, 38-14-13, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee and the game and fish department, the licensing of surface mine operations, the regulation of strip mined lands, the personnel, powers and duties of the outdoor recreation agency, North Dakota park service, and water conservation commission, and placing certain agencies in the department of natural resources; and to repeal sections 38-14-11 and 61-03-14 of the North Dakota Century Code, relating to the strip mine regulation authority or the mine inspector, and relating to modification of rules by the state water conservation commission, and providing an effective date.

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

Senator Wenstrom introduced:

Senate Bill No. 2419. A Bill for an Act to create and enact sections 41-09-13.1 and 41-09-46.2, relating to the priority of a consignee over a secured party, to the assignment of security interests, and to the filing of assignments of financing statements; to amend and reenact subsection 2 of section 41-01-05, subsections 9 and 37 of section 41-01-11, subsections 1 and 2 of section 41-02-07, subsection 2 of section 41-05-16, subsection 1 of section 41-09-02, sections 41-09-03, 41-09-04, 41-09-05, 41-09-06, 41-09-16, 41-09-17, 41-09-18, 41-09-22, 41-09-23, 41-09-25, 41-09-26, subsections 1, 2, 3, and 4 of section 41-09-27, sections 41-09-28, 41-09-29, 41-09-33, 41-09-34, 41-09-39, 41-09-40, 41-09-41, 41-09-42, 41-09-43, 41-09-44, 41-09-45, subsection 3 of section 41-09-47, subsection 2 of section 41-09-48, subsections 1, 2, and 3 of section 41-09-50, and subsection 2 of section 41-09-51 of the North Dakota Century Code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning same, including sales, commercial paper, bank deposits, bank collections, letters of credit, bulk transfers, warehouse receipts, bills of lading and other documents of title, investment securities, and secured transactions; and providing for transition and an effective date.

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

Senators Wenstrom and Christensen introduced:

Senate Bill No. 2420. A Bill for an Act to enter into the interstate mining compact, and for related purposes; and providing an appropriation.

Was read the first time and referred to the Committee on Appropriations.

FIRST READING OF
SENATE CONCURRENT RESOLUTIONS

Senator Litten introduced:

Senate Concurrent Resolution No. 4014. A concurrent resolution authorizing and directing the Legislative Council to form a continuing interim committee composed of legislators and citizens to review constitutional proposals.

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

Senators Redlin and Wright introduced:

Senate Concurrent Resolution No. 4015. A concurrent resolution urging the President of the United States to restore funding of federal rural development and environmental programs vital to the present and future economy of the State of North Dakota.

Was read the first time and referred to the Committee on Agriculture.

Senators Ringsak, Strinden, Morgan and Smykowski introduced:

Senate Concurrent Resolution No. 4016. A concurrent resolution urging the North Dakota Board of Higher Education to authorize veterans attending a state college, university, or technical or vocational school on the GI Bill to pay their tuition and fees on an installment basis.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Ringsak, Strinden, Morgan and Smykowski introduced:

Senate Concurrent Resolution No. 4017. A concurrent resolution urging the Board of Higher Education of the State of North Dakota to require that married veterans be given priority in married housing at state colleges, universities, and technical and vocational schools.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

MOTION

Senator Litten moved that Senate Bills Nos. 2354 and 2371 be not printed by the printer, but that the Secretary of the Senate shall cause to have 250 copies of each bill reproduced, which motion prevailed.

IN HONOR AND MEMORY

Senator Litten moved that the Senate stand in silence for one minute in honor and memory of our last two remaining former United States Presidents, Harry Truman and Lyndon Johnson, keeping in mind the fact that they were two of the leading public servants in the United States in the last century, and the Senate stood for one minute in silence in honor and memory of Presidents Truman and Johnson.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2044, 2046, 2066, 2130, 2146, 2150, 2156, 2198, 2205, 2221, 2244 and 2252 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTEENTH DAY

Bismarck, January 3, 1973

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain Fred Schaffer, Awareness House, Bismarck.

"Almighty God, you have plans for us, and power to make them happen. Work with these your servants in this Senate, that they may have a sense of your mission and the strength and courage to fulfill it.

"O God, before whom generations rise and pass away; we praise you for your servants, Lyndon Johnson and Harry Truman in whose memory we have just stood, for the gift of their life and for the grace that you have given them. We thank you that for them death is past, pain is ended, and they have entered the joy you have prepared.

Amen."

Roll Call: All Senators present except Barth, Ringsak, Sands, Stroup and Tweten.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourteenth Day after recess and the Fifteenth Day and recommends that the same be corrected as follows: On page 201, line 16, from the top of the page, correct the spelling of the word "apportionment"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

MOTION

Senator Litten moved that the rules be suspended, that House Bill No. 1042 be placed on the Calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1042. A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code, and chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

Which has been read.

Senator Nothing moved that House Bill No. 1042 be amended as follows:

"On page 7, after line 28, insert the following: "part Burleigh"
Renumber the lines accordingly.

Which motion prevailed.

Senator Christensen moved that House Bill No. 1042 be further amended as follows:

On page 1, delete lines 10 through 14, and insert in lieu thereof the following:

"SECTION 1. STATE LEGISLATIVE APPORTIONMENT.) In order to provide equal representation to the citizens of this state in their state legislature each legislative district shall be entitled to no less than one senator and two representatives, provided further that those legislative districts having more than one senator and two representatives shall be subdivided into legislative subdistricts wherein each subdistrict shall be entitled to no more than one senator and two representatives. Those legislative districts, districts numbers 5, 18, 21, 29 and 30, that are required to be subdivided by the provisions of this Act shall be subdivided by the county auditor of the county which has its county seat located within the legislative district to be subdivided. Such subdivision shall conform to the principles established in determining the makeup of the legislative districts and each subdistrict shall be identified by combining the number of the legislative district

with a letter of the alphabet, and each such subdistrict shall be considered a separate district for political party purposes. The county auditor shall certify in writing the results of such subdivisions to the secretary of state within sixty days after the effective date of this Act. All senators and representatives shall be elected at the general election in 1974. The legislative districts of the state shall be formed as follows:"

And renumber the lines accordingly.

Which motion failed.

MOTION

Senator Nething moved that the rules be suspended, that House Bill No. 1042 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

PERSONAL PRIVILEGE

Senator Nething: Mr. President. I rise on a point of personal privilege.

Mr. President: State your privilege, Senator Nething.

Senator Nething:

"Reapportionment became a matter for legislation consideration as a result of a federal court order dated May 22, 1972, wherein the court said that the 1965 Legislative Reapportionment plan for the State of North Dakota no longer met constitutional standards in light of the 1970 census statistics. The court then determined that they would reapportion the legislative districts in compliance with the requirements of the equal protection clause of the 14th Amendment of the United States Constitution in time to be effective for the 1972 Primary and General elections. It is this plan which determined the make-up of this 43rd Legislative Assembly.

"There were several significant things said in that opinion and order. The court spoke to the matter of the air bases located at Minot and Grand Forks, and recognized that the interests of those persons residing on the air bases were more closely in line with urban rather than with rural interests and therefore, included these populations with the nearby urban district. The court also spoke to the matter of multi-member districts and quoted the Connor V. Johnson decision as follows: 'When District Courts are asked to fashion apportionment plans, single member districts are preferable to large multi-member districts as a general matter.' It should be pointed out that one of the district judges objected to this case being quoted contending that it related to a specific factual racial situation in Mississippi that was not applicable to North Dakota. He further said that where there has been no showing that such districts in North Dakota operate to dilute or cancel the voting strength of racial or political groups, it would not be improper for this court to permit their continuation.

"The court also spoke to the matter of the term of office for Senators. The court said that in the event that we hereafter adopt a different plan of reapportionment which substantially changes the boundaries of legislative districts, it may be necessary to require that all state Senators stand for election in 1974, as was the case in the reapportionment plan as a result of the Paulsen - Meier decision in 1965.

"Another of the particular areas noted that should be brought to your attention was that the court said in their meetings and discussions of proposals for reapportionment, they were favorably impressed with the plan proposed by Mr. Thomas K. Ostensen, one of the masters, and they referred to this plan as the Ostensen Plan. They directed the special masters to give this plan further study and to report their recommendations to the court. In instructing the special masters to give additional consideration to creating legislative districts along the lines of the Ostensen Plan,

the court said the boundaries should remain as compact as possible while taking into account ease of travel within each district as well as the substantial identity of economic and social interest among its inhabitants. They went on to add that the guiding principle of this study will be the requirements of the equal representation mandated by the 14th Amendment to the United States Constitution. The masters were also directed to modify the Ostensen Plan so as to eliminate the existing multi-member senate districts by creating senate districts as sub-districts, each of which will be represented by a single Senator and two House members in the North Dakota Legislative Assembly. Other items of particular note in the opinion is that the current five multi-member legislative districts were created by the federal district court in the 1965 Paulson - Meier decision and not by enactment of the Legislative Assembly. In view of the Connor V. Johnson decision, the court stated that it believes that it would be improper for this court to permit their continuation in a court fashioned plan. The court said we approved the Dobson Plan Reapportionment at this time for the 1972 election only but the court would retain jurisdiction of this cause for the purpose of adopting a different plan of reapportionment which would not be hampered by considerations of the impending elections.

"In view of the 1972 decision, it has been necessary for your joint committee on reapportionment to study and review what criteria must be followed in fashioning a reapportionment plan by the legislature so as it will in all probability meet with the court approval. All legal testimony at our hearing and individual research have led to the conclusion that the courts primary concern is equal representation and everything else must subordinate itself to the one-man, one-vote concept. The courts have apparently taken the position and their rule now is that there will be no variation without justification. Along that line it has been determined that the court will not demand mathematical exactness. It is important for the areas to be compact, and to have a common interest which may include business or economic interests. In a state such as ours in addition to those criteria, your committee has paid attention when possible to considering school district boundaries and social areas of interest as a proper criteria also. We also gave attention to the court statement regarding their recognition that the interests of persons residing on the air bases were more closely aligned with urban rather than rural interest.

"Now in this background, what really does House Bill No. 1042 provide? Each of you have a map of the reapportionment plan and are quick to observe that it consists of 37 districts and provides for the election of 50 Senators and 100 Representatives. It carries with it a deviation from the factor of one Senator and two House members for each 12,355 people to a plus 3.3 variation above that figure and a minus 3.5 figure below it. In looking at your amendments to the bill you will note that the highest deviation comes in the 31st Legislative District and the lowest comes in the 33rd Legislative District. You might be interested in observing that we have seven legislative districts which lie west of the Missouri River and that in all but two of these districts, they all have a very strong common community of interest. However, it then becomes necessary to take into consideration the ease of travel within each district as well as the social interests among its inhabitants. For that reason we have determined the boundary lines as they are currently before you in this reapportionment proposal. The two exceptions in the west river area wherein there lies a distinction is the 36th Legislative District which is the City of Dickinson which stands by itself in proportion to a one-man one-vote concept. The second area is in the 31st Legislative District wherein the City of Mandan is not quite large

enough to stand by itself and needs to have population added to it. For this reason the district was extended to include the township of Engelter, which also includes the City of New Salem. From the testimony we received and the opinions offered, it was felt this township had much more common identity in its social and economic interest in being part of the district with the City of Mandan, their county seat, than it would elsewhere. To add them to the 32nd District would increase that variation from the near perfect ratio that is provided. To add Engelter Township to the 33rd District would increase their deviation to about +5 and decrease the 31st to about -4.7. In addition, this change would also place the township in another county when in fact they are in close proximity to their own county seat. At the same time the rural area south of the City of Mandan fits very well with the 32nd Legislative District, because of social and economic interest, and the rural area north of Mandan fits very well with the 33rd Legislative District for the same reasons. We feel that we have complied with the requirement that while mathematical exactness is not demanded, it must be justified and in arriving at the deviations that we have, it can be justified in each instance and particularly with these districts which lie west of the Missouri River. Another very interesting point of this legislative reapportionment plan is that it keeps intact 37 counties' lines. We feel this also falls in line with the recommendation of not only our federal court but with other court opinions also.

"We next come to the subject of multi-member districts. It is my personal view and I believe the views of the committee members, as well as many of those who testified, that we are not simply talking multi-senate districts, but we are talking multi-member districts because the same arguments pro and con would apply to each House. There were two reasons why the majority of your Committee did not recommend adopting multi-member districts. As stated to you earlier, the federal court did state that when district courts are asked to fashion reapportionment plans, single member districts are preferable to large multi-member districts as a general matter. Our Governor made this same quotation in his message to the legislature. However, Justice Black with whom Chief Justice Berger and Justice Harlan agreed, filed a dissenting opinion in the Connor case and stated that the abrupt order by the court is all the more astounding since this court has consistently approved multi-member districts for state legislatures. They then went on to cite the *Burnett v. Davis* case 382 U. S. 42 (1965); *Fortson v. Dorsey* 379 U. S. 433, (1965), and *Burns v. Richardson*, 384 U. S. 73, (1966) cases. After reading these cases, it appears that the distinction lies in who does the reapportioning as to which principle will apply. In view of the Connor's case, the Supreme Court is telling us that if it is necessary for the Federal Court to reapportion, they will give preferable consideration to single-member districts over large multi-member districts as a general matter. On the contrary, it is contended that the three cases cited, that when the legislature reapportions themselves, they may, if they see fit in their wisdom, provide for multi-member districts. This is exactly what the majority of your Committee is recommending to you. I earlier quoted to you the objection to the portion of the current federal court decision which discussed the matter of multi-member districts. I repeat it to you again, because that particular case — the Connor decision, did relate to a specific factual racial situation in Mississippi that is not applicable to North Dakota. The dissent also said that where there has been no showing that such districts in North Dakota operate to dilute or cancel the voting strength of racial or political groups, it would not be improper for this court to permit their continuation. Now, ladies and gentlemen of the Senate, I submit to you and the testimony and the records are all open for any of you

to check, there has not been any showing to this committee, nor to my knowledge been any showing to any court in North Dakota, that multi-member districts in North Dakota operate to dilute or cancel the voting strength of racial or political groups. Actual proof of this lies in the 5th Legislative District and the 18th Legislative District, wherein both parties have elected members of the minority to the legislature during the 1972 election. Another multi-member district, the 29th Legislative District, did not have a legislator member from the minority party this time but they did the last, and while the 32nd and 21st Legislative Districts do not have members of the minority party serving at this time, it is pure conjecture to speculate that if they did have single member districts, that they would have legislators from the minority party. Now I have related to you only those districts which have multi-senators. Look at the House of Representatives wherein all districts are multi-member districts and then attempt to make a showing that multi-house districts have operated to dilute or cancel the voting strength of racial or political groups. In all of the testimony presented to the committee, there was no showing that is documented that this dilution has taken place; however, there was much in the line of projected theories to attempt to show that it was taking place, and the courts have held, and I quote from the *Burns v. Richardson* decision, 86 Supreme Court 1286 (1966), 'In relying on conjecture as to the effects of multi-member districting rather than the demonstrated fact, the court acted in a manner more appropriate to the body responsible for drawing up the districting plan. Speculations do not supply evidence that the multi-member districting was designed to have or had the invidious effect necessary to a judgement on the unconstitutionality of the districting.' Therefore, Mr. President, Ladies and Gentlemen of the Senate, your Committee had no evidence to base a determination on the approval or disapproval of the multi-member district and are therefore recommending to you this apportionment plan with all multi-member house districts and some multi-member senate districts.

"Now, in addition to the above reasoning for making no change regarding multi-member district, it should be pointed out to you, Ladies and Gentlemen of the Senate, that we do not have the proper census available to reapportion on a single-member district. This is true not only in several of the larger cities but it is also true in most of the rural areas. When the 1970 census was taken, enumerator districts were set up without regard to township boundaries and city block boundaries. Therefore, in order to have a true one-man one-vote concept to follow, it would be necessary to know exactly where the population is to comply with the reapportionment requirement.

"In conclusion, it is necessary that the question of the Governor's approval or disapproval, be presented to you. In the Governor's message to the Legislature on page four, he has spoken on the matter of reapportionment, and I have quoted these provisions earlier. There is one line in his remarks that I direct your attention to, and that is as follows: 'We should not wait for the courts to tell us to do that which we know is right.' Now our Governor has been a former legislator and he understands the prerogatives that exist in the Legislative Branch. When in addressing the Legislature he speaks of 'we acting,' I think it is a fair conclusion that he speaks of the legislature acting in its proper sphere, as well as the executive doing the same, and I also think that in making such a statement he is recognizing the prerogatives mentioned before. The reapportionment of the legislature is a duty of the legislature and no one else. The courts have said repeatedly that it is not for them to reapportion the legislature, but they enter the picture only when the legislature fails to do so. Frankly,

I don't think I can argue with their position and I don't think the Governor would argue with the position that it is a legislative duty and function. Some have questioned whether or not reapportionment should be attempted by a legislative bill which needs the Governor's approval to become law, or whether it should be by joint concurrent resolution which would then permit the legislature exclusive jurisdiction. I am inclined to believe that the best way to reapportion is to do it by bill because it shows a matter of confidence between the chief executive and the legislature, and I think this matter of confidence is important to be shown to the citizens of this state. There will be three options open to our Governor. First of all he may sign the bill at which time it will become law. Secondly, he may veto the bill and return it to the legislature to give them an opportunity to override his veto, or thirdly, he may not sign the bill and permit it to become law without his signature. Should the Governor choose this last route, he is truly recognizing the legislative prerogatives in reapportionment."

Senator Litten moved that Senator Nething's remarks be printed in the Journal, which motion prevailed.

PERSONAL PRIVILEGE

Senator Christensen: Mr. President. I rise on a point of personal privilege.

Mr. President: State your privilege, Senator Christensen.

Senator Christensen:

"Joint Committees of the Legislative Assembly are a new tool designed to expedite the legislative process. Such a Committee was established to study legislative reapportionment.

"The Committee took a Legislative Council plan that had been worked on and studied for several months. About the only resemblance the plan before uses today and the Council plans have, are that they both contain 50 Senators and 100 House members. Ladies and Gentlemen of the Senate, on a quick examination, only 11 of the 37 districts remain the same as those submitted by the Legislative Council in its recommendation to the Legislature.

"Mr. President, Ladies and Gentlemen of the Senate, I submit to you that this reapportionment plan will receive the same treatment that an Iowa plan received by the State's Supreme Court. It was ruled unconstitutional because the equality of population principle among legislative districts was diluted significantly for the unjustifiable purpose of:

- (a) protecting incumbents;
- (b) preserving present districts;
- (c) avoiding joining part of a rural county with an urban county;
- (d) establishing 'over-kill' districts for partisan advantage; and
- (e) insuring the passage of a reapportionment bill by the legislature.

"It was ruled unconstitutional since the legislature failed to enact apportionment plans available to it with districts substantially more equal in population.

"This bill was completely amended and gerrymandered in Joint Committee. It was passed under the guise of being a Legislative Council plan in the House of Representatives. There has been no public hearing, no communications with the citizens of North Dakota. The bill in its present form is bad. It's bad for political parties. It's bad for the image of the legislative process. It's bad for the citizens of North Dakota.

"We believe reapportionment is a legislative responsibility. This

bill should be defeated in its present form so that we could go back to the Legislative Council plan. Let the people of North Dakota have their say and develop something sensible and reasonable."

Senator Rait moved that Senator Christensen's remarks be printed in the Journal, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sandness
Butler	Jones	Nething	Schultz, J.
Coughlin	Kautzmann	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Holand	Melland	Roen	Wright
Iszler	Naaden		

Those voting in the negative were:

Berube	Hoffner	Mutch	Schultz C.
Christensen	Larson	Rait	Shablow
Erdman	Morgan	Redlin	Smykowski
Gronhovd			

Absent and not voting:

Barth	Sands	Stroup	Tweten
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So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

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

Mr. President: State your privilege, Senator Hoffner.

Senator Hoffner:

"We have just witnessed a history in the making. We have, this is something that has never been done in the history of North Dakota in the Legislature. We have seen a joint committee at hearings, Joint House and Senate Committee at hearings, one set of hearings on a very, very important issue, one of the most important issues that we have before us. We have seen joint action, joint committee action, now the time has come we no longer need two houses. I think the time in North Dakota has come and the majority party should recognize this and the people will recognize it, the time has come to go to a Unicameral system and have one house in the state of North Dakota."

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2045

Senate Bill No. 2055

Senate Bill No. 2113

Senate Bill No. 2126

Senate Bill No. 2135

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1032

House Bill No. 1128
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1012

House Bill No. 1091

House Bill No. 1093

House Bill No. 1129

House Bill No. 1132

House Bill No. 1141

House Bill No. 1162

House Bill No. 1179

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., January 24, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTEENTH DAY AFTER RECESS AND
SEVENTEENTH DAY

Bismarck, January 24, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, President Pro Tem Ringsak presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2004 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 4 delete the figure "1,621,682" and insert in lieu thereof the figure "1,527,425"

On page 2, line 5 delete the figure "1,059,480" and insert in lieu thereof the figure "1,037,880"

On page 2, line 10 delete the figure "2,956,542" and insert in lieu thereof the figure "2,840,685"

On page 2, line 12 after the word "PLANNING" delete the word "AGENCT" and insert in lieu thereof the word "AGENCY"

On page 2, line 22 delete the figure "4,147,145" and insert in lieu thereof the figure "4,031,288"

On page 2, line 23 delete the figure "5,043,127" and insert in lieu thereof the figure "4,927,270"

An when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to reduce the Special Fund appropriation to Central Data Processing to reflect removal of a program from the Department of Public Instruction budget.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2016 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2093 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2180 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2201 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2209 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2210 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2218 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1018 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1024 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1047 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1056 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1106 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2079, 2081, 2108, 2152, 2178 and 2191 be dispensed with, which motion prevailed.

Senator Sandness moved that the amendments to Senate Bill No. 2079 as recommended by the Committee on State and Federal Government as printed on page 217 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2081 as recommended by the Committee on Judiciary as printed on pages 218, 219 and 220 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2108 as recommended by the Committee on Industry, Business and Labor as printed on page 220 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2152 as recommended by the Committee on Industry, Business and Labor as printed on page 220 of the Senate Journal be adopted, which motion prevailed.

Senator Sandness moved that the amendments to Senate Bill No. 2178 as recommended by the Committee on State and Federal Government as printed on page 220 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2191 as recommended by the Committee on Finance and Taxation as printed on page 221 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Goldberg moved that Senate Bill No. 2275 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Goldberg requested the unanimous consent of the Senate to withdraw Senate Bill No. 2275, which request was granted.

MOTION

Senator Lips moved that the Senate reconsider the action by which Senate Bill No. 2157 was indefinitely postponed, which motion prevailed.

Senator Lips moved that Senate Bill No. 2157 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

MOTION

Senator Roen moved that Senate Bill No. 2416 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Roen moved that Senate Bill No. 2416 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

MOTION

Senator Nething moved that Senate Bills Nos. 2400 and 2416 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Nething moved that Senate Bills Nos. 2400 and 2416 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

MOTION

Senator Ringsak moved that Senate Bill No. 2381 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Ringsak moved that Senate Bill No. 2381 be re-referred to the Committee on Judiciary, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2038

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2038

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2038

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

Senate Bill No. 2038

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2038

Was delivered to the Governor for his approval at the hour of 11:16 o'clock a.m., January 24, 1973.

SENATOR JACOBSON, Chairman

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2130

Senate Bill No. 2146

Senate Bill No. 2156

Senate Bill No. 2221

Senate Bill No. 2252

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

FIRST READING OF HOUSE BILLS

House Bill No. 1004. A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1012. A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1013. A Bill for an Act making an appropriation for defraying expenses of various departments and various divi-

sions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1048. A Bill for an Act to amend and reenact sections 12-47-30, 32-12-04, 37-14-08, 54-14-01, 54-14-02, 54-14-03, 54-14-03.1, 54-14-04, and 54-14-07 of the North Dakota Century Code, relating to the expense of transferring inmates to and from the state hospital, collection of judgments against the state, and the membership, powers, and duties, filing of claims, and approval or disapproval of claims by the state auditing board.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1067. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the extension of voting hours at township elections.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1077. A Bill for an Act to amend and reenact sections 16-04-17, 16-10-12.1, 16-11-12, 16-18-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to arrangement of names on ballots and voting machines, voting machines and poll clerks, instructions, advertisements and ballots posted in polling places, poll registers, and permitting electors to vote only for those for whom they are entitled to vote; and to repeal section 16-18-06.1 of the North Dakota Century Code, relating to general election, primary election, and absentee voting ballots for those authorized to vote in federal elections only.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1091. A Bill for an Act to create and enact section 43-23-11.1 of the North Dakota Century Code; and to repeal section 43-23-11 of the North Dakota Century Code; all relating to grounds for refusal, revocation and suspension of licenses, hearings, appeals and investigations by the state real estate commission.

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

House Bill No. 1093. A Bill for an Act to create and enact section 43-23-14.1 of the North Dakota Century Code and to repeal section 43-23-14 of the North Dakota Century Code; all relating to the handling of funds by real estate and mortgage brokers.

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

House Bill No. 1123. A Bill for an Act to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of school boards and to eliminate the unanimity requirement for hiring relatives to teach.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1129. A Bill for an Act to make public buildings and facilities accessible to, and usable by, the physically handicapped, and to repeal section 48-02-18 of the North Dakota Century Code, relating to public buildings.

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

House Bill No. 1132. A Bill for an Act to amend and reenact sections 6-06-12, 6-06-14, and 6-06-26 of the North Dakota Century Code, relating to membership officer, loan officer and declaration of dividends in credit unions.

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

House Bill No. 1141. A Bill for an Act to amend and reenact section 39-04-10.1 of the North Dakota Century Code, relating to a manufacturer's registration plate.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1157. A Bill for an Act to amend and reenact sections 37-03-07 and 37-03-08 of the North Dakota Century Code, relating to the purchase and disposal of military property.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1162. A Bill for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code, relating to the election of soil conservation district supervisors.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1168. A Bill for an Act to amend and reenact section 39-04-12 of the North Dakota Century Code, relating to the registration of a motor vehicle.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1179. A Bill for an Act to amend and reenact section 39-06-24 of the North Dakota Century Code, relating to the authority to cancel driver's licenses.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1184. A Bill for an Act to amend and reenact subsection 3 of section 41-08-02 of the North Dakota Century Code, relating to the definition of clearing corporation, and declaring an emergency.

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

House Bill No. 1187. A Bill for an Act to amend and reenact subsection 3 of section 39-22-09 of the North Dakota Century Code, relating to dealer registration of used motor vehicles.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1206. A Bill for an Act to amend and reenact section 54-17-05 of the North Dakota Century Code, relating to majority approval of acts approved or authorized by members of the industrial commission.

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

House Bill No. 1210. A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to salaries of elected state officials and providing an effective date.

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

House Bill No. 1222. A Bill for an Act to amend and reenact section 35-07-02 of the North Dakota Century Code, relating to the period for filing a threshing lien.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1236. A Bill for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to court order requirement in disposition and adjudication of a child.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3016. A Concurrent Resolution urging Congress to adopt the metric system for weights and measurements in the United States.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2044. A Bill for an Act to create and enact section 12.1-31-03 of the North Dakota Century Code, relating to sale of tobacco to minors and use of tobacco by minors; providing a penalty; and providing an effective date.

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, 14; absent and not voting 4.

Those voting in the affirmative were:

Berube	Kautzmann	Nasset	Roen
Christensen	Larson	Nething	Sandness
Erdman	Lee	Page	Solberg
Goldberg	Lips	Peterson	Strand
Gronhovd	Litten	Pyle	Strinden
Hoffner	Melland	Redlin	Thane
Holand	Mutch	Reiten	Tweten
Iszler	Naaden	Ringsak	Wenstrom
Jones			

Those voting in the negative were:

Anderson	Fritzell	Rait	Shablow
Butler	Goodman	Schultz, C.	Smykowski
Coughlin	Jacobson	Schultz, J.	Wright
Freed	Morgan		

Absent and not voting:

Barth	Longmire	Sands	Stroup
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So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

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

Mr. President: State your privilege, Senator Freed.

Senator Freed:

I am not seeking any political office but if someone should ever quote my vote on the last particular bill I would like the record to show that I am not in favor of smoking by minors. I believe it is a family affair.

SECOND READING OF A SENATE BILL

Senate Bill No. 2046. A Bill for an Act to create and enact section 12.1-01-05 of the North Dakota Century Code, providing that the state's criminal statutes shall have full force and effect within the territorial jurisdiction of home rule cities; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg

Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Ringsak	Wenstrom
Holand	Mutch	Roen	Wright

Absent and not voting:

Barth	Hoffner	Sands	Stroup
Coughlin	Longmire	Schultz, C.	

So the bill passed and the title agreed to.

PERSONAL PRIVILEGE

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

Mr. President: "State your privilege, Senator Litten."

Senator Litten:

"President Nixon has been successful in bringing peace with honor in Vietnam.

"In bringing peace, President Nixon is bringing to a conclusion a policy that he defined in a speech to the United Nations General Assembly on September 18, 1969.

"To bring peace in Vietnam, President Nixon several years ago began the Vietnamization program to make South Vietnam self-sufficient. As Vietnamization progressed, he started a regular program of disengagement and withdrawal of American troops. At the same time, intensive peace negotiations, both public and private, were in progress.

"Now it appears that we have reached not only **President Nixon's** objectives, not only **former President Johnson's** objectives, but also **our objectives . . . peace with honor in South Vietnam.**

"Peace is coming. His actions and success have been praised by the leadership of both political parties in Washington. I submit to you, Mr. President and Ladies and Gentlemen of the Senate, that we take time now to applaud the President for **taking the actions, bearing the burdens and proposing the programs** to begin the journey, for a Generation of Peace."

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

Senator Litten moved that after the reading of Senate Bills Nos. 2016, 2079, 2081, 2108, 2152, 2178, 2180, 2191, 2201, 2209, 2210, and House Bills Nos. 1018, 1024, 1047, 1056 and 1106 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SEVENTEENTH DAY

January 24, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Lester Soberg, United Church of Christ, Bismarck.

"Lord, we live in a confusing time when we must make important decisions of enduring consequence. We are beset by countless voices crying out, 'Do this!' and 'Do that!' These, as well as our personal biases and prejudices, stand in the way of our best judgments.

"Lord, give us the wisdom to cut through the fog of confusion and clamor, that we may see the truth you would have us serve, and give us the courage to act upon it, that out of our sincere efforts may come the greatest possible good for all your creatures.

"We thank you for the news of peace our president brought to us last evening, and rejoice in the promise it holds for the well-being of all involved.

"We pray that our national leaders may use this new opportunity to help create a world ethos where words like peace and freedom are not catch phrases to which we give exotic meanings, but represent our earnest efforts to provide the climate where true humanity might flourish.

"Drive all of us, Lord, whatever our place and station, to use whatever resources we have to further the prayer Jesus taught his apostles, 'thy kingdom come; thy will be done on earth as it is in heaven.' Amen."

Roll Call: All Senators present except Barth, Longmire, Sands and Stroup.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth Day after recess and the Sixteenth Day and recommends that the same be corrected as follows: On page 219, in line 11 from the bottom of the page, correct the spelling of the word "person"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2066. A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-05, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to the medical care provided under nonprofit medical service plans.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, C.
Butler	Jacobson	Nothing	Schultz, J.
Christensen	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch		

Absent and not voting:

Barth	Sands	Stroup	Tweten
Longmire			

So the bill passed and the title was agreed to.

Senate Bill No. 2130. A Bill for an Act to amend and reenact subsection 4 of section 49-18-01 of the North Dakota Century Code, relating to definitions of "agricultural carriers".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 201 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, C.
Butler	Jacobson	Nothing	Schultz, J.
Christensen	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch		

Absent and not voting:

Barth	Sands	Stroup	Tweten
Longmire			

So the bill passed and the title was agreed to.

Senate Bill No. 2146. A Bill for an Act to authorize the state park service to lease the Lewis and Clark public use development area and the Fort Stevenson public use development area from the army corps of engineers for twenty-five years and to make these areas part of the state park system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 201 and 202 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, C.
Butler	Jacobson	Nothing	Schultz, J.
Christensen	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch		

Absent and not voting:

Barth	Sands	Stroup	Tweten
Longmire			

So the bill passed and the title was agreed to.

Senate Bill No. 2150. A Bill for an Act to amend and reenact section 6-01-04 of the North Dakota Century Code, relating to powers and duties of the state banking board and state credit union board.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand

Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Barth	Longmire	Sands	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2156. A Bill for an Act to amend and reenact section 39-04-06 of the North Dakota Century Code, relating to motor vehicle registration fees paid by NSF checks; providing for the cost of collection.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 202 of the Senate Journal, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Berube	Iszler	Nothing	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Those voting in the negative were:

Freed	Morgan	Roen	Strinden
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Absent and not voting:

Barth	Longmire	Sands	Stroup
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Jones

So the bill passed and the title was agreed to.

Senate Bill No. 2198. A Bill for an Act to provide for an extension in the term of office of a member of the board of barber examiners; and to amend and reenact sections 43-04-04, 43-04-07, 43-04-34, and 43-04-42 of the North Dakota Century Code, relating to the board of barber examiners, compensation for the board, provision for re-examination of those who fail, and fees.

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, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Erdman	Kautzmann	Peterson	Strand
Freed	Larson	Pyle	Strinden
Fritzell	Lee	Rait	Thane
Goldberg	Lips	Redlin	Tweten
Goodman	Litten	Reiten	Wenstrom
Gronhovd	Melland	Ringsak	Wright
Hoffner	Morgan	Sandness	

Those voting in the negative were:

Coughlin	Page	Roen	Schultz, C.
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Absent and not voting:

Barth	Longmire	Sands	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2205. A Bill for an Act to amend and reenact section 65-07-01 of the North Dakota Century Code, to include self-employed persons and members of volunteer organizations, and sections 65-07-02 and 65-07-03 of the North Dakota Century Code, redefining insurance, and section 65-07-04 of the North Dakota Century Code to include self-employed persons and members of volunteer organizations under benefits.

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, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz C.
Butler	Jacobson	Nething	Schultz, J.
Christensen	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch		

Those voting in the negative were:

Strinden

Absent and not voting:

Barth	Longmire	Sands	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2221. A Bill for an Act to amend and reenact section 48-10-01 of the North Dakota Century Code, relating to the capitol grounds planning commission, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 202 of the Senate Journal, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sandness
Berube	Hoffner	Morgan	Schultz, C.
Butler	Holand	Nasset	Schultz, J.
Christensen	Jacobson	Nething	Shablow
Coughlin	Jones	Peterson	Smykowski
Erdman	Kautzmann	Pyle	Strand
Freed	Larson	Rait	Thane
Fritzell	Lee	Redlin	Tweten
Goldberg	Lips	Reiten	Wenstrom
Goodman	Litten	Roen	Wright

Those voting in the negative were:

Iszler	Naaden	Ringsak	Strinden
Mutch	Page	Solberg	

Absent and not voting:

Barth Longmire Sands Stroup

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

Senate Bill No. 2244. A Bill for an Act to prohibit referral sales, multilevel sales distributorships, and chain sales schemes, and to provide penalties for such sales.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Barth Longmire Sands Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2252. A Bill for an Act to amend and reenact sections 15-55-20 and 15-55-21 of the North Dakota Century Code, relating to the maintaining of financial records and expenses of revenue producing buildings, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 203 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Christensen	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Those voting in the negative were:

Butler

Absent and not voting:

Barth Longmire Sands Stroup

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

JOURNAL OF THE SENATE

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2086
Senate Bill No. 2127
Senate Bill No. 2153
Senate Bill No. 2171
Senate Bill No. 2179
Senate Bill No. 2204
Senate Bill No. 2206
Senate Bill No. 2225
Senate Bill No. 2229
Senate Bill No. 2238
Senate Bill No. 2261

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1025
House Bill No. 1051
House Bill No. 1052
House Bill No. 1075
House Concurrent Resolution No. 3005

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1042

Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1203
House Bill No. 1208
House Bill No. 1216
House Bill No. 1223
House Bill No. 1241
House Concurrent Resolution No. 3019
House Concurrent Resolution No. 3031

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

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

House Concurrent Resolution No. 3033

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1042.

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., January 25, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

SEVENTEENTH DAY AFTER RECESS
AND EIGHTEENTH DAY

Bismarck, January 25, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senators Shablow, Page and Wenstrom introduced:

Senate Concurrent Resolution No. 4018. A concurrent resolution urging the railroads serving North Dakota to use every means possible to provide an adequate number of boxcars and hopper cars in order that North Dakota farmers and grain shippers may market their products on a timely basis.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution No. 4018 be not printed as a bill, and not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Page No. 1

SENATE CONCURRENT RESOLUTION No. 4018

Introduced by Senators Shablow, Page and Wenstrom

1 A concurrent resolution urging the railroads serving North
2 Dakota to use every means possible to provide an adequate
3 number of boxcars and hopper cars in order that North
4 Dakota farmers and grain shippers may market their products
4a on
5 a timely basis.
6

7 WHEREAS, transportation is a vital segment of the
8 economy, and is important to the economic development of
9 North Dakota and the United States; and

10 WHEREAS, North Dakota is an agricultural state and ships
11 most of its production to markets outside of North Dakota; and

12 WHEREAS, the railroads move the major portion of North
13 Dakota's grain production to market; and

14 WHEREAS, shippers are experiencing a serious shortage of
15 railroad boxcars and hopper cars for the purpose of moving
16 North Dakota grain to market; and

17 WHEREAS, many grain elevators are filled to capacity and
18 cannot buy grain, and many grain shippers are already late in
19 shipping grain to market to meet contracts and could suffer
20 serious financial loss if their grain is not moved to market
21 quickly; and

22 WHEREAS, grain shippers and farmers desire, and should
23 be able to ship grain to market when it is at its highest price,

24 and our railroad transportation system should be able to pro-
24a vide

Page No. 2

1 an adequate number of boxcars and hopper cars to meet these
2 needs; and

3 WHEREAS, although the railroad industry has, on occasion,
4 done a commendable job in moving large volumes of grain to
5 market, the boxcar shortage has been in the last few months,
6 and continues to be extremely critical in many areas of the
7 state;

8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
8a OF THE

9 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES
9a CONCURRING

10 THEREIN:

11 That the Forty-third Legislative Assembly does hereby
12 urge the railroads serving North Dakota to use every means
13 possible to provide an adequate number of boxcars and hopper
14 cars in order that North Dakota farmers and grain shippers
15 may market their products on a timely basis; and

16 BE IT FURTHER RESOLVED, that the Interstate Commerce
17 Commission take any action necessary to ensure that an
18 adequate boxcar fleet is available to serve North Dakota, and
19 other grain-producing states as well; and

20 BE IT FURTHER RESOLVED, that the Forty-third Legis-
20a lative

21 Assembly hereby requests the United States Congress to investi-
22 gate immediately the railroad boxcar shortage problem and
23 adopt appropriate laws to help remedy chronic boxcar short-
23a ages

24 in North Dakota and in other midwest grain-producing states;
25 and

26 BE IT FURTHER RESOLVED, that copies of this resolution
27 be forwarded by the Secretary of State to the railroads
28 serving North Dakota, the Interstate Commerce Commission,
29 the North Dakota Public Service Commission, the United
29a States

30 Secretary of Agriculture, and to the North Dakota Congres-
31 sional Delegation.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4018. A concurrent resolution urging the railroads serving North Dakota to use every means possible to provide an adequate number of boxcars and hopper cars in order that North Dakota farmers and grain shippers may market their products on a timely basis.

Which has been read.

Senator Shallow moved that Senate Concurrent Resolution No. 4018 be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1203. A Bill for an Act to repeal sections 36-15-20 and 36-15-21 of the North Dakota Century Code, relating to brucellosis vaccination of calves.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1208. A Bill for an Act to amend and reenact section 11-27-09.1 of the North Dakota Century Code, as contained in section 6 of House Bill No. 1041 of the forty-third legislative assembly, relating to the allocation of federal payments for game and fish land among townships and school districts.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1216. A Bill for an Act to permit the state of North Dakota to transfer by deed and title, tract 01-119, river bed and accretion land along the west bank of the Missouri River.

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

House Bill No. 1223. A Bill for an Act to provide for a North Dakota Disaster Act, relating to the responsibility of the governor, creating a state division of disaster emergency services, and providing for coordination of activities relating to disaster prevention, preparedness, response and recovery; and to repeal chapter 37-17 of the North Dakota Century Code, relating to civil defense.

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

House Bill No. 1241. A Bill for an Act to create and enact sections 24-05-21 and 24-05-22 of the North Dakota Century Code, providing for the sufficient grading of the inslope of all roads and approaches which intersect with county and township roads and exceptions to the requirement.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3019. A concurrent resolution urging the merger of library facilities in certain cities and counties.

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

House Concurrent Resolution No. 3031. A Concurrent Resolution expressing the Forty-third Legislative Assembly's admiration for the late President Lyndon B. Johnson and expressing its sorrow at his death.

MOTION

Senator Litten moved that the rules be suspended, that House Concurrent Resolution No. 3031, as printed on pages 315 and 316 of the House Journal, be placed on the calendar for second reading and final passage.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3031. A Concurrent Resolution expressing the Forty-third Legislative Assembly's admiration for the late President Lyndon B. Johnson and expressing its sorrow at his death.

Which has been read.

Senator Litten moved that House Concurrent Resolution No. 3031 be adopted, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3033. A concurrent resolution commending President Richard M. Nixon upon the successful negotiation of a Vietnam peace, and expressing happiness of the Forty-third Legislative Assembly that the conflict is coming to an end.

Which was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that House Concurrent Resolution No. 3033, as printed on page 331 of the House Journal, be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3033. A concurrent resolution commending President Richard M. Nixon upon the successful negotiation of a Vietnam peace, and expressing happiness of the Forty-third Legislative Assembly that the conflict is coming to an end.

Which has been read.

Senator Litten moved that House Concurrent Resolution No. 3033 be adopted, which motion prevailed.

STATE OF NORTH DAKOTA

Executive Office

Bismarck

The Honorable Wayne G. Sanstead

President of the Senate

North Dakota State Senate

Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on January 22, 1973, I signed Senate Bill 2041.

Sincerely yours,
ARTHUR A. LINK
Governor

STATE OF NORTH DAKOTA

Executive Office

Bismarck

The Honorable Wayne G. Sanstead

President of the Senate

North Dakota State Senate

Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on January 24, 1973, I signed Senate Bill 2038.

Sincerely yours,
ARTHUR A. LINK
Governor

RECOGNITION

The President announced that Mr. C. P. Dahl, former Lieutenant Governor of the State of North Dakota, was in the chambers, and asked that the Senate recognize Mr. Dahl.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2049 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2132 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 insert beginning triple parentheses before word "a" and insert ending triple parentheses after word "a"

On page 1, line 12 after the third word "to" insert "an on site"

On page 1, line 18 after "a" insert "moving"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2133 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2197 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 of the engrossed bill after "magistrate" delete "including small"

On page 1, line 4 delete the words "claims court referees as magistrates,"

On Page 1, line 5 after "judges" delete "; and to" and insert in lieu thereof a period

On page 1, delete all of lines 6 and 7

On page 1, line 17 delete "small"

On page 1, delete all of line 18

On page 1, line 19 delete "bar,"

On page 2, line 6 delete "SMALL CLAIMS COURT REFEREES,"

On page 2, delete all of lines 20, 21 and 22

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2202 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2203 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2219 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the beginning triple parentheses before the word "from"

On page 1, line 13 insert beginning triple parentheses before the word "under"

On page 1, delete all of line 15

Renumber lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2222 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2235 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17, after the word "hundred" insert the following "and fifty"

On page 1, line 18, after the period insert beginning triple parentheses before "He"

On page 1, line 21, insert ending triple parentheses after the period.

On page 2, line 35, after the word "hundred" insert the following "and fifty"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2242 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2249 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2250 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2251 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion lost, and Senate Bill No. 2251 is placed on the calendar.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2253 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2266 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2267 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1115 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1174 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

MOTION

Senator Lips moved that Senate Bill No. 2251 be re-referred to the Committee on Appropriations, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2079

Senate Bill No. 2081

Senate Bill No. 2108

Senate Bill No. 2152

Senate Bill No. 2178

Senate Bill No. 2191

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

MOTION

Senator Butler moved that Senate Bill No. 2301 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Butler moved that Senate Bill No. 2301 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

MOTION

Senator Freed moved that Senate Concurrent Resolution No. 4003 be returned to the Senate from the Senate Rules Committee, which motion prevailed.

Senator Freed moved that Senate Concurrent Resolution No. 4003 be re-referred to the Committee on Judiciary, which motion prevailed.

MOTION

Senator Freed moved that Senate Concurrent Resolution No. 4010 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Freed moved that Senate Concurrent Resolution No. 4010 be re-referred to the Committee on Judiciary, which motion prevailed.

MOTION

Senator Goldberg moved that Senate Bill No. 2411 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Goldberg moved that Senate Bill No. 2411 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

MOTION

Senator Goldberg moved that Senate Bill No. 2276 be returned to the Senate from the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

Senator Goldberg requested the unanimous consent of the Senate to withdraw Senate Bill No. 2276, which request was granted.

MOTION

Senator Tweten moved that Senate Bill No. 2069 be returned

to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Tweten requested the unanimous consent of the Senate to withdraw Senate Bill No. 2069, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendment to Senate Bill No. 2004 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2004 as recommended by the Committee on Appropriations as printed on page 249 of the Senate Journal be adopted, which motion prevailed.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2004, 2049, 2203, 2222, 2242, 2249, 2250, 2253, 2266, 2267, and House Bill No. 1174 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

EIGHTEENTH DAY

January 25, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Charles Hill, United Church of Christ, Bismarck.

"Father: We thank thee for these thy servants who have accepted the responsibility of government. We ask for them skill and strength to do the task assigned. May Thy Grace undergird their lives that they be able to meet every high resolve. We ask Thy Protecting Providence about them and their lived ones as they are so engaged.

"We ask Thee to bless our country and our state. To bless the family of President Johnson at this time. Grant unto us to be worthy of these days, in Christ Name we pray. Amen."

Roll Call: All Senators present except Barth, Roen and Sands.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixteenth Day after recess and the Seventeenth Day, and finds the same correct.

SENATOR THANE, Chairman

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

MOTION

Senator Kautzman moved that Senate Bill No. 2152 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

MOTION

Senator Stroup moved that Senate Bill No. 2178 be re-referred to the Committee on State and Federal Government, which motion prevailed.

MOTION

Senator Stroup moved that Senate Bill No. 2180 be re-referred to the Committee on State and Federal Government, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2016. A Bill for an Act making an appropriation to the Social Services Board for the purpose of making payments to all welfare recipients and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting 4.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Schultz, C.
Berube	Jacobson	Naaden	Schultz, J.
Christensen	Jones	Nasset	Shablow
Coughlin	Kautzmann	Nothing	Smykowski
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand			

Those voting in the negative were:

Butler Pyle

Absent and not voting:

Barth Roen Sands Strand

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

Senate Bill No. 2079. A Bill for an Act to create and enact section 54-46-08.1 of the North Dakota Century Code, relating to the transfer of records to the state historical society.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 217 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sandness
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Smykowski
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Redlin	Tweten
Gronhovd	Melland	Reiten	Wenstrom
Hoffner	Morgan	Ringsak	Wright
Holand			

Absent and not voting:

Barth Roen Schultz, C. Solberg
Coughlin Sands

So the bill passed and the title was agreed to.

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 53-02-01, 53-02-02, 53-02-03, 53-02-05, 53-02-08, and 53-02-09 of the North Dakota Century Code, to provide a definition of music festivals, to require a permit for a music festival, to provide who shall issue a permit, to provide who may make application for a permit, to require a law enforcement officer to be present at such festivals, to provide for refusal and revocation of a permit for cause, and to except places of public lodging from certain requirements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

pages 218, 219, 220 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting 5.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Schultz, C.
Berube	Jones	Nasset	Schultz, J.
Christensen	Kautzmann	Nothing	Shablow
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goldberg	Litten	Rait	Stroup
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten
Hoffner	Morgan	Ringsak	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler			

Those voting in the negative were:

Smykowski

Absent and not voting:

Barth	Coughlin	Roen	Sands
Butler			

So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that Senate Bill No. 2081 be re-printed, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2108. A Bill for an Act to amend and reenact 34-13-13 of the North Dakota Century Code, regulating and not prohibiting contracts between applicants for employment and employment agencies or agents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 220 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Sandness	Wright

Absent and not voting:

Barth	Roen	Sands
-------	------	-------

So the bill passed and the title was agreed to.

Senate Bill No. 2191. A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of clothing and wearing apparel sold to Minnesota residents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 221 of the Senate Journal, the roll was called and there were ayes, 23; nays, 24; absent and not voting 4.

Those voting in the affirmative were:

Anderson	Hoffner	Peterson	Schultz, J.
Butler	Jones	Pyle	Shablow
Christensen	Kautzmann	Rait	Tweten
Fritzell	Lee	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Schultz, C.	

Those voting in the negative were:

Berube	Jacobson	Naaden	Smykowski
Coughlin	Larson	Nasset	Solberg
Erdman	Lips	Nothing	Strand
Freed	Litten	Page	Strinden
Holand	Morgan	Ringsak	Stroup
Iszler	Mutch	Sandness	Thane

Absent and not voting:

Barth	Goldberg	Roen	Sands
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So the bill was declared lost.

Senate Bill No. 2201. A Bill for an Act to amend and reenact subsection 5 of section 57-39.2-04 of the North Dakota Century Code, relating to the sales tax exemption upon the sale of books and school supplies to nonprofit institutions of higher learning.

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 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Absent and not voting:

Barth	Goldberg	Roen	Sands
-------	----------	------	-------

So the bill passed and the title was agreed to.

Senate Bill No. 2209. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to the membership of the district executive committee of each political party.

Which has been read.

MOTION

Senator Larson moved that Senate Bill No. 2209 be re-referred to the Committee on Judiciary, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2210. A Bill for an Act to amend and reenact section 14-03-09 of the North Dakota Century Code, relating to who may perform marriages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz, C.	

Those voting in the negative were:

Peterson

Absent and not voting:

Barth	Roen	Sands
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1018. A Bill for an Act to amend and reenact section 4-09-20 of the North Dakota Century Code, relating to the processing of vouchers by the seed department.

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 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Sandness	Wright

Absent and not voting:

Barth	Roen	Sands
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So the bill passed and the title was agreed to.

House Bill No. 1024. A Bill for an Act to create and enact section 15-10-14.1 of the North Dakota Century Code; and to amend and reenact section 15-10-14, subsection 2 of section 15-10-17, and sections 15-10-25 and 15-52-09 of the North Dakota Century Code; and to repeal section 15-10-24 of the North Dakota Century Code, all relating to fiscal practices at institutions of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden

Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Those voting in the negative were:

Freed

Absent and not voting:

Barth Roen Sands

So the bill passed and the title was agreed to.

House Bill No. 1047. A Bill for an Act to provide that the office of the attorney general shall review each bill introduced during any session of the legislative assembly which provides for the sale or exchange of specific state-owned land, or for the purchase of specific land by the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 101 of the House Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sandness	Wright

Absent and not voting:

Barth Pyle Sands

So the bill passed and the title was agreed to.

House Bill No. 1056. A Bill for an Act to require the commissioner of insurance to formulate guidelines for use by state agencies, departments, offices, officers, boards, and commissions in determining insurable values of state-owned real and personal property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Barth Sands

So the bill passed and the title was agreed to.

House Bill No. 1106. A Bill for an Act to amend and reenact sections 19-01-01, 19-01-02, 19-01-03, 19-01-04, 19-01-06, 19-01-08, and 19-01-17 of the North Dakota Century Code, relating to the state laboratories commission and providing that the governor and the state laboratories department and its director assume the functions of the commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 13; nays, 36; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Shablow
Berube	Hoffner	Rait	Smykowski
Christensen	Larson	Redlin	Stroup
Erdman			

Those voting in the negative were:

Butler	Jones	Nasset	Schultz, C.
Coughlin	Kautzmann	Nething	Schultz, J.
Freed	Lee	Page	Solberg
Fritzell	Lips	Peterson	Strand
Goldberg	Litten	Pyle	Strinden
Goodman	Longmire	Reiten	Thane
Holand	Melland	Ringsak	Tweten
Iszler	Mutch	Roen	Wenstrom
Jacobson	Naaden	Sandness	Wright

Absent and not voting:

Barth Sands

So the bill was declared lost.

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2044

Senate Bill No. 2046

Senate Bill No. 2066

Senate Bill No. 2130

Senate Bill No. 2146

Senate Bill No. 2150

Senate Bill No. 2156

Senate Bill No. 2198

Senate Bill No. 2205

Senate Bill No. 2221

Senate Bill No. 2244

Senate Bill No. 2252

Senate Concurrent Resolution No. 4018

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3031

House Concurrent Resolution No. 3033

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE House Chamber

Mr. President: I have the honor to transmit herewith the fol-

lowing, which the House has passed and your favorable consideration is requested on:

House Bill No. 1060
House Bill No. 1107
House Bill No. 1113
House Bill No. 1122
House Bill No. 1146
House Bill No. 1154
House Bill No. 1158
House Bill No. 1169
House Bill No. 1244
House Bill No. 1246
House Bill No. 1269
House Bill No. 1274

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2052
Senate Bill No. 2064

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 12:30 p.m., January 26, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**EIGHTEENTH DAY AFTER RECESS
AND NINETEENTH DAY**

January 26, 1973

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2072 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, following the first comma, insert the numeral and comma "4-10.1-12,"

On page 1, line 6, following the word "growers", insert the words "and a referendum concerning same"

On page 1, line 7, following the comma, insert the following: "the definition of nonparticipating growers, providing for a refund referendum by growers,"

On page 1, line 9, following the first comma, delete the numeral and comma "4-10.1-12,"

On page 1, line 11, following the first comma, delete the words and comma "nonparticipating growers,"

On page 1, line 24, delete the comma and the word "except"

On page 2, line 1, delete the following words: "for potato flour or for potato starch"

On page 2, line 32, following the word "potatoes", insert the following words: "and may be inactivated or reinstated by referendum in the manner provided in section 4-10.1-12"

On page 3, delete lines 30 through 35

On page 4, delete line 1

On page 4, following line 1, insert the following:

SECTION 3. AMENDMENT.) Section 4-10.1-12 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-10.1-12. NONPARTICIPATING GROWERS - REFUNDS.) Growers may become nonparticipating growers and claim exemption from the provisions of this chapter. To claim exemption, a nonparticipating grower shall notify the council, in writing, on or before July fifteenth of each year, at the time of the initial report as provided in section 4-10.1-09 of his intention to not participate under the program and to claim refund of the taxes herein levied for that crop year. Such grower, if he has notified the council of his intention not to participate, as herein provided, shall be eligible between ((December first and December fifteenth))) **July first and July thirtieth** of each year, to claim a refund of the taxes paid ((in that))) for the preceding crop year, paid pursuant to this chapter. Upon the receipt of a claim for refund by personal letter from an eligible, nonparticipating grower, the council shall refund the taxes

paid in such crop year. After July 1, 1974, the council, upon receipt of a petition signed by twenty-five percent of the growers, may request a referendum to be conducted for discontinuance of the refunds provision of this act. The referendum will be conducted by mail ballot. The ballot shall be mailed at least two weeks prior to the date of election. If two-thirds of the growers voting on the question approve the change, the council shall certify to the commissioner that the refunds provision is null and void. Further, the refunds provision may be reinstated in the above manner.

On page 4, line 22, delete the first comma and the following numeral and comma: "4-10.1-12"

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2215 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman.

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2232 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2268 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2298 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2299 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1041 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1059 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1082 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Concurrent Resolution No. 3008 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2004

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2132, 2197, 2219, and 2235 be dispensed with, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2132 as recommended by the Committee on Transportation as printed on page 266 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Freed moved that Senate Bill No. 2197 be re-referred to the Committee on Judiciary, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2219 as recommended by the Committee on Judiciary as printed on page 267 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that the amendments to Senate Bill No. 2235 as recommended by the Committee on Political Subdivisions as printed on pages 267 and 268 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1060. A Bill for an Act to amend and reenact section 11-17-08 of the North Dakota Century Code, relating to the destruction of certain court records by clerks of court, and providing an exception.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1107. A Bill for an Act to amend and reenact section 40-24-10 and subsection 2 of section 40-61-10 of the North Dakota Century Code, relating to municipal bonds and debts being approved by boards of budget review, and to repeal chapter 40-41 of the North Dakota Century Code, relating to boards of budget review.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1113. A Bill for an Act to amend and reenact sections 14-08-07, 14-08-08, and 14-08-09 of the North Dakota Century Code, making it mandatory that all support payments be ordered

paid to the clerk of district court, authorizing the district courts to direct payments for child support or alimony combined with child support to the clerk of the district court of the county in which the recipient of such payments resides, empowering the court to transfer proceedings for enforcement of court ordered support duties to such other district court, omitting the requirement of consent for purposes of proceeding with enforcement of support payments, relating to duties of the county welfare board in relation to support payments, and relating to initiation of proceedings for enforcement of support orders.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1122. A Bill for an Act to amend and reenact section 35-27-25 of the North Dakota Century Code, relating to the length of time suit can be commenced to enforce a mechanic's lien.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1146. A Bill for an Act to amend and reenact sections 21-03-02 and 57-15-06 of the North Dakota Century Code, relating to bonds and tax levies for county agriculture and training schools, and to repeal Chapter 15-42 and sections 15-53.1-09 and 57-15-14.1 of the North Dakota Century Code, relating to county agricultural and training schools, classification of elementary school districts in counties in which county agriculture and training schools are located, and levies to support county agriculture and training schools.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1154. A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of the school board of a public school district.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1158. A Bill for an Act to amend and reenact section 15-38-09 of the North Dakota Century Code, relating to physical education instruction.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1169. A Bill for an Act to amend and reenact subsection 7 of section 39-12-04 of the North Dakota Century Code, to permit the use of wider vehicles on highways designated by the highway commissioner.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1244. A Bill for an Act to create and enact section 15-53.1-05.1 of the North Dakota Century Code, relating to school district boundary changes.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1246. A Bill for an Act to amend and reenact section 20.1-01-03 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to any action for damages for destruction of game.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1269. A Bill for an Act to amend and reenact sections 34-06.1-01, 34-06.1-02, and 34-06.1-03 of the North Dakota

Century Code, relating to prohibiting discrimination in employment because of race, color, religion, sex, or national origin.

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

House Bill No. 1274. A Bill for an Act relating to the establishment of guidelines for the management and use of investments held by educational, religious, or charitable institutions.

Which was read the first time and referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 2004. A Bill for an Act making an appropriation for defraying the expenses of various divisions thereof of the state of North Dakota and which are under the supervision of the director of accounts and purchases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 249 of the Senate Journal, the roll was called and there were ayes, 47; nays, 2; absent and not voting 2

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Izler	Nasset	Shablow
Berube	Jacobson	Nothing	Smykowski
Butler	Jones	Page	Solberg
Christensen	Larson	Peterson	Strand
Coughlin	Lee	Pyle	Strinden
Erdman	Lips	Rait	Stroup
Freed	Litten	Redlin	Thane
Fritzell	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch	Schultz, C.	

Those voting in the negative were:

Roen Sands

Absent and not voting:

Goldberg Kautzmann

So the bill passed and the title was agreed to.

Senate Bill No. 2049 (Alternative 3). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of criminal sexual offenses and providing penalties; to amend and reenact subsection 3 of section 12.1-16-01 of the North Dakota Century Code, as created by section 16 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, and subsection 1 of section 12.1-29-05 of the North Dakota Century Code, as created by section 28 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, relating to the felony-murder rule and to a definition of "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

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, 4; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Izler	Nothing	Schultz, C.
Barth	Jacobson	Page	Schultz, J.
Berube	Jones	Peterson	Shablow
Butler	Kautzmann	Pyle	Smykowski

Christensen	Larson	Rait	Solberg
Coughlin	Lee	Redlin	Strand
Erdman	Lips	Reiten	Strinden
Freed	Litten	Ringsak	Stroup
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Nasset		
Those voting in the negative were:			
Fritzell	Mutch	Naaden	Thane

Absent and not voting:

Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2203. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to movement of certain vehicles on the highways of this state and setting limitations

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, C.
Barth	Jones	Nothing	Schultz, J.
Berube	Kautzmann	Page	Shallow
Butler	Larson	Peterson	Smykowski
Christensen	Lee	Pyle	Solberg
Coughlin	Lips	Rait	Strand
Erdman	Litten	Redlin	Strinden
Freed	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten
Hoffner	Mutch	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler			

Those voting in the negative were:

Fritzell

Absent and not voting:

Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2222. A Bill for an Act to repeal section 5-01-07 of the North Dakota Century Code, relating to township beer and liquor licenses.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nothing	Solberg
Butler	Jacobson	Page	Strand
Christensen	Kautzmann	Peterson	Strinden
Coughlin	Larson	Pyle	Stroup
Freed	Lips	Rait	Thane
Fritzell	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright
Those voting in the negative were:			
Erdman	Mutch	Sands	Shallow
Jones	Naaden	Schultz, C.	Smykowski
Lee	Redlin		

Absent and not voting:

Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2242. A Bill for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code as amended by section 3 of chapter 493 of the 1971 Session Laws of North Dakota, relating to auditing of political subdivisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2249. A Bill for an Act to amend and reenact section 35-01-05.1 of the North Dakota Century Code, relating to security interests in motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2250. A Bill for an Act to amend and reenact section 39-24-02 of the North Dakota Century Code, relating to the registration and titling of snowmobiles.

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, 4; absent and not voting 0.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Coughlin	Kautzmann	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

Those voting in the negative were:

Christensen	Larson	Naaden	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2253. A Bill for an Act to amend and reenact subsection 1 of section 2-06-03 of the North Dakota Century Code, relating to the creation of a regional airport authority.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

Senate Bill No. 2266. A Bill for an Act to create and enact section 30-10-02.1 of the North Dakota Century Code, authorizing the appointment of a guardian of the person or estate of a competent person.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom

Hoffner Mutch Sandness Wright
 Holand Naaden

Absent and not voting:
 Coughlin

So the bill passed and the title was agreed to.

Senate Bill No. 2267. A Bill for an Act to amend and reenact section 23-17.2-06 of the North Dakota Century Code, relating to authority of the North Dakota state health council regarding certificates of need.

Which has been read.

MOTION

Senator Tweten moved that Senate Bill No. 2267 be re-referred to the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1174. A Bill for an Act to create and enact subsection 24 of section 4-09-01, and sections 4-09-11.1 and 4-09-11.2 of the North Dakota Century Code, relating to definitions and labeling requirements for flower, tree, and shrub seeds; and to amend and reenact subsection 15 of section 4-09-01, section 4-09-12, subsection 1 of section 4-09-14, and section 4-09-15 of the North Dakota Century Code, relating to definitions, invoices and records, prohibitions, and exemptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 165 of the House Journal, the roll was called and there were ayes, 50; nays, 1; absent and not voting 0.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litjen	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Those voting in the negative were:

Goldberg

So the bill passed and the title was agreed to.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2132, 2215, 2219, 2232, 2235, 2268, 2298, 2299, House Bills Nos. 1041, 1059, 1082, and House Concurrent Resolution No. 3008 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

NINETEENTH DAY

Bismarck, January 26, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain James Butler, First Presbyterian Church, Bismarck.

"First we would remember, Our Father, that to truly pray is to be alive to You, and humbled before You.

"Assaulted by noise and time and necessity, we come asking, not for the still small voice that comes after earthquake, wind and fire; but the firm presence and guidance You give in the midst of struggle and decision.

Extend to us, Your wisdom and Your mercy — we are men and not gods — forgive us for mistaken judgements, failure to understand, for tacit consent to what we knew was wrong. Remove the dead hard of the past, help us to begin anew.

"What history has unfolded before us this week; we would be participants, and not just spectators, of the divine drama. New leadership rises, past leadership is laid respectfully away; and we would better understand our own places as leaders and followers. Deeply grateful for news of peace; lead us to pursue the things that really make up peace, that we may be saved from destruction. Give us the long perspectives, not only of history, but also of faith; that we may enjoy Thy good things without complacency, and face the greatest problems without despair. Always may there be a guidance that says, "This is the way — walk ye in it." Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the seventeenth day after recess and the eighteenth day and recommends that the same be corrected as follows:

On page 265, in line 10 from the top of the page, correct the spelling of the word "coordination"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2016

Senate Bill No. 2079

Senate Bill No. 2081

Senate Bill No. 2108

Senate Bill No. 2201

Senate Bill No. 2210

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1018

House Bill No. 1024

House Bill No. 1047

House Bill No. 1056

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1106

House Bill No. 1115

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1010
House Bill No. 1072
House Bill No. 1104
House Bill No. 1109
House Bill No. 1120
House Bill No. 1126
House Bill No. 1144
House Bill No. 1148
House Concurrent Resolution No. 3015

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate adjourn until 1:00 p.m. January 29, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



NINETEENTH DAY AFTER RECESS
AND TWENTIETH DAY

January 29, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2007 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2196 has had the same under consideration and recommends that the same do pass.

SENATOR ANDERSON, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2216 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the numerals "50-26-01", insert the following: ", subsection 1 of section 50-26-02, and section 50-26-03"

On page 2, after the last printed sentence, insert the following: "**SECTION 2. AMENDMENT.**) Subsection 1 of section 50-26-02 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. In the fields of aging, employment of the handicapped, and children and youth, (((and related fields designated by the governor,))) to prepare for and perform follow-up duties in connection with state, regional, and national conferences; to encourage citizen interest, participation, and cooperation with state departments, agencies, and other organizations in developing needed services, facilities, and opportunities; and to provide consultant help to local organizations created for the purpose of coordinating activities in their respective fields.

SECTION 3. AMENDMENT.) Section 50-26-03 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-26-03. HUMAN RESOURCES COMMITTEES - ORGANIZATION - EXPENSES.) The governor's committees on aging, children and youth, and the employment of the handicapped (((and such other committees who have a related interest in human resources))), at their first meetings after July first of each year, shall elect from their executive committee membership a chairman and a vice

chairman. Every meeting of each committee shall be called by the chairman of such committee and shall be presided over by such chairman unless he is unable to act, in which case the vice chairman shall succeed to the powers and duties of the chairman. Each of the committee members shall be paid for all necessary mileage and other actual expenses incurred in the performance of their official duties as members of such committees in the same amount and in the same manner as other state officials are paid."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2255 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2280 has had the same under consideration and recommends that the same do pass.

SENATOR ANDERSON, Vice Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2290 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2291 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2292 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2321 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 11 after the ending triple parentheses delete the word "two" and insert in lieu thereof "three"

And when so amended recommends the same do pass.

SENATOR STRAND, Vice Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2387 has had the same under consideration and recommends that the same do pass.

SENATOR ANDERSON, Vice Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2401 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19 after the word "education" delete "opportunities" and insert in lieu thereof "opportunities"

And when so amended recommends the same do pass.

SENATOR STRAND, Vice Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2403 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1021 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted.

MOTION

Senator Hoffner moved that there be a Roll Call vote on House Bill No. 1021, which motion prevailed.

ROLL CALL

The roll was called and there were ayes, 27; nays, 21; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Jacobson	Rait	Schultz, J.
Barth	Jones	Redlin	Shablow
Berube	Kautzmann	Reiten	Strinden
Coughlin	Litten	Ringsak	Stroup
Freed	Naaden	Roen	Tweten
Goodman	Nasset	Sands	Wenstrom
Gronhovd	Nething	Schultz C.	

Those voting in the negative were:

Christensen	Lee	Mutch	Smykowski
Erdman	Lips	Page	Solberg
Fritzell	Longmire	Peterson.	Strand
Goldberg	Melland	Pyle	Thane
Hoffner	Morgan	Sandness	Wright
Iszler			

Absent and not voting:

Butler	Holand	Larson
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House Bill No. 1021 was indefinitely postponed.

MOTION

Senator Stroup moved that the Senate request the return of House Bill No. 1106 from the House, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 1106.

LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bill No. 2072 be dispensed with, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No.

2072 as recommended by the Committee on Agriculture as printed on pages 279 and 280 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2132

Senate Bill No. 2219

Senate Bill No. 2235

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Mutch and Naaden introduced:

Senate Concurrent Resolution No. 4019. A concurrent resolution urging the United States Congress to exercise its power, granted under Article 3, Section 2, of the United States Constitution to limit the jurisdiction of the Supreme Court.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1072. A Bill for an Act to amend and reenact section 16-20-17.1 of the North Dakota Century Code relating to political advertisements and the disclosure of the name and address of the sponsor.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1104. A Bill for an Act to amend and reenact subsection 1 of section 26-01-11 of the North Dakota Century Code, to provide for the exemption of considerations for annuities from the insurance premium tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1109. A Bill for an Act to amend and reenact section 65-05-21 of the North Dakota Century Code, changing the number of weeks of compensation paid to the widow.

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

House Bill No. 1120. A Bill for an Act to provide for the use of restitution as a sentencing alternative, providing guidelines for its use, and providing for termination of the effectiveness of this Act.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1126. A Bill for an Act to amend and reenact sections 15-40.2-01, 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to payment of tuition to an accredited institution of another state.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1144. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to annexation petition hearings.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1148. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts.

Which was read the first time and referred to the Committee on Education.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3015. A Concurrent Resolution commending President Richard M. Nixon for the increases during his administration in the prices of wheat, grain, and livestock, and for running an agricultural program with less governmental interference than in past administrations.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2132. A Bill for an Act to amend and reenact section 39-2014 of the North Dakota Century Code, relating to chemical screening tests.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 266 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Gronhovd	Mutch	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright

Absent and not voting:

Butler	Holand	Larson
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So the bill passed and the title was agreed to.

Senate Bill No. 2215. A Bill for an Act to amend and reenact section 40-24-10 and subsection 2 of section 40-61-10 of the North Dakota Century Code, relating to municipal bonds and debts being approved by boards of budget review, and to repeal chapter 40-41 of the North Dakota Century Code, relating to boards of budget review.

Which has been read.

MOTION

Senator Nothing moved that Senate Bill No. 2215 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

MOTION

Senator Nothing moved that House Bill No. 1107 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Nothing moved that House Bill No. 1107 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2219. A Bill for an Act to amend and reenact subsection 7 of section 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal investigation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 267 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright
Hoffner	Naaden	Sandness	

Those voting in the negative were:

Stroup

Absent and not voting:

Butler Holand Larson

So the bill passed and the title was agreed to.

Senator Litten moved that after the reading of Senate Bills Nos. 2007, 2072, 2196, 2255, 2280, 2291, 2292, 2387 and 2403 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTIETH DAY

Bismarck, January 29, 1973

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Peter Boe, Faith Lutheran Church, Bismarck.

"O Lord, our Creator and Provider, we humbly call upon you to preside over our hearts and to govern all our words and actions this day so that through our decisions the over-all welfare of the people of our state might be properly looked after and improved as your Will may dictate. We are grateful, O God, that we can pursue our responsibilities in the setting of good health, fine weather, and the dawn of the climate of peace in Viet Nam.

"Cause us to be serious and patient and thorough in the handling of all points and fine details — even of seemingly-trivial matters which may come to our attention — so that the seeds for other Viet Nams might never be sown by us, whether abroad or in our own neighborhood. Amen."

Roll Call: All Senators present except Butler, Holand and Larson.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the eighteenth day after recess and the nineteenth day and recommends that the same be corrected as follows:

On page 284, in line 22 from the top of the page, delete the number "6" and insert in lieu thereof the number "9"

On page 279, delete all of lines 29, 30 and 31 from the top of the page, and insert in lieu thereof the following:

"On page 2, line 32, following the word "potatoes" insert the following words: "and may be inactivated or reinstated by referendum in the manner provided in section 4-10.1-12"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2232. A Bill for an Act to amend and reenact section 4-22-17 of the North Dakota Century Code, relating to the filing of the nominating petition of a candidate for the office of soil conservation district supervisor.

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, 5.

Those voting in the affirmative were:

Anderson	Jones	Page	Schultz, J.
Barth	Kautzmann	Peterson	Shablow
Berube	Lee	Pyle	Smykowski
Christensen	Lips	Rait	Solberg
Coughlin	Litten	Redlin	Strand
Erdman	Longmire	Reiten	Strinden
Fritzell	Melland	Ringsak	Stroup
Goldberg	Morgan	Roen	Thane
Goodman	Mutch	Sands	Tweten
Gronhovd	Naaden	Sandness	Wenstrom
Iszler	Nasset	Schultz C.	Wright
Jacobson	Nething		

Absent and not voting:

Butler	Hoffner	Holand	Larson
Freed			

So the bill passed and the title was agreed to.

Senate Bill No. 2235. A Bill for an Act to amend and reenact section 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township supervisors, clerks, and treasurers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 267 and 268 of the Senate Journal, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Iszler	Nething	Schultz C.
Barth	Jones	Page	Shablow
Berube	Kautzmann	Peterson	Smykowski
Christensen	Lee	Pyle	Solberg
Coughlin	Lips	Rait	Strand
Erdman	Litten	Redlin	Strinden
Freed	Longmire	Reiten	Stroup
Fritzell	Melland	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Hoffner	Nasset		

Those voting in the negative were:

Jacobson	Schultz, J.
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Absent and not voting:
Butler Holand Larson

So the bill passed and the title was agreed to.

Senate Bill No. 2268. A Bill for an Act to amend and reenact sections 43-34-03, 43-34-05, and 43-34-10 of the North Dakota Century Code, relating to the licensing of nursing home administrators.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, J.
Barth	Jacobson	Nething	Shablow
Berube	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright
Hoffner	Naaden	Sandness	

Those voting in the negative were:
Schultz C.

Absent and not voting:
Butler Holand Larson

So the bill passed and the title was agreed to.

MOTION

Senator Morgan moved that Senate Bills Nos. 2298 and 2299 be re-referred to the Committee on Agriculture, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1041. A Bill for an Act to create and enact sections 4-01-17.1, 4-01-17.2, 4-01-17.3, 11-11-57, 11-11-57.1, 11-27-09.1, and title 20.1 of the North Dakota Century Code, relating to game, fish, predators, and boating; to amend and reenact sections 12-18-07 and 47-27-03 of the North Dakota Century Code, relating to laying out poison and forfeiture of hunting licenses; and to repeal title 20 and chapter 61-27 of the North Dakota Century Code, relating to game, fish, predators, and boating regulations.

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, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Schultz C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten

Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright

Those voting in the negative were:
Morgan

Absent and not voting:
Holand Larson

So the bill passed and the title was agreed to.

House Bill No. 1059. A Bill for an Act to amend and reenact subsection 10 of section 1-03-01 of the North Dakota Century Code, relating to Veterans Day.

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, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright
Hoffner	Naaden	Sandness	

Those voting in the negative were:
Butler Stroup

Absent and not voting:
Holand Larson

So the bill passed and the title was agreed to.

House Bill No. 1082. A Bill for an Act to amend and reenact section 11-19A-04 of the North Dakota Century Code relating to eligibility for the office of county coroner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Lee	Pyle	Solberg
Coughlin	Lips	Rait	Strand
Erdman	Litten	Redlin	Strinden
Freed	Longmire	Reiten	Stroup
Fritzell	Melland	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Hoffner			

Absent and not voting:
Holand Larson

So the bill passed and the title was agreed to.

**SECOND READING OF A
HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3008. A Concurrent Resolution urging that the United States Congress change Veterans Day back to November 11.

Which has been read.

Senator Ringsak moved that House Concurrent Resolution No. 3008 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return:

House Bill No. 1106

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Sandness moved that the Senate reconsider the action by which House Bill No. 1106 was indefinitely postponed, which motion failed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2004

Senate Bill No. 2049

Senate Bill No. 2203

Senate Bill No. 2222

Senate Bill No. 2242

Senate Bill No. 2249

Senate Bill No. 2250

Senate Bill No. 2253

Senate Bill No. 2266

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1174

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGES 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:

House Concurrent Resolution No. 3030

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2084

Senate Bill No. 2134

ROY GILBREATH, Chief Clerk

House Chamber

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

House Bill No. 1098

House Bill No. 1127

House Bill No. 1134

House Bill No. 1150

House Bill No. 1155

House Bill No. 1178

House Bill No. 1232

House Bill No. 1234

House Bill No. 1235

House Bill No. 1238

House Bill No. 1253

House Bill No. 1258

House Bill No. 1278

House Bill No. 1279

House Bill No. 1281

House Bill No. 1328

House Bill No. 1422

House Concurrent Resolution No. 3021

House Concurrent Resolution No. 3028

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., January 30, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTIETH DAY AFTER RECESS
AND TWENTY-FIRST DAY

Bismarck, January 30, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2035 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2047 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2048 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2085 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2107 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 12, delete the word "his"

On page 3, line 16, delete the word "his"

On page 5, line 2, after the word "FUND", insert the following:

"— PUBLIC HEARING REQUIRED"

On page 5, line 12, delete the comma after the word "county" and insert in lieu thereof a period, delete the remainder of the line, and insert in lieu thereof the following words: **"Prior to any actions on such proposals, the governing body shall hold a public hearing on the proposals. Notice of the hearing shall be published at least once, not less than six days prior to the hearing, in a news-**

paper of general circulation within the city or county. The governing body shall seek the advice and comment of the state library commission and the general public at the hearing. After such hearing, the"

On page 5, line 13, after the word "establish", insert the following words: "by resolution"

An renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2122 has had the same under consideration and recommends that the same do pass.

SENATOR REITEN, Vice Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2125 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the word "aesthetic"

On page 1, line 2, delete the words "commercial property and certain residential" and insert in lieu thereof the words "buildings and structures"

On page 1, line 3, delete the word "improvements"

On page 1, line 9, delete the word "CERTAIN"

On page 1, line 13, delete the words "aesthetic" and "commercial"

On page 1, line 14, delete the comma and the words "and the making of residential improve."

On page 1, line 15, delete the words "ments to meet minimum building codes"

On page 1, line 18, delete the word "DEFINITIONS" and insert in lieu thereof the words "IMPROVEMENTS DEFINED"

On page 1, line 18, delete the word "the" and insert in lieu thereof the word "this"

On page 1, line 19, delete the colon and insert in lieu thereof a comma and the word "improvement"

On page 1, line 20, delete the number, the punctuation, and the words "1. "Aesthetic improvement"

On page 1, line 20, after the last comma insert the word and comma "reconstruction,"

On page 1, line 21, delete the words "for the purpose of enhancing the beauty" and insert in lieu thereof the words "of a"

On page 1, delete line 22

On page 1, line 23, delete the comma and the words "but shall not mean measures"

On page 1, delete line 24

On page 2, delete lines 1 through 11

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

On page 2, line 15, delete the words "residential improvements" and insert in lieu thereof the words "an improvement"

On page 2, line 16, delete the word "CERTAIN"

On page 2 line 17, delete the words "Aesthetic improve-" and insert in lieu thereof the words "Improvements to property, as"

On page 2, delete line 18

On page 2, line 19, delete the words "as such terms are"

On page 2, line 20 delete the word "five" and insert in lieu thereof the word "three"

On page 2, line 28, delete the words "and the county auditor" and insert in lieu thereof ", prior to starting the construction,"

On page 2, line 32, delete the word "five" and insert in lieu thereof "three"

On page 2, line 34, delete the word "five" and insert in lieu thereof the word "three"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ANDERSON, Vice Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2144 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, delete the figure "80,000.00" and insert in lieu thereof the figure "108,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to provide additional funds for a deficiency in the current biennium of the Motor Vehicle Department which resulted from unanticipated postage rates and a prior budget error requesting rent for only one year of the current biennium in the previous budget request.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2175 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 1, delete "ten" and insert in lieu thereof "six"

On page 3, line 2, delete "false or"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2176 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REITEN, Vice Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2177 has had the same under consideration and recommends that the same be amended as follows:

On page 3a, line 18, insert triple parentheses around "or" and insert in lieu thereof a comma

On page 5, line 25, delete the triple parentheses around the word "monthly" and delete the word "periodic"

On page 5, at the end of line 29, insert the following:

"The tax commissioner, if he deems it necessary or advisable to ensure the payment of the tax imposed by this chapter, or if he deems it practical, may require returns and payments of the tax to be made for other than monthly periods."

On page 8, line 4, after "therein" insert the following:

"; provided that such dealer has storage facilities for a minimum of eight thousand gallons of motor vehicle fuel"

On page 8, line 17, delete the triple parentheses around the period and delete "; and"

On page 8, delete all of lines 18 through 21

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR ANDERSON, Vice Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2199 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2200 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2237 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2246 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2262 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2273 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2277 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2279 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REITEN, Vice Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2289 has had the same under consideration and recommends that the same do pass.

SENATOR REITEN, Vice Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2307 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2314 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2331 has had the same under consideration and recommends that the same do pass.

SENATOR REITEN, Vice Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2334 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2340 has had the same under consideration and recommends that the same do pass.

SENATOR REITEN, Vice Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2369 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2388 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4007 has had the same

under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR HOLLAND, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4008 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the word "requesting" and insert in lieu thereof the word "directing"

On page 1, line 2, after the word "to" delete the remainder of the line and insert in lieu thereof the following: "confer with appropriate agencies"

On page 1, line 18, after the comma, delete the remainder of the line and insert in lieu thereof the following: "the forty-third legislative assembly believes there are some lands whose economic value would be enhanced if used for scenic; archaeological, historic, recreational, conservational, or wildlife purposes."

On page 1, delete lines 19 and 20

On page 1, line 23, delete the word "urgently" and insert in lieu thereof the word "directed"

On page 1, delete line 24

On page 2, delete line 1

On page 2, line 2, delete the words "is also requested to give every consideration," delete the word "withholding" and insert in lieu thereof the word "withhold", after the word "sale" insert the words "only those", and after the word "lands" insert the word "which"

On page 2, line 3, delete the words "in areas of" and insert in lieu thereof the following: "the board, acting with the advice of other agencies, determines to have"

On page 2, line 7, after the word "Lands", insert the following: "and other state agencies"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2072

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2216, 2321 and 2401 be dispensed with, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 2216 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on pages 291 and 292 of the Senate Journal be adopted, which motion prevailed.

Senator Strand moved that the amendments to Senate Bill No. 2321 as recommended by the Committee on Education as printed on page 292 of the Senate Journal be adopted, which motion prevailed.

Senator Strand moved that the amendments to Senate Bill No. 2401 as recommended by the Committee on Education as printed on page 293 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1098. A Bill for an Act to create and enact section 44-08-04.1, relating to per diem allowance for long term travel status; to amend and reenact sections 44-08-04 and 44-08-05 of the North Dakota Century Code, relating to expenses and allowances for state officials and employees while performing duties away from their normal working and living residence; providing a penalty; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1127. A Bill for an Act to create and enact section 4-13-10.1 of the North Dakota Century Code, relating to the bonding of poultry dealers.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1134. A Bill for an Act to provide, a new award for the North Dakota national guard.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1150. A Bill for an Act making an appropriation to provide for the preparation, printing, and distribution of the North Dakota blue book.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1155. A Bill for an Act to amend and reenact section 39-04-10 of the North Dakota Century Code, relating to the registration of motor vehicles owned by amateur radio station operators.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1178. A Bill for an Act making an appropriation for the completion of an interpretive center at the Chateau de Mores, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1232. A Bill for an Act to amend and reenact section 27-05-03.1 and section 27-05-03.2 of the North Dakota Century Code, relating to retirement of supreme court judges and district court judges because of mental or physical disability.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1234. A Bill for an Act to amend and reenact section 39-20-13 of the North Dakota Century Code, relating to the release of the results of examinations of blood specimens by the state toxicologist, and declaring an emergency.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1235. A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, relating to the involuntary dissolution of public school districts located in more than one county, and declaring an emergency.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1238. A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the juris-

diction and regulation of the commissioner of insurance, providing for the issuance of process and jurisdiction of court proceedings, providing for reciprocal enforcement, and defining violations and providing a penalty.

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

House Bill No. 1253. A Bill for an Act authorizing the director of institutions to convey certain state land under the control and management of the Grafton state school to Grafton post no. 41 of the North Dakota department of the American legion.

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

House Bill No. 1258. A Bill for an Act to provide for a three day recession period on door-to-door sales; and providing a penalty.

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

House Bill No. 1278. A Bill for an Act to create and enact section 10-04-06.1 of the North Dakota Century Code, relating to suspension and revocation of exemptions; to amend and reenact subsection 12 of section 10-04-02 of the North Dakota Century Code, relating to the definition of security; to amend and reenact subsection 6 of section 10-04-05 of the 1971 Supplement to the North Dakota Century Code, relating to the exemption of certain securities from registration; to amend and reenact subsections 3, 4, 6, 8, and 9 of section 10-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to certain transactional exemptions from registration; to amend and reenact subsections 2 and 3 of section 10-04-07.1 of the 1971 Supplement to the North Dakota Century Code, relating to registration by announcement; and to repeal all of the language following subsection 12 of section 10-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to suspension and revocation of transactional exemptions.

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

House Bill No. 1279. A Bill for an Act to amend and reenact section 10-04-16 of the North Dakota Century Code, relating to orders, injunctions, and prosecutions for violations of Securities Act.

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

House Bill No. 1281. A Bill for an Act to amend and reenact sections 16-17-10 and 16-17-15 of the North Dakota Century Code, relating to adding a vice chairwoman as an officer of the district and state committees.

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

House Bill No. 1328. A Bill for an Act to amend and reenact section 12-46-04 of the North Dakota Century Code, relating to appointment and removal of officers at the state training school.

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

House Bill No. 1422. A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to state and political subdivision employee expense payments.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3021. A Concurrent Resolution to amend and reenact sections 56 and 67 of the Constitution of the State of North Dakota, relating to flexible sessions of the legislative assembly; and to repeal sections 55 and 60 of the Constitution of the State of North Dakota, relating to the sessions and procedures of the legislative assembly.

Which was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution No. 3028. A Concurrent Resolution urging the Director of Institutions to compare heating with lignite coal to heating with other fuels, and to urge the state agencies and departments controlling various state buildings and institutions, particularly the State Board of Higher Education and the Director of Institutions, to carefully consider returning to lignite coal as a primary heating fuel.

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

House Concurrent Resolution No. 3030. A Concurrent Resolution urging the National Water Commission to delete from the final draft of its proposed national water policy the conclusions and recommendations of the Iowa State University study which adversely affect agriculture and reclamation development.

Which was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that House Concurrent Resolution No. 3030, as printed on pages 377 and 378 of the House Journal, be not referred to a committee, but placed on the calendar for second reading and final passage, which motion failed.

House Concurrent Resolution No. 3030 was referred to the Committee on Natural Resources.

MOTION

Senator Litten moved that Senate Bill No. 2419 be not printed by the printer, but that the Secretary of the Senate shall cause to have 250 copies reproduced, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2007. A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

Which has been read.

MOTION

Senator Butler moved that Senate Bill No. 2007 be amended as follows:

On page 1, line 9, after the word "the" delete the words "state highway" and insert in lieu thereof the word "general"

Renumber the lines accordingly.

Which motion failed.

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, 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, J.
Barth	Jacobson	Nothing	Shablow
Berube	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup

Fritzell	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sandness	Wenstrom
Hoffner	Mutch	Schultz C.	Wright
Holand	Naaden		

Those voting in the negative were:

Butler Sands

Absent and not voting:

Goldberg Larson Roen

So the bill passed and the title was agreed to.

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

Senator Litten moved that after the reading of Senate Bills Nos. 2035, 2122, 2199, 2200, 2216, 2246, 2262, 2273, 2277, 2289, 2307, 2321, 2331, 2340, 2369 and 2401 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIRST DAY

Bismarck, January 30, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain H. E. Hendrickson, Trinity Lutheran Church, Bismarck.

"The Lord is our Shepherd — we really need.

He maketh us to lie down in pastures of abundance.

As we gaze at the rich pages of our past, we fear not the future.

Our Shepherd with the scale of Justice and the staff of Grace is with us.

"In this Chamber before this table, we pray that the overflowing cup of His concern may guide us to bring faces out of figures, bodies out of bills, and life out of legislation.

"Our prayer today is that when the days of this session are over, good thoughts will follow us all the days of our life and then may we hear the words of constituents of this state and the Shepherd of the universe say — 'well done — good and faithful Senator'. Amen."

Roll Call: All Senators present except Goldberg and Larson.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the nineteenth day after recess and the twentieth day and recommends that the same be corrected as follows:

On page 300, in line 18 from the top of the page, delete the number "7" and insert in lieu thereof the number "6"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2072. A Bill for an Act to create and enact a new subsection to section 4-10.1-03 of the North Dakota Century Code, relating to definitions and providing a definition of "designated handler"; to amend and reenact sections 4-10.1-09, 4-10.1-12, 4-10.1-14, and 4-10.1-16 of the North Dakota Century Code, relating to taxes imposed upon potato growers and a referendum concerning same, deleting the phrase "participating grower", the definition of nonparticipating growers, providing for a refund referendum by

growers, and substituting "designated handler"; and to repeal subsection 4 of section 4-10.1-03 and sections 4-10.1-11 and 4-10.1-13 of the North Dakota Century Code, relating to the definition of "participating grower", storage breakdown, and referendum by growers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 279 and 280 of the Senate Journal, the roll was called and there were ayes, 17; nays, 32; absent and not voting, 2.

Those voting in the affirmative were:

Christensen	Kautzmann	Morgan	Sandness
Goodman	Lips	Peterson	Schultz, J.
Gronhovd	Litten	Rait	Strand
Holand	Longmire	Redlin	Tweten
Iszler			

Those voting in the negative were:

Anderson	Goldberg	Nothing	Shablow
Barth	Hoffner	Page	Smykowski
Berube	Jacobson	Pyle	Solberg
Butler	Jones	Reiten	Strinden
Coughlin	Lee	Ringsak	Stroup
Erdman	Melland	Roen	Thane
Freed	Mutch	Sands	Wenstrom
Fritzell	Naaden	Schultz C.	Wright

Absent and not voting:

Larson Nasset

So the bill was declared lost.

Senate Bill No. 2196. A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries.

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, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz C.
Barth	Holand	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Stroup
Freed	Litten	Reiten	Thane
Fritzell	Longmire	Ringsak	Tweten
Goldberg	Melland	Roen	Wenstrom
Goodman	Morgan	Sands	Wright
Gronhovd	Mutch	Sandness	

Those voting in the negative were:

Iszler Strinden

Absent and not voting:

Larson Nasset

So the bill passed and the title was agreed to.

Senate Bill No. 2255. A Bill for an Act to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor fuel tax laws.

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, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Gronhovd	Mutch	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright

Those voting in the negative were:

Butler

Absent and not voting:

Jones Larson

So the bill passed and the title was agreed to.

Senate Bill No. 2280. A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the North Dakota Century Code, to provide for the inclusion of certain motor vehicles used in the business of a dealer within the definition of trade-in for purposes of determining the purchase price for excise tax purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Absent and not voting:

Larson Reiten

So the bill passed and the title was agreed to.

Senate Bill No. 2291. A Bill for an Act to repeal section 29-05-22 of the North Dakota Century Code, relating to involuntary waivers of preliminary examinations through posting of bond.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz C.
Barth	Iszler	Nothing	Schultz, J.

Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Larson

So the bill passed and the title was agreed to.

Senate Bill No. 2292. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to obtaining absentee voters' ballots.

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, 12; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, J.
Butler	Kautzmann	Page	Shablow
Coughlin	Lee	Peterson	Smykowski
Freed	Lips	Pyle	Solberg
Fritzell	Litten	Reiten	Strand
Goldberg	Longmire	Ringsak	Strinden
Goodman	Melland	Roen	Thane
Holand	Morgan	Sands	Wenstrom
Iszler	Mutch	Schultz C.	Wright
Jacobson	Naaden		

Those voting in the negative were:

Barth	Erdman	Nothing	Sandness
Berube	Gronhovd	Rait	Stroup
Christensen	Hoffner	Redlin	Tweten

Absent and not voting:

Larson

So the bill passed and the title was agreed to.

Senate Bill No. 2387. A Bill for an Act to amend and reenact section 57-40.3-09 of the North Dakota Century Code, relating to reciprocity given for taxes paid in another 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, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Larson

So the bill passed and the title was agreed to.

Senate Bill No. 2403. A Bill for an Act to amend and reenact 40-21-05 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks at municipal elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Larson

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

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

House Bill No. 1022

House Bill No. 1032

House Bill No. 1042

House Bill No. 1043

House Bill No. 1063

House Bill No. 1117

House Bill No. 1128

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

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 1022

House Bill No. 1032

House Bill No. 1042

House Bill No. 1043

House Bill No. 1063

House Bill No. 1117

House Bill No. 1128

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1022

House Bill No. 1032

House Bill No. 1042

House Bill No. 1043
House Bill No. 1063
House Bill No. 1117
House Bill No. 1128
Which the President has signed.

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. 2017
Senate Bill No. 2043
Senate Bill No. 2067
Senate Bill No. 2082

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 2017
Senate Bill No. 2043
Senate Bill No. 2067
Senate Bill No. 2082

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2017
Senate Bill No. 2043
Senate Bill No. 2067
Senate Bill No. 2082

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

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

Senate Bill No. 2017
Senate Bill No. 2043
Senate Bill No. 2067
Senate Bill No. 2082

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

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

House Bill No. 1188
House Bill No. 1215
House Bill No. 1250
House Bill No. 1252

House Bill No. 1260
 House Bill No. 1263
 House Bill No. 1283
 House Bill No. 1284
 House Bill No. 1319
 House Bill No. 1324

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2017
 Senate Bill No. 2043
 Senate Bill No. 2067
 Senate Bill No. 2082

Were delivered to the Governor for his approval at the hour of 2:45 o'clock P.M., January 30, 1973.

SENATOR JACOBSON, Chairman

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1021

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1106

Which the Senate failed to reconsider.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1041

House Bill No. 1059

House Bill No. 1082

House Concurrent Resolution No. 3008

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2132

Senate Bill No. 2219

Senate Bill No. 2232

Senate Bill No. 2235

Senate Bill No. 2268

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 1:00 p.m. January 31, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIRST DAY AFTER RECESS
AND TWENTY-SECOND DAY

Bismarck, January 31, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2002 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete all of line 32

On page 2, line 33 delete the figure "7,186,559" and insert in lieu thereof the figure "5,408,559"

On page 4, line 23 delete the figure "10,058,004" and insert in lieu thereof the figure "8,280,004"

On page 4, line 25 delete the figure "18,896,384" and insert in lieu thereof the figure "17,118,384"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to remove the Veterinary Science Building from this appropriation and encourage the Board of Higher Education to approve a priority for the construction of the building.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2034 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2059 has had the same under consideration and recommends that the same be amended as follows:

On page 2, at the end of line 6 insert the following new section:

"SECTION 3. LEGISLATIVE POLICY.) It is the purpose of this Act to identify ownership of mineral interest, particularly severed mineral interests, and to promote the general welfare and protect rights of property owners. It is not the intent of the legislature to raise revenue, but rather it is the intent of the legislature to discourage property owners from reserving mineral in-

terests and fragmenting the ownership of such mineral interests. The legislature recognizes that the ownership of mineral interests is becoming more obscure and further fractionalized with the passage of time. It is, therefore, in the public interest to identify and to clarify these interests, and to assure that exploration and development of mineral resources and natural resources will not be prevented by the existence of outstanding mineral estates whose owners have abandoned them or can no longer be located.

On page 2, line 7 delete "3" and insert in lieu thereof "4"

On page 2, line 9 delete "4" and insert in lieu thereof "5"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2074 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2121 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2157 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2212 has had the same under consideration and recommends that the same be amended as follows and be referred to the Committee on Appropriations:

On page 1, line 16, delete "ten" and insert in lieu thereof "sixteen"

On page 1, line 18, delete "ten" and insert in lieu thereof "sixteen"

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2220 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLLAND, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2257 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2259 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2265 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2269 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2296 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 after the word "repeal" delete "section" and insert in lieu thereof "sections"

On page 1, line 4 after the numerals "11-19A-09" insert "and 11-19A-17"

On page 2, line 23 after the parentheses delete "Section" and insert in lieu thereof "Sections" and after the numerals "11-19A-09" insert "and 11-19A-17"

On page 2 line 24 after the word "Code" delete "is" and insert in lieu thereof "are"

Re-number the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2303 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2308 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2311 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2317 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2336 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2342 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 5 after the word "tornado" insert the following: "and to repeal subsection 4 of section 57-02-11 of the North Dakota Century Code"

On page 1, line 15 insert beginning triple parentheses before the semicolon

On page 1, line 18 delete the beginning triple parentheses before "No"

On page 1, line 24 after the period insert the following new section:

"SECTION 2. REPEAL.) Subsection 4 of section 57-02-11 of the North Dakota Century Code in hereby repealed."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2357 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2360 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2364 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act, not applicable to banks and certain other financial businesses, in relation to the definition, licensing, and regulating of the business of selling, issuing or delivering checks, drafts, and money orders as a service or for a fee or other consideration; to provide for the licensing of such business; and to prescribe remedies and penalties.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. CITATION.) This Act may be cited as "The Sale of Checks Act."

SECTION 2. DEFINITIONS.) Terms used in this title are defined as follows:

1. "Person" shall mean any individual, partnership, association, joint stock association, trust, corporation or any other form of business enterprise, but does not include the government of the United States or North Dakota.
2. "State examiner" shall mean the commissioner of banking and financial institutions.
3. "Licensee" means a person duly licensed by the state examiner pursuant to this Act.
4. "Check" means any check, draft, money order, personal money order, or other instrument for the transmission or payment of money.
5. "Personal money order" means any instrument for the transmission or payment of money which is signed by the purchaser or remitter, whether or not he thereby appoints the seller of the money order as his agent for the receipt, transmission, or handling of money, and whether or not such instrument is also signed by some other person in addition to the purchaser or remitter.
6. "Sell" means to sell, to issue, or to deliver a check.
7. "Deliver" means to deliver a check to the first person who in payment for same makes or purports to make a remittance of or against the face amount thereof, whether or not the deliveror also charges a fee in addition to the face amount, and whether or not the deliveror signs the check.

SECTION 3. INAPPLICABILITY.) This Act shall not apply to banks, trust companies, building and loan associations, savings and loan associations, or credit unions, if organized under the laws of this state or the United States, or to the receipt of money by an incorporated telegraph company at any office or agency thereof for immediate transmission by telegraph. Nothing in this Act shall enlarge or diminish the rights, authorities and powers which the foregoing entities may otherwise have.

SECTION 4. LICENSE REQUIRED.) No person, except those specified in section 3 or agents of a licensee as specified in section 11, shall engage in the business of selling checks as a service or for a fee or other consideration without having first obtained a license hereunder. Any person engaged in said business on the effective date of this Act may continue to engage without a license therein until the state examiner shall have acted upon the principal's application for a license, provided that such application be filed within sixty days after the effective date of this Act.

SECTION 5. QUALIFICATIONS.) To qualify for a license hereunder an applicant shall meet the following requirements:

1. The applicant shall have a net worth of at least one hundred thousand dollars computed according to generally accepted accounting principles.
2. The financial responsibility, financial condition, and business experience, and character and general fitness of the applicant shall be such as reasonably to warrant the belief that applicant's business will be conducted honestly, carefully and efficiently. To the extent deemed advisable by the state examiner, the state examiner may investigate and consider the qualifications of officers and directors of an applicant in determining whether this qualification has been met.

SECTION 6. APPLICATIONS.) Each application for such a license shall be made in writing and under oath to the state examiner in such form as he may prescribe. The application shall state the full name and business address of:

1. The proprietor, if the applicant is an individual.
2. Every member, if the applicant is a partnership or association.

3. Every trustee and officer if the applicant is a trust.
4. The corporation and each officer and director thereof, if the applicant is a corporation.

SECTION 7. ACCOMPANYING FEE, STATEMENTS AND BOND.) Each application for a license shall be accompanied by:

1. An investigation fee of two hundred fifty dollars which shall not be subject to refund but which, if the license be granted, shall be in addition to license fee for the first license year or part thereof.
2. Financial statements reasonably satisfactory to the state examiner.
3. A surety bond issued by a company authorized to issue such bonds in this state, in the principal sum of one hundred thousand dollars and in an additional principal sum of five thousand dollars for each location in this state, in excess of one, through which the applicant proposes to sell checks as provided in section 11, but in no event shall the bond be required to be in excess of two hundred fifty thousand dollars. If the bond accompanying the application be in a principal sum of less than two hundred fifty thousand dollars, the application shall also be accompanied by a list of the locations through which the business is to be conducted in this state. The bond shall be in form satisfactory to the state examiner and shall run to the state for the protection and benefit of any claimants against the applicant or his agents to secure the faithful performance of the obligations of the applicant and his agents with respect to the receipt, handling, transmission and payment of money in connection with the sale of checks. The aggregate liability of the surety in no event shall exceed the principal sum of the bond. Such claimants against the applicant or his agents may themselves bring suit directly on the bond, or the attorney general may bring suit thereon in behalf of such claimants, either in one action or successive actions. The surety on the bond shall have the right to cancel such bond upon giving thirty days notice to the state examiner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation.
4. In lieu of such corporate surety bond or bonds, the applicant may deposit with the state examiner or with such bank as the state examiner may approve bonds, notes, debentures or other obligations of the United States or any agency or instrumentality thereof, or guaranteed by the United States, or of this state, or of a city, county, town, school district or instrumentality of this state, or guaranteed by this state, to an aggregate amount, based upon principal amount or market value, whichever is lower, of not less than the amount of the required corporate surety bond. The securities shall be deposited as aforesaid and held to secure the same obligations as would the surety bond, but the depositor shall be entitled to receive all interest and dividends thereon, shall have the right, with the approval of the state examiner, to substitute other securities for those deposited, and shall be required so to do on written order of the state examiner made for good cause shown.

SECTION 8. INVESTIGATION — GRANTING OF LICENSE.)

Upon the filing of an application in due form, accompanied by the fee and documents mentioned in section 7, the state examiner shall investigate to ascertain whether the qualifications prescribed by section 5 have been met. If he finds that such qualifications have been met, and if he approves the said documents and finds that

said bond or deposit is in the prescribed amount, he shall issue to the applicant a license to engage in the business of selling checks in this state.

SECTION 9. MAINTENANCE OF BOND OR SECURITIES.) After a license has been granted, the licensee shall maintain said bond or securities in the amount prescribed by section 7, as follows:

1. Each licensee who does not have on file or deposit a bond or securities, as aforesaid, in the undiminished principal sum of two hundred fifty thousand dollars, shall file quarterly reports with the state examiner setting forth the locations at which he sells checks in this state as of January 1, April 1, July 1, and October 1 in each year, the report for each such date being due on or before the fifteenth day thereafter. Within ten days following the filing of such a report, the principal sum of the bond or securities shall be increased to reflect any increase in the number of locations, and may be decreased to reflect any decrease in the number of locations.
2. If the state examiner shall at any time reasonably determine that the bond or securities aforesaid are insecure, deficient in amount, or exhausted in whole or in part, he may by written order require the filing of a new or supplemental bond or the deposit of new or additional securities in order to secure compliance with this Act, such order to be complied with within thirty days following service thereof upon the licensee.

SECTION 10. ANNUAL LICENSE FEE.) Each licensee shall pay to the state examiner annually on or before June 15 of each year a license fee of two hundred fifty dollars.

SECTION 11. AGENTS.) A licensee may conduct his business at one or more locations within this state through or by means of such agents as the licensee may from time to time designate and appoint, and such agents shall not be required to obtain a license under this Act; provided, however, that no agent shall at the same time be the agent of more than one person.

SECTION 12. LIABILITY OF LICENSEES.) Each licensee shall be liable for the payment of all checks which he sells, in whatever form and whether directly or through an agent, as the maker or drawer thereof according to the negotiable instrument laws of this state; and a licensee who sells a check, whether directly or through an agent, upon which he is not designated as maker or drawer shall nevertheless have the same liabilities with respect thereto as if he had signed same as the drawer thereof.

SECTION 13. DISCLOSURE OF RESPONSIBILITY.) Every check sold by a licensee, directly or through an agent, shall bear the name of the licensee clearly imprinted thereon.

SECTION 14. EXAMINATION OF BOOKS AND RECORDS.) The state examiner shall have the right, reasonably, to examine the books and records of any licensee operating in accordance with the provisions of this Act at such licensee's expense, and if it appears that such licensee's net worth is less than one hundred thousand dollars or that his financial affairs are unsound in such degree and manner as to affect the solvency of such licensee's operations, the state examiner is authorized to obtain a restraining order, or a temporary or permanent injunction without bond, in any court of competent jurisdiction to prevent such licensee, or any of his agents, from continuing in business.

SECTION 15. REVOCATION OF LICENSE — INVESTIGATIONS.) The state examiner may revoke a license on any ground on which he may refuse to grant a license or for violation of any provision of this Act. In furtherance of the foregoing, the state examiner, if he has reasonable cause to believe that the grounds for revocation exist, may investigate the business, books and records

of the licensee. The reasonable costs of an investigation hereunder shall be borne by the licensee.

SECTION 16. HEARINGS.) No license shall be denied or revoked except after a hearing thereon. The state examiner shall give the applicant or licensee at least twenty days written notice of the time and place of such hearing by certified mail addressed to the principal place of business of such applicant or licensee. Any order of the state examiner denying or revoking such license shall state the grounds upon which it is based, shall not be effective until twenty days after written notice thereof has been sent by certified mail to the applicant or licensee at such principal place of business, and shall be subject to judicial review.

SECTION 17. PENALTY.) Any person who shall violate any provision of this Act shall be guilty of a misdemeanor and shall be punished by fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or both such fine and imprisonment.

SECTION 18. SAVINGS CLAUSE.) If any section, sentence, or clause of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act.

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REITEN, Vice Chairman

Senator Reiten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2378 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2382 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2321

Senate Bill No. 2401

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2107, 2125, 2144, 2175, 2177, and Senate Concurrent Resolution No. 4008 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2107 as recommended by the Committee on Education as printed on pages 303 and 304 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Hoffner moved that Senate Bill No. 2107 be further amended as follows:

"On page 7, line 1, after the word "alternative" delete ", upon approval of the state library commission"

Renumber the lines accordingly.

Which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Anderson moved that the amendments to Senate Bill No. 2125 as recommended by the Committee on Finance and Taxation as printed on pages 304 and 305 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2144 as recommended by the Committee on Appropriations as printed on page 305 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2175 as recommended by the Committee on Finance and Taxation as printed on page 305 of the Senate Journal be adopted, which motion prevailed.

Senator Anderson moved that the amendments to Senate Bill No. 2177 as recommended by the Committee on Finance and Taxation as printed on pages 305 and 306 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution No. 4008 as recommended by the Committee on Natural Resources as printed on page 308 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Butler moved that Senate Bill No. 2110 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Longmire requested the unanimous consent of the Senate to withdraw Senate Bill No. 2110, which request was granted.

FIRST READING OF A SENATE RESOLUTION

Senator Jones introduced:

Senate Resolution No. 4. A resolution commending Dagny Olson on her years of service as desk reporter for the North Dakota Senate, and wishing her well in her future activities.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Resolution No. 4 be not printed as a bill, and not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

SENATE RESOLUTION NO. 4

Introduced by Senator Jones

1 A resolution commending Dagny Olson on her years of service
1a as desk
2 reporter for the North Dakota Senate, and wishing her well in her
3 future activities.

4

5 WHEREAS, to paraphrase Ralph Waldo Emerson, an institution
6 is the lengthened shadow of one woman, so Dagny Olson became
6a an

7 institution in the annals of North Dakota legislative history

7a through

8 her service during eleven consecutive regular sessions and one

8a special

9 session of the Legislature as Senate Desk Reporter, beginning

9a with the

10 1951 Legislature, and concluding with the 1971 Legislature; and
 11 WHEREAS, during these years of service to the State of North
 12 Dakota, she was the quintessential desk reporter, carrying out
 12a her
 13 duties with an efficiency, dispatch, and ability beyond compare;
 13a and
 14 WHEREAS, through her years of service she accumulated a
 14a vast
 15 reservoir of knowledge of matters legislative which she used to
 15a assist
 16 legislators and to keep the legislative processes moving smoothly
 16a and
 17 steadily; and
 18 WHEREAS, this native of Benson County has a distinguished
 18a record
 19 of accomplishments which includes, but which is not limited to,
 19a the
 20 past chairmanship of the Governor's Commission on the Status
 20a of Women;
 21 the past presidency of the North Dakota Federation of Republican
 21a Women;
 22 the North Dakota Association of Shorthand Reporters; and the
 22a North
 23 Dakota Federation of Business and Professional Women's Clubs;
 23a and
 24 past national legislative chairwoman of the BPW; and

Page No. 2

1 WHEREAS, she has been the District Court Reporter for the
 2 Second Judicial District since 1949; and
 3 ETTERSOM, Nordmen har utført en bestemt del i den
 3a historiske
 4 saga av North Dakota, og at Dagny Olson har utmerket seg i sin
 4a prektig
 5 Norsk nasjonal arv og karaktertrekk ved hennes oppriktighet,
 5a arbeidsomhet
 6 og dyktighet;
 7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF
 7a THE
 8 STATE OF NORTH DAKOTA:
 9 That the Senate of the Forty-third Legislative Assembly
 9a commend
 10 Dagny Olson for her years of service to the North Dakota Senate
 10a and for
 11 her many accomplishments in civic and professional activities,
 11a and
 12 declares her to be among the elite of the Legislature; and
 13 BE IT FURTHER RESOLVED, that the Senate wish her well
 13a well in her
 14 legislative "retirement" and in all her future activities; and
 15 BE IT FURTHER RESOLVED, that the President Pro Tem of
 15a the
 16 Senate present an enrolled copy of this resolution to Dagny Olson.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 4. A resolution commending Dagny Olson on her years of service as desk reporter for the North Dakota Senate, and wishing her well in her future activities.

Which has been read.

Senator Litten moved that Senate Resolution No. 4 be adopted, which motion prevailed.

MOTION

Senator Litten moved that the President appoint a committee of two to escort Miss Dagny V. Olson to the rostrum for the purpose of receiving an enrolled copy of Senate Resolution No. 4.

The President appointed as such committee Senators Jones and Larson.

President Pro Tem Ringsak presented Miss Olson with an enrolled copy of Senate Resolution No. 4, and a plaque recognizing her for her twenty-two years of service to the North Dakota State Senate.

President Pro Tem Ringsak invited Miss Olson to address the Senate.

Dagny Olson:

"Thank you President Pro Tem Ringsak. The reason I hesitated is, that after so many years of telling Elton what to do, it was a little hard for me to accept that he was telling me what to do. When I came down here in 1949, which was a long, long time ago Norman Brunsdale was the Floor Leader and we had some real arguments on this floor. I remember one time Senator Johnson from Fargo made a two hour speech on the institutions of North Dakota and Dee, I know how you feel. He thought his speech was great and it was going to be printed in the Journal and after we typed it all out, nobody made the motion to put it in the Journal. I would suggest that you lay your pen down and enjoy this along with everybody else, because I know what that's like.

Thank you very much. I enjoyed my years here and I learned an awful lot. I had an opportunity to talk to one of the men on the phone that came in here after I did and I told him, and I'm going to name him, Senator Holand, that if he thought I was quitting because I was too old there were several senators of the same vintage that should be doing the same thing. Because I know their ages even though they don't put it in that book anymore. We used to print it. Thank you very much, I appreciate this honor and being brought up here. I sat here for eleven years with not being able to talk over this mike. I have joined the crew in back now that sit and read the newspapers and watch the TV. I have joined the complaining crowd. So if you decide to cut my taxes and raise my pay I'll be real happy. Thank you."

MOTION

Senator Litten moved that Miss Olson's remarks be printed in the Journal, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Litten introduced:

Senate Concurrent Resolution No. 4020. A concurrent resolution requesting the Office of the Executive Budget to develop a plan and to begin converting all state agency and institution budgets to a program budgeting basis, and to direct the State Departments of Health, Social Services, and Vocational Rehabilitation, and the State Industrial School to continue program budgeting.

Was read the first time and referred to the Committee on Appropriations.

Senators Strinden and Nasset introduced:

Senate Concurrent Resolution No. 4021. A concurrent resolution providing for a study by the Legislative Council of the functions, responsibilities, and operations of the Extension Division and the Experiment Stations of the North Dakota State University of Agriculture and Applied Science.

Was read the first time and referred to the Committee on Agriculture.

FIRST READING OF HOUSE BILLS

House Bill No. 1188. A Bill for an Act to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, and subsection 6 of section 39-05-01 of the North Dakota Century Code, relating to the registration and titling of truck tractor semi-trailers.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1215. A Bill for an Act to amend and reenact sections 39-06-03 and 39-06-12, subsection 3 of section 39-06-17, section 39-06-29, subsection 6 of section 39-06-31, subsection 5 of section 39-06-32, sections 39-06-33 and 39-06-33.1 of the North Dakota Century Code, relating to who shall not be licensed, applications for license, restricted license, reports of convictions, revocations, suspensions, hearings, and orders to show cause.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1250. A Bill for an Act relating to the rights of parties under oil and gas leases and remedies available to such parties, and to provide for a presumption of drainage of oil or gas under certain circumstances.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1252. A Bill for an Act to amend and reenact subsection 3 of section 39-06-17 of the North Dakota Century Code, relating to behind-the-wheel instruction.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1260. A Bill for an Act to provide for the inclusion of the common name or address in all notices relating to real property which are required by law.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1263. A Bill for an Act authorizing the director of institutions to lease certain land owned by the state of North Dakota to the park district of the city of Grafton for a period of twenty-five years.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1283. A Bill for an Act to amend and reenact section 11-13-13 of the North Dakota Century Code, relating to the fees charged by county auditors, and providing an exemption for certificates of taxes furnished county registers of deeds.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1284. A Bill for an Act to provide that county registers of deeds notify county auditors, or send copies to them, of deeds, plats, and vacations of plats, streets, or roads at the time of filing.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1319. A Bill for an Act to provide for the leasing of certain state lands to the city of Dunseith for use as a golf course and for other recreational purposes.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1324. A Bill for an Act to amend and reenact section 57-38-36 of the North Dakota Century Code, relating to the payment of income tax in quarterly installments.

Which was read the first time and referred to the Committee on Finance and Taxation.

SECOND READING OF A SENATE BILL

Senate Bill No. 2035. A Bill for an Act to provide for division of water management districts along county lines; to amend and reenact sections 61-16-05, 61-16-06, 61-16-07, 61-16-08, 61-16-12,

61-16-14, 61-16-18, 61-16-28, 61-16-29, 61-16-36, and 61-16-48 of the North Dakota Century Code, relating to establishment and consolidation of water management districts, the area included within water management districts, the board of commissioners, and joint control by the board of county commissioners and state water conservation commission over maintenance and operation of dams constructed by or with federal assistance; and to repeal sections 61-16-02, 61-16-03, 61-16-04, and 61-16-42 of the North Dakota Century Code, relating to establishment and dissolution of water management districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nething	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sandness	Wright
Gronhovd	Melland		

Those voting in the negative were:

Naaden	Ringsak	Sands
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Absent and not voting:

Mutch	Wenstrom
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So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2026 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, delete the words "subsection 1 of section", and the word "sections"

On page 1, line 5, delete everything after the first comma and insert in lieu thereof the section number and comma "15-40.2-03,"

On page 1, line 6, delete the number and word "52-09-08, sections" and insert in lieu thereof the word "and", and delete the following: ", and 57-15-41"

On page 1, line 9, after "portation", insert "and tuition payments", and delete the word "sections" and insert in lieu thereof the word "section"

On page 1, line 10, delete the following: "15-39.1-28, 57-15-49, 57-15-52, and"

On page 1, line 11, delete the words "mill levies for teachers"

On page 1, delete line 12

On page 1, line 13, delete the words "systems for school districts, and to the"

On page 2, line 1, after the period, insert the following new sentence: "It is the further intent of the legislative assembly that the personal property replacement moneys for junior colleges continue to be made through the formula provided in section 57-58-01."

On page 2, line 10, after the word "tax" and before the period, insert a comma and the following words: ", provided, however, that such certifications shall include any amounts due school districts for junior colleges of such districts"

On page 2, line 14, after the word "fund" and before the period, insert the following words: "except for amounts due such districts for junior colleges"

On page 3, line 4, delete the word "fifteen" and insert in lieu thereof the word "twenty"

On page 3, line 30, delete the word "fifty" and insert in lieu thereof the word "seventy-five"

On page 3, line 32, delete the number "1.80" and insert in lieu thereof the number "1.70"

On page 4, line 1, delete the word "fifty" and insert in lieu thereof the word "seventy-five"

On page 4, line 2, after the word "hundred", insert the word "fifty"

On page 4, line 4, delete the number "1.45" and insert in lieu thereof the number "1.40"

On page 4, line 7, after the word "hundred", insert the word "fifty"

On page 4, line 10, delete the number "1.35" and insert in lieu thereof the number "1.32"

On page 4, line 16, delete the number "1.17" and insert in lieu thereof the number "1.20"

On page 4, line 22, after the period insert the following new sentence: "No school district shall receive less during the second year of the 1973-75 biennium than such district received during the first year of such biennium pursuant to the provisions of this section."

On page 5, line 1, after the period, insert the following new sentence: "Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill statewide levy divided by the total average daily membership of the state of North Dakota."

On page 5, delete lines 2 through 15 and insert in lieu thereof the following:

"SECTION 5. AMENDMENT.) Section 15-40.1-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-08. ELEMENTARY PER - PUPIL PAYMENTS — AMOUNT.) There shall be paid out of the county equalization fund to school districts of the county operating elementary schools, to school districts contracting to educate elementary pupils in a federal school, to the state school for the blind, the state school for the deaf, and the state industrial school, employing teachers holding valid certificates or permits, payments based on the number of registered students at the beginning of each school year, adjusted as provided in section 15-40.1-09, as follows:

1. In one-room rural schools there shall be paid that amount of money resulting from multiplying the factor of (((1.25))) 1.30 times the educational cost per pupil as provided in section 15-40.1-06 for each of the first sixteen pupils in average daily membership, and for each additional pupil in average daily membership there shall be paid .9 times the educational cost per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty pupils in average daily membership.
2. In elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor of 1.0 times the educational cost per pupil as provided in section 15-40.1-06 for each of the first twenty pupils in average daily membership in each classroom or for each teacher and for each additional pupil in average daily membership in each class-

room or for each teacher there shall be paid .9 times the educational cost per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.

3. In elementary schools having one hundred or more, but less than two hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor of .9 times the educational cost per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average membership in each classroom or for each teacher.
4. In elementary schools having at least two hundred pupils in average daily membership, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .88 times the educational cost per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
5. In elementary schools in school districts having an average daily membership of more than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .92 times the educational cost per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.

No school district shall receive less during the second year of the 1973-75 biennium than such district received during the first year of such biennium pursuant to the provisions of this section. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill statewide levy divided by the total average daily membership of the state of North Dakota"

On page 5, line 25, delete the word "four" and insert in lieu thereof the word "two"

On page 5, delete line 35 and insert in lieu thereof a new section as follows:

"SECTION 7. AMENDMENT.) Section 15-40.2-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.2-03. LEGISLATIVE INTENT RELATING TO TUITION PAYMENTS.) It is the intent of the legislative assembly that school districts educating pupils in other school districts shall pay the full cost of education. Such costs shall be determined on the basis of average daily membership and shall include annual expenditures from the general fund and annual educational expenditures from all special funds. To such average current operating expense in the county for elementary or high school students, as the case may be, shall be added double the statewide total of all school districts' annual expenditures from sinking and interest funds, plus double the statewide total of all school districts' annual tax receipts to the building funds, divided by the average daily membership of the state. From this amount, there shall be deducted for each individual pupil such payments as are received

for him from the county equalization fund and state payments received by the admitting district, less the average amount per resident pupil realized from a twenty-mill school district levy, and a credit applied for any school taxes paid to the admitting district by the parent or guardian of the admitted pupil. The amount remaining shall be the tuition charge for the individual pupil, and shall be paid under the provisions of this chapter. If the district of residence and the parent or guardian are both paying tuition, the credit allowed under this section for taxes paid to the admitting district by the parent or guardian shall be credited to the district of residence and the parent or guardian in proportion to the amount of tuition paid by each.

Nothing contained in this chapter shall affect the right of a school district to charge and collect such tuition as may be fixed by agreement from pupils who are not residents of this state, in accordance with the provisions of section 15-40.2-10.

On page 6, delete lines 1 through 35

On page 7, delete lines 1 through 35

On page 8, delete lines 1 through 9

On page 8, line 16, delete the word "twenty" and insert in lieu thereof the word "twenty-four"

On page 9, delete line 35

On page 10, delete lines 1 through 11

On page 10, line 12, delete everything after the parentheses and insert in lieu thereof the word "Section"

On page 10, line 13, delete, "57-15-52, and", and delete the word "are" and insert in lieu thereof the word "is"

On page 10, line 18, delete the number "129,200,000.00" and insert in lieu thereof the number "118,200,000.00"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution No. 3030 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

FIRST READING OF A

SENATE CONCURRENT RESOLUTION

Senators Redlin and Litten introduced:

Senate Concurrent Resolution No. 4022. A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, prohibiting states from denying a citizen equality of rights under law on account of sex.

Was read the first time and referred to the Committee on Judiciary.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2074, 2107, 2125, 2144, 2175, 2177, 2257, 2259, 2265, 2269, 2303, 2308, 2311, 2317, 2336, 2357, 2360, 2378, 2382, Senate Concurrent Resolution No. 4008, and House Concurrent Resolution No. 3030 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SECOND DAY

Bismarck, January 31, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain A. M. Hagestuen, First Lutheran Church, Mandan.

"Dear God,

"We are conscious of our weaknesses, but God make us also aware of our strengths.

"The strength to bring hope to the hopeless

"The strength of helping where there is despair

"The strength of knowledge where there is ignorance

"The strength of imparting justice where injustice prevails

"The strength of voting convictions in the unpopular stand

"The strength to be God's people seeking to do His will in the face of criticism.

"We are, Dear God, conscious of the weaknesses we share, but we ask You to use the strengths of these people now in session to enable North Dakota to be a place where human dignity and potential can reach its full capabilities. Amen."

Roll Call: All Senators present except Mutch.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twentieth day after recess and twenty-first day and recommends that the same be corrected as follows:

On page 311, in line 11 from the bottom of the page, delete the words "as amended"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2122. A Bill for an Act to establish the profession and regulation of professional soil classifying, a creation of a board of professional soil classifiers, and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Shablow
Barth	Jacobson	Page	Smykowski
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Stroup
Fritzell	Lips	Reiten	Twetten
Goldberg	Litten	Ringsak	Wenstrom
Goodman	Longmire	Sandness	Wright
Gronhovd	Melland	Schultz, J.	
Hoffner	Nasset		

Those voting in the negative were:

Coughlin	Lee	Redlin	Schultz C.
Freed	Morgan	Roen	Strinden
Iszler	Naaden	Sands	Thane

Absent and not voting:

Berube Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2199. A Bill for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of rare and endangered animals; and to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to powers of the commissioner.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Naaden	Sandness	

Absent and not voting:

Berube	Goldberg	Mutch	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2200. A Bill for an Act to amend and reenact subsection 10 of section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of harmful wild birds.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Naaden	Sandness	

Absent and not voting:

Berube	Goldberg	Mutch	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 50-26-01 of the North Dakota Century Code, relating to the activities of the governor's council on human resources.

Which has been read.

MOTION

Senator Ringsak moved that Senate Bill No. 2216 be re-referred to the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2246. A Bill for an Act to repeal subsection 5 of section 20.1-03-04 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to hunting and fishing without a license by military personnel, during the open season in a time of war.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Naaden	Sandness	

Absent and not voting:

Berube	Goldberg	Mutch	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2262. A Bill for an Act to establish a state crime laboratory.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Naaden	Sandness	

Absent and not voting:

Berube	Christensen	Mutch	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2273. A Bill for an Act to provide an appropriation to the North Dakota winter show for the showing and competition of livestock.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 18; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Page	Shablow
Barth	Kautzmann	Redlin	Smykowski
Christensen	Lee	Reiten	Solberg
Erdman	Lips	Ringsak	Strand
Fritzell	Litten	Roen	Strinden
Gronhovd	Longmire	Sands	Thane
Iszler	Morgan	Sandness	Wenstrom
Jacobson	Nasset	Schultz C.	

Those voting in the negative were:

Butler	Hoffner	Nothing	Schultz, J.
Coughlin	Holand	Peterson	Stroup
Freed	Larson	Pyle	Tweten
Goldberg	Melland	Rait	Wright
Goodman	Naaden		

Absent and not voting:

Beube Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2277. A Bill for an Act to permit the depositing in school district general funds of moneys accumulated in such districts from tuition levies for now defunct county agricultural and training schools, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Holand	Naaden	Sandness	Wright

Absent and not voting:

Beube Hoffner Mutch

So the bill passed and the title was agreed to, and the emergency clause carried.

Senate Bill No. 2289. A Bill for an Act to amend and reenact section 21-04-14 of the North Dakota Century Code, relating to bid proposals for public deposits.

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, 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane

Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Holand	Naaden	Sandness	Wright

Absent and not voting:
 Berube Hoffner Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2307. A Bill for an Act to provide an option to postpone the reporting of crop insurance proceeds for income tax purposes.

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, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Nething	Schultz, C.
Barth	Jones	Page	Schultz, J.
Butler	Kautzmann	Peterson	Shablow
Christensen	Larson	Pyle	Smykowski
Coughlin	Lee	Rait	Solberg
Erdman	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler	Nasset		

Those voting in the negative were:
 Freed Strand

Absent and not voting:
 Berube Hoffner Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2321. A Bill for an Act to amend and reenact section 15-29-13 of the North Dakota Century Code, relating to increasing the amount of a school district's incidental revolving fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 292 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nething	Schultz, J.
Barth	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Naaden	Schultz, C.	
Holand	Nasset		

Absent and not voting:
 Berube Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2331. A Bill for an Act relating to investments of state banks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2340. A Bill for an Act to require a prescription for the sale and purchase of hypodermic needles and hypodermic syringes, to forbid the possession of such instruments, to require records to be kept, to exempt certain individuals and professions, and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Nasset	Schultz, C.
Berube	Iszler	Nothing	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Jones	Peterson	Smykowski
Coughlin	Kautzmann	Pyle	Solberg
Erdman	Larson	Rait	Strand
Freed	Lee	Redlin	Strinden
Fritzell	Lips	Reiten	Stroup
Goldberg	Litten	Ringsak	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wright

Those voting in the negative were:

Naaden

Absent and not voting:

Mutch Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2369. A Bill for an Act relating to hearing procedures in dealing with interstate parolees or probationers being supervised under the interstate compact for the supervision of parolees and probationers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow

Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	
Hoffner	Naaden		

Absent and not voting:

Mutch Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Which has been read.

MOTION

Senator Lips moved that Senate Bill No. 2401 be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2007

Senate Bill No. 2196

Senate Bill No. 2255

Senate Bill No. 2280

Senate Bill No. 2291

Senate Bill No. 2292

Senate Bill No. 2387

Senate Bill No. 2403

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2039

Senate Bill No. 2056

Senate Bill No. 2094

ROY GILBREATH, Chief Clerk

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

House Bill No. 1017

House Bill No. 1159

House Bill No. 1166

House Bill No. 1257

House Bill No. 1272

House Bill No. 1273
 House Bill No. 1276
 House Bill No. 1277
 House Bill No. 1285
 House Bill No. 1309
 House Bill No. 1325

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Senate Resolution No. 4

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF A RESOLUTION

The Secretary announced that the President was about to sign Senate Resolution No. 4

And the President signed the same in the presence of the Senate.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 4

Was delivered to the Secretary of State at the hour of 3:11 o'clock P.M., January 31, 1973.

SENATOR JACOBSON, Chairman

Senator Litten moved that the Senate recess until 1:00 P.M., February 1, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

THURSDAY, FEBRUARY 1, 1973

343

TWENTY-SECOND DAY AFTER RECESS
AND TWENTY-THIRD DAY

Bismarck, February 1, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

January 31, 1973

The Honorable Wayne Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

Enclosed is a copy of Executive Order No. 2 dated January 31, 1973, relating to the emergency movement of certain military vehicles in the Minot area.

Section 54-07-01.1 of the North Dakota Century Code provides that such action be reported to the Legislative Assembly and include a copy of the Executive Order as promulgated.

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:ab
Encl.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

February 1, 1973

The Honorable Wayne Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

I have made the following appointments which, under state law, are subject to State Senate confirmation:

Director of Institutions (Section 54-21-06)

Walter R. Fiedler, Bismarck.....January 2, 1973 - January 2, 1977
State Board of Higher Education (Section 15-10)

Richard H. McGee, Minot.....July 1, 1973 - July 1, 1980

Attached are brief biographies of Mr. Fiedler and Mr. McGee.

AAL:ab
Encls.

Sincerely yours,
ARTHUR A. LINK
Governor

STATE OF NORTH DAKOTA
Executive Office
Bismarck

February 1, 1973

The Honorable Wayne Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

The following is a list of persons appointed to various boards and commissions by former Governor William L. Guy subject to Senate confirmation. These appointments were made subsequent to the last meeting of the State Senate:

Council on the Arts and Humanities (Section 54-54-02)

Dr. Frank C. Pearson, Dickinson July 1, 1972 - July 1, 1977
Dr. William Boehle, Grand Forks July 1, 1972 - July 1, 1977
Jack Askew, Bismarck July 1, 1972 - July 1, 1977
Bryan Gackle, Dickinson July 1, 1972 - July 1, 1977
Mrs. A. J. Pederson, Kenmare July 1, 1972 - July 1, 1977
Mrs. Russell F. Freeman, Fargo Nov. 18, 1971 - July 1, 1973
Dennis Navrat, Dickinson Nov. 18, 1971 - July 1, 1975
Walter J. Piehl, Minot Oct. 16, 1972 - July 1, 1975

State Board of Higher Education (Section 15-10)

Dr. Robert C. Painter, Grand Forks July 1, 1972 - July 1, 1979

Higher Education Facilities Commission (Section 15-10-29)

Dr. J. Kenneth Galloway, Devils Lake July 1, 1972 - July 1, 1975
Richard P. Rausch, Bismarck July 1, 1971 - July 1, 1974

State Historical Board (Section 55-01-01)

Edward A. Milligan, Bottineau July 1, 1971 - July 1, 1974
Mrs. Hugh McCreery, Bismarck July 1, 1971 - July 1, 1974
Mr. Pat DeForest, Bismarck July 1, 1971 - July 1, 1974
Robert Cory, Minot July 1, 1972 - July 1, 1975
Mrs. Harold Oberlander, New England July 1, 1972 - July 1, 1975
Dr. D. Jerome Tweton, Grand Forks July 1, 1972 - July 1, 1975

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:ab

FIRST READING OF HOUSE BILLS

House Bill No. 1017. A Bill for an Act making an appropriation for the construction of a Heritage Center.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1159. A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1166. A Bill for an Act to amend and reenact sections 15-50-01 and 15-50-03 of the North Dakota Century Code, relating to the regulation of trade and correspondence schools.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1257. A Bill for an Act to provide for control of noxious weeds along state highways, and to prohibit the haying of highway right-of-way containing leafy spurge.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1272. A Bill for an Act to repeal sections 53-02-10 and 53-05-08 of the North Dakota Century Code, relating to the admission of minors to public dances and certain other public places.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1273. A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to county fees.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1276. A Bill for an Act to provide for the use of identifying devices and to provide for the duty owed disabled persons; and providing a penalty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1277. A Bill for an Act to amend and reenact subsection 2 of section 39-06-07 of the North Dakota Century Code, requiring a birth certificate or other acceptable evidence of birth date with applications for motor vehicle operators' licenses.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1285. A Bill for an Act to create and enact section 39-06-19.1 of the North Dakota Century Code, to provide for the extension of the term of drivers' licenses held by members of the armed forces.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1309. A Bill for an Act to amend and reenact section 63-01.1-10 and subsection 2 of section 63-01.1-11 of the North Dakota Century Code, relating to notice of weed cutting and providing that the board of county commissioners publish and pay for such notice.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1325. A Bill for an Act to amend and reenact subsection 9 of section 20.1-01-02 and section 20.1-07-03 of the North Dakota Century Code as contained in sections 8 and 14 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the removal of coyotes from the protected list of fur-bearing animals.

Which was read the first time and referred to the Committee on Natural Resources.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2152 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2160 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion failed. Senate Bill No. 2160 was then placed on the calendar.

Mr. President: Your Committee on Education to whom was referred Senate Bill No 2193 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof the following: "sections 15-40.2-09 and"

On page 1, line 2, after the word "relating", insert the following: "to attendance in public schools of bordering states and"

On page 1, line 7, insert the following new section:

"SECTION 1. AMENDMENT.) Section 15-40.2-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.2-09. ATTENDANCE IN PUBLIC SCHOOLS OF BORDERING STATES, WHEN PERMITTED — CONTINUATION OF ATTENDANCE WHEN DISTRICT ANNEXED OR REORGANIZED.) Students may attend a school in a bordering state under the following circumstances:

1. A student who lives within twenty miles of another state or in a county bordering on another state may, with the approval of the school board, attend a public school in a bordering state, and the school board of the school district within which such student resides may contract with the bordering state for the education of such student.
2. A student who resides within a school district which is annexed to or reorganized with another district or districts, and which has been sending students to a school district in a bordering state because of proximity or terrain, shall be permitted to attend or continue attending school in the district in the bordering state and tuition and transportation shall be paid for students attending school in another state.

If a request for attendance is denied under subsection 1 or 2 by the school board of the district in which the student resides, an appeal may be made to the three-member committee referred to in section 15-40.2-05. The decision of the committee may be appealed by the school board, or the parent or guardian of the student, to the state board of public school education, whose decision shall be final. In the event that the district does not comply with a decision requiring that tuition charges be paid, county equalization fund payments and state payments shall be withheld as provided in section 15-40.2-05.

Payments shall be made by the county of the pupil's residence to the school district in the bordering state for attendance under the provisions of this section in an amount equal to the per-pupil payments as provided in sections 15-40.1-07 or 15-40.1-08, as the case may be, and the remainder of the pupil's tuition as determined under section 15-40.2-10 shall be paid by the district of the pupil's residence. Pupils attending public schools in bordering states in accordance with this section shall be certified by the district in the bordering state to the county superintendent of the county of the pupil's residence, and payments shall be made from the county to the school district in the bordering state.

This section shall not be construed to require the district of residence to provide pupil transportation, or payments in lieu thereof, for pupils for whom the payment of tuition has been approved."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2215 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2217 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2223 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 30, delete the words "**Such teachers shall also be**"

On page 2, delete lines 31 through 35

On page 3, delete lines 1 through 20

On page 3, line 21, delete the words "**to the laws thereunto pertaining.**", and insert in lieu thereof the following: "**Such written notice shall also set forth the reasons for the contemplated action of the board.**"

On page 3, line 29, place triple parentheses before the word "may"

On page 3, line 30, delete the triple parentheses before and after the words "a person", and delete the letters "representa-"

On page 3, line 31, delete the letters "tives", and place triple parentheses after the word "his", and insert before the word "own" the following: "**and the school board may each be represented at the meeting by not to exceed two representatives of his or their**"

On page 4, line 3, delete the words "**Failure to strictly comply with this statute**"

On page 4, delete lines 4 through 7

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2224 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22, after the word "grantee" insert "or grantor"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2241 has had the same under consideration and recommends that the same do pass and be re-referred to the Appropriations Committee.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2258 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, delete the words "one hundred fifty" and insert in lieu thereof the words "two hundred"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2267 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2272 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2309 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2316 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2345 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 24, after "Dakota" insert the following: " , excepting all highway rights-of-way."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2347 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2350 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2351 has had the same under consideration

and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2372 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18, delete "1975" and insert in lieu thereof "1980"

On page 1, line 24, delete "1975" and insert in lieu thereof "1980"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2390 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4011 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1107 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1168 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1179 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1187 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2107

Senate Bill No. 2125

Senate Bill No. 2144

Senate Bill No. 2175
 Senate Bill No. 2177
 Senate Concurrent Resolution No. 4008
 And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2002, 2026, 2059, 2212, 2296, 2342 and 2364 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2002 as recommended by the Committee on Appropriations as printed on page 319 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2026 as recommended by the Committee on Education as printed on pages 331, 332, 333 and 334 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Holand moved that Senate Bill No. 2026 be further amended as follows:

On page 9, after the period in line 34, insert the following new sentence: "It is the legislative intent that school boards in school districts in which additional mill levies have been authorized pursuant to section 57-15-14 shall reduce such levies for general fund purposes by no less than the mill levy reduction required for other school districts as provided in this Act."

And renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Christensen moved that Senate Bill No. 2026 be further amended as follows:

"On page 5, line 25, delete the word "two" and insert in lieu thereof the word "four"

Which motion failed, on a roll call vote.

ROLL CALL

The question being on the motion, there were ayes, 10; nays, 40; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Erdman	Larson	Shablow
Berube	Gronhovd	Rait	Smykowski
Christensen	Hoffner		

Those voting in the negative were:

Anderson	Jones	Nasset	Sandness
Butler	Kautzmann	Nething	Schultz, J.
Coughlin	Lee	Page	Solberg
Freed	Lips	Peterson	Strand
Fritzell	Litten	Pyle	Strindzen
Goldberg	Longmire	Redlin	Stroup
Goodman	Melland	Reiten	Thane
Holand	Morgan	Ringsak	Tweten
Iszler	Mutch	Roen	Wenstrom
Jacobson	Naaden	Sands	Wright

Absent and not voting:

Schultz, C.

MOTION

Senator Holand moved that Senate Bill No. 2026 be re-referred to the Committee on Appropriations, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Butler moved that the amendments to Senate Bill No. 2059 as recommended by the Committee on Finance and Taxation as printed on pages 319 and 320 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Freed moved that Senate Bill No. 2212 be re-referred to the Committee on Judiciary, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2296 as recommended by the Committee on Judiciary as printed on page 321 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2342 as recommended by the Committee on Finance and Taxation as printed on page 322 of the Senate Journal be adopted, which motion prevailed.

Senator Reiten moved that the amendments to Senate Bill No. 2364 as recommended by the Committee on Industry, Business and Labor as printed on pages 322, 323, 324, 325 and 326 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

MOTION

Senator Butler moved that Senate Bill No. 2257 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2002, 2026, 2059, 2160, 2217, 2267, 2296, 2342, 2364, Senate Concurrent Resolution No. 4011, House Bills Nos. 1107, 1168, 1179 and 1187 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-THIRD DAY

Bismarck, February 1, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Duane Sorum, First Lutheran Church, Mandan.

"Father, You know what a varied group of individuals this is gathered here. Some of us address You many times a day, others at rarer moments, and some may think that talking with You is a waste of energy. Nonetheless, You are present with us all to help us do what we can to make this world the kind of place You intended it to be.

"We are concerned about school appropriations, prison administration, equal rights, animals, water, salaries, mental health, drivers licenses, poverty, law enforcement, executive sessions, lobbying, and a thousand other items. These are Your concerns, too. Help this assembly and all others involved to be freed up enough so they can use their gifts to the maximum in making this state the kind of society where all can find their lives fulfilled.

"Struggle with us all God, because we are so often obstinately afraid to let you in on our doings. Struggle with us until we open ourselves up to You, Your power and Your will in all things. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-first day after recess and the twenty-second day and recommends that the same be corrected as follows: On page 342, in line 15 from the top of the page, correct the spelling of the word "report"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MOTION

Senator Nething moved that Senate Bill No. 2074 be placed on the calendar immediately following Senate Bill No. 2303, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2107. A Bill for an Act to amend and reenact sections 40-38-02, 40-38-03, 40-38-04, 40-38-05, 40-38-09, and 40-38-10 of the North Dakota Century Code, relating to the financing of public libraries and the powers and duties of library boards of directors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 303 and 304 of the Senate Journal, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Christensen	Jones	Nething	Schultz, J.
Coughlin	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strand
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Those voting in the negative were:

Butler Strinden Thane

So the bill passed and the title was agreed to.

Senate Bill No. 2125. A Bill for an Act to provide a tax exemption for improvements to buildings and structures for a period of five years.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 304 and 305 of the Senate Journal, the roll was called and there were ayes, 34; nays, 17; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Kautzmann	Nething	Schultz, J.
Barth	Lee	Page	Shablow
Butler	Lips	Pyle	Solberg
Coughlin	Litten	Rait	Strand
Freed	Longmire	Reiten	Strinden
Gronhovd	Melland	Ringsak	Stroup
Hoffner	Mutch	Roen	Thane
Iszler	Naaden	Sandness	Wright
Jacobson	Nasset		

Those voting in the negative were:

Berube	Goodman	Morgan	Schultz C.
Christensen	Holand	Peterson	Smykowski
Erdman	Jones	Redlin	Tweten
Fritzell	Larson	Sands	Wenstrom
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2144. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the department of the registrar of motor vehicles; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 305 of the Senate Journal, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright

Those voting in the negative were:

Iszler	Sands	Schultz, C.
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So the bill passed and the title was agreed to, and the emergency clause carried.

Senate Bill No. 2175. A Bill for an Act to amend and reenact subsection 10 of section 57-39.2-04, sections 57-39.2-10, 57-39.2-15, 57-39.2-23 and 57-39.2-24 of the North Dakota Century Code, relating to the provisions of the sales tax law and providing for a penalty; and to repeal subsection 18 of section 57-39.2-04 and subsection 20 of section 57-39.2-17 of the North Dakota Century Code.

Which has been read.

Senator Ringsak moved that Senate Bill No. 2175 be amended as follows:

"On page 1, line 6, of the engrossed bill, after the word "subsection", delete the numerals "20" and insert in lieu thereof the numeral "2"

Which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 2175 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, page 305 of the Senate Journal, and on the floor, the roll was called and there were ayes, 45; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sands
Barth	Iszler	Mutch	Sandness
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow

Coughlin	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner			

Those voting in the negative were:

Berube	Page	Solberg	Strinden
Naaden	Schultz, C.		

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

Senate Bill No. 2177. A Bill for an Act to create and enact sections 57-52-10.1 and 57-54-07.1; to amend and reenact subsections 5 and 8 of section 57-52-03, sections 57-52-04, 57-52-12, 57-52-19, subsection 4 of section 57-53-01, sections 57-53-02, 57-53-05, 57-53-08, 57-54-03, 57-54-07, 57-54-11, 57-54.1-15, 57-56-01 and 57-56-02 of the North Dakota Century Code, relating to provisions of the motor fuel, special fuels, importers for use, aviation fuel and motor fuel tax refunds; and providing for a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 305 and 306 of the Senate Journal, the roll was called and there were ayes, 43; nays, 8; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz, C.
Barth	Hoffner	Nothing	Schultz, J.
Berube	Holand	Peterson	Shablow
Butler	Kautzmann	Pyle	Smykowski
Christensen	Larson	Rait	Strand
Coughlin	Lee	Redlin	Stroup
Erdman	Lips	Reiten	Thane
Freed	Litten	Ringsak	Tweten
Fritzell	Longmire	Roen	Wenstrom
Goldberg	Melland	Sands	Wright
Goodman	Mutch	Sandness	

Those voting in the negative were:

Iszler	Jones	Naaden	Solberg
Jacobson	Morgan	Page	Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2259. A Bill for an Act to amend and reenact section 57-55-10 of the North Dakota Century Code, relating to exemptions and exceptions to the taxation of mobile homes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom

Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senate Bill No. 2265. A Bill for an Act to amend and reenact subsection 2 of section 39-17-07 of the North Dakota Century Code, relating to the limitation of amounts payable from the unsatisfied judgment fund.

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, 4; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand	Mutch	Sands	

Those voting in the negative were:

Butler	Goodman	Schultz, J.	Wright
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So the bill passed and the title was agreed to.

Senate Bill No. 2269. A Bill for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to exemptions from real property taxation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

MOTION

Senate Litten moved that Senate Bill No. 2311 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2311. A Bill for an Act to amend and reenact subsections 5 and 6 of section 57-39.2-01 of the North Dakota Century Code, relating to sales conducted at auction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Ringsak
Barth	Hoffner	Melland	Roen
Berube	Holand	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Kautzmann	Peterson	Strinden
Freed	Larson	Pyle	Tweten
Fritzell	Lee	Rait	Wenstrom
Goldberg	Lips	Redlin	Wright
Goodman	Litten	Reiten	

Those voting in the negative were:

Coughlin	Morgan	Sands	Solberg
Erdman	Mutch	Sandness	Strand
Iszler	Naaden	Schultz, C.	Stroup
Jones	Page	Smykowski	Thane

So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened, pursuant to recess taken, the President presiding.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2026 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2303. A Bill for an Act to provide for bonding of each person charged with the responsibility of setting aside and depositing funds in a perpetual care fund; to create and enact sections 23-21.1-02.1 and 23-21.1-02.2 of the North Dakota Century Code, relating to licensing of perpetual care cemeteries; to amend and reenact sections 23-06-04, 23-06-10, 23-06-20, 23-21.1-02, 23-21.1-03, 23-21.1-05, and 23-21.1-09 of the North Dakota Century Code, relating to the time within which burial must be made, contents of burial-transit permits, duties of sextons, regulation of cemeteries, definition of cemeteries, creation of perpetual care funds, and non-perpetual care cemeteries; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom

Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:
Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2074. A Bill for an Act to amend and reenact sections 43-10.1-01, 43-10.1-02, 43-10.1-03, 43-10.1-04, 43-10.1-06, and 43-10.1-07 of the North Dakota Century Code, relating to pre-need funeral services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:
Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2308. A Bill for an Act to provide that the name of the department of accounts and purchases be changed to the department of administration; and to amend and reenact chapter 54-44, and sections 54-44.1-02, 54-44.1-11, and 54-44.2-01 of the North Dakota Century Code, relating to changing the name of the department of accounts and purchases to the department of administration.

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, 7; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Nothing	Smykowski
Christensen	Jones	Page	Strand
Erdman	Kautzmann	Peterson	Strinden
Freed	Larson	Pyle	Stroup
Fritzell	Lee	Rait	Thane
Goldberg	Lips	Redlin	Tweten
Goodman	Litten	Reiten	Wenstrom
Gronhovd	Longmire	Roen	Wright
Hoffner	Melland	Sandness	

Those voting in the negative were:

Coughlin	Mutch	Sands	Solberg
Morgan	Ringsak	Schultz, C.	

Absent and not voting:
Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2317. A Bill for an Act to amend and reenact subsection 1 of section 30-17-01, the initial paragraph of section 30-17-05, and subsection 1 of section 30-17-07 of the North Dakota Century Code, providing the maximum size of a decedent's estate where summary administration or transfer by probate will be allowed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, C.
Barth	Jones	Nething	Schultz, J.
Berube	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten
Hoffner	Mutch	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler			

Absent and not voting:

Butler Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2336. A Bill for an Act to amend and reenact subsection 1 of section 15-03-04 and section 15-03-07 of the North Dakota Century Code, relating to investments and farm loans made by the board of university and school lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Those voting in the negative were:

Schultz, J.

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2357. A Bill for an Act making a deficiency appropriation for personal property tax replacement for the fiscal year ending June 30, 1973, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Butler

So the bill passed and the title was agreed to, and the emergency clause carried.

Senate Bill No. 2360. A Bill for an Act to repeal section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2378. A Bill for an Act to amend and reenact section 26-26-01 of the North Dakota Century Code, granting additional powers to hospital service corporations.

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, 6; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Lee	Redlin	Strand
Freed	Lips	Reiten	Strinden

Fritzell	Litten	Ringsak	Stroup
Goldberg	Longmire	Roen	Thane
Goodman	Melland	Sands	Tweten
Gronhovd	Morgan	Sandness	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler	Naaden	Schultz, J.	

Those voting in the negative were:

Barth	Hoffner	Page	Rait
Berube	Larson		

Absent and not voting:

Butler	Pyle
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So the bill passed and the title was agreed to.

Senate Bill No. 2382. A Bill for an Act to amend and reenact section 27-11-11 of the North Dakota Century Code, relating to compensation of members of the state bar board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Gronhovd	Mutch	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright
Holand			

Those voting in the negative were:

Larson

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

SECOND READING OF A

SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4008. A Concurrent Resolution directing the Board of University and School Lands to confer with appropriate agencies on the sale of certain state lands.

Which has been read.

The question being on the final passage of the resolution, as amended, page 308 of the Senate Journal.

Senator Fritzell moved that Senate Concurrent Resolution No. 4008 be adopted, which motion prevailed.

SECOND READING OF A

HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3030. A Concurrent Resolution urging the National Water Commission to delete from the final draft of its proposed national water policy the conclusions and recommendations of the Iowa State University study which adversely affect agriculture and reclamation development.

Which has been read.

Senator Roen moved that House Concurrent Resolution No. 3030 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2035
Senate Bill No. 2122
Senate Bill No. 2199
Senate Bill No. 2200
Senate Bill No. 2246
Senate Bill No. 2262
Senate Bill No. 2273
Senate Bill No. 2277
Senate Bill No. 2289
Senate Bill No. 2307
Senate Bill No. 2321
Senate Bill No. 2331
Senate Bill No. 2340
Senate Bill No. 2369

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2019
Senate Bill No. 2040
Senate Bill No. 2087
Senate Bill No. 2114
Senate Bill No. 2166
Senate Bill No. 2188
Senate Bill No. 2225

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1083
House Bill No. 1108
House Bill No. 1183
House Bill No. 1214
House Bill No. 1265
House Bill No. 1270
House Bill No. 1312
House Bill No. 1321
House Bill No. 1342
House Bill No. 1384
House Bill No. 1388
House Bill No. 1406
House Bill No. 1426
House Bill No. 1434
House Bill No. 1450
House Bill No. 1479
House Bill No. 1518

House Concurrent Resolution No. 3018

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:30 p.m., February 2, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



**TWENTY-THIRD DAY AFTER RECESS
AND TWENTY-FOURTH DAY**

Bismarck, February 2, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

**STATE OF NORTH DAKOTA
Executive Office
Bismarck**

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

This is to inform you that on February 1, 1973, I signed Senate Bills:

Senate Bill No. 2017
Senate Bill No. 2043
Senate Bill No. 2067
Senate Bill No. 2082

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:km

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Melland and Goldberg introduced:

Senate Concurrent Resolution No. 4023. A Concurrent Resolution providing for a study by the Legislative Council of the North Dakota Workmen's Compensation laws and program and the Workmen's Compensation Bureau responsibilities in the employment safety field.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Goldberg introduced:

Senate Concurrent Resolution No. 4024. A Concurrent Resolution urging the United States Congress to enact effective legislation to deal with strikes in the transportation industry.

Was read the first time and referred to the Committee on Transportation.

FIRST READING OF HOUSE BILLS

House Bill No. 1083. A Bill for an Act to create and enact subsection 10 of section 43-17-02 of the North Dakota Century Code relating to the exemption of physician's trained assistants from the license requirements of the chapter.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1108. A Bill for an Act to amend and reenact section 11-07-03 of the North Dakota Century Code, relating to county redistricting.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1183. A Bill for an Act to amend and reenact paragraph (3) of subdivision a of subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to definitions of dependent children who attend academic or vocational courses.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1214. A Bill for an Act to amend and reenact subsection 2 of section 27-20-26 of the North Dakota Century Code, relating to the definition of a needy person under the Uniform Juvenile Court Act, and creating a parent's duty to provide legal counsel for their children involved in proceedings under the Uniform Juvenile Court Act.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1265. A Bill for an Act to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to Juvenile court personnel.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1270. A Bill for an Act to amend and reenact section 44-05-03 of the North Dakota Century Code, relating to fees for taking acknowledgement and administering oaths and raising the fee.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1312. A Bill for an Act to amend and reenact subsection 4 of section 57-24-03, section 57-24-07, subsection 2 of section 57-24-12, and section 57-28-06 of the North Dakota Century Code, relating to advertising costs of notice of sale of land for delinquent taxes, and to the cost of publication of notice of expiration of redemption period.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1321. A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041 of the forty-third legislative assembly, relating to the service fee received by agents who sell hunting and fishing licenses and stamps.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1342. A Bill for an Act to amend and reenact section 57-37-24 of the North Dakota Century Code, to provide for the distribution of a portion of estate taxes to townships.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1384. A Bill for an Act to amend and reenact section 57-38-61 of the North Dakota Century Code, relating to which provisions of the income tax chapter are applicable to the withholding of income tax from the wages of nonresident employees and the amount of income tax withheld that can be refunded; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1388. A Bill for an Act to amend and reenact sections 15-63-03 and 15-63-05 of the North Dakota Century Code, relating to the number and payment of scholarships awarded by

the state board for Indian scholarships; and to repeal section 15-63-06 of the North Dakota Century Code, relating to the use of unused scholarship funds.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1406. A Bill for an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to agreements between the state board of higher education and institutions of higher learning in other states.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1426. A Bill for an Act to authorize the state board of higher education to dedicate certain lands to the city of Dickinson and to appropriate funds for a street project upon that land.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1434. A Bill for an Act to amend and reenact section 16-18-14 of the 1971 Supplement to the North Dakota Century Code, relating to canvassing of mailed absent voters' ballots received late.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1450. A Bill for an Act to create and enact chapter 43-18.1 of the North Dakota Century Code, relating to the regulation of the installation of water conditioning equipment; and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1479. A Bill for an Act to amend and reenact section 29-11-10.1 of the North Dakota Century Code, relating to charging crime in separate counts and consolidating indictments and informations.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1518. A Bill for an Act to amend and reenact section 51-10-06 of the North Dakota Century Code, relating to powers of the trade commission.

Which was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3018. A Concurrent Resolution expressing support of the public access program administered by the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture.

Which was read the first time and referred to the Committee on Agriculture.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2002

Senate Bill No. 2026

Senate Bill No. 2059

Senate Bill No. 2296

Senate Bill No. 2342

Senate Bill No. 2364

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2175

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2158 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2208 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2231 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2256 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9, delete the figure "42,100,000.00" and insert in lieu thereof the figure "17,500,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to reduce the appropriation because repayment for schools is included in the foundation program.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2260 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9 delete the figure "145,106.00" and insert in lieu thereof the figure "164,150.00"

On page 1, line 13 delete the figure "106,966.00" and insert in lieu thereof the figure "115,650.00"

On page 1, line 14 delete the figure "32,779.00" and insert in lieu thereof the figure "41,500.00"

On page 1, line 15 delete the figure "3,761.00" and insert in lieu thereof the figure "4,600.00"

On page 1, line 16 delete the figure "1,600.00" and insert in lieu thereof the figure "2,400.00"

On page 1, line 17 delete the figure "145,106.00" and insert in lieu thereof the figure "164,150.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to allow an additional staff member and provide for equipment, increased rent and handling of an increased work load.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2285 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2298 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2299 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2313 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2315 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2322 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2339 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2386 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18, delete the word "or", and insert in lieu thereof the words "nor to"

On page 1, line 19, after the comma, insert the following:

"nor to any other agricultural lending agency,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2405 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2406 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2412 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2414 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, delete the word "city" and insert in lieu thereof the word "county"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2420 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1080 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

MOTION

Senator Tweten moved that the Senate request the return of Senate Bill No. 2061 from the House, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you the Senate requests the return of:

Senate Bill No. 2061

LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2193, 2223, 2224, 2258, 2345 and 2372 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2193 as recommended by the Committee on Education as printed

on page 346 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Holand moved that Senate Bill No. 2223 be re-referred to the Committee on Education, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Nething moved that the amendments to Senate Bill No. 2224 as recommended by the Committee on Political Subdivisions as printed on page 347 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2258 as recommended by the Committee on State and Federal Government as printed on page 348 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2345 as recommended by the Committee on State and Federal Government as printed on page 348 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2372 as recommended by the Committee on Judiciary as printed on page 349 of the Senate Journal be adopted, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2158, 2193, 2208, 2224, 2231, 2258, 2313, 2315, 2322, 2345, 2372, 2406, and House Bill No. 1080 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FOURTH DAY

Bismarck, February 2, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Al Beyer, First Lutheran Church, Bismarck.

"O Lord, Almighty God, Heavenly Father we thank You that You have preserved the form of government which we have always had in our country. The form of government whereby the wishes of the people are channeled to the lawmaking bodies. Our prayer, Lord, is that these State Senators will use the authority which You have given them to institute laws of order and liberty in accordance with the desires of their constituents, Your children. We ask that You will shield them from the temptations which plague those in powerful positions and spare them from pettiness and selfishness and greed. Grant them an abundance of kindness and goodness, of uprightness and justice. Allow them to serve in a spirit of self-sacrifice for the common welfare of the state. We pray that as they go through the awesome and sometimes painful task of making the decisions of the state that their eyes will constantly be turned toward You for guidance and strength, for if they should forsake the privilege of knowing You, their Father, then we could no longer boast that we are 'One nation, under God.' And should we lose that boast then we as a nation, we as a state have lost all boasts. For if we lose our God, then we have lost ourselves. Grant us Father Your Grace that we might not.

"In Christ's name. Amen."

Roll Call: All Senators present except Butler, Ringsak and Strinden.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-second day after recess and the twenty-third day, and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MOTION

Senator Litten moved that Senate Bill No. 2026 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2026. A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-16, 15-40.2-03, and 57-15-14 of the North Dakota Century Code, relating to the foundation program payments, tax levy limitations in school districts, and aid for transportation and tuition payments for school districts; and to repeal section 57-58-02 of the North Dakota Century Code, relating to computation of grants-in-aid to county equalization funds; and providing an appropriation.

Which has been read.

MOTION

Senator Lips moved that Senate Bill No. 2026 be further amended, as follows:

"On page 6, line 25 of the engrossed bill, after the word "average" insert the word "daily"

Renumber the lines accordingly.

Which motion prevailed.

Senator Lips moved that Senate Bill No. 2026 be further amended as follows:

On page 11, line 11, delete the words "out of" and insert in lieu thereof the words "all moneys in the revenue sharing trust fund in the state treasury and whatever balance needed from"

On page 11, after line 16, insert the following new section:

"SECTION 11. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that all of the moneys in the revenue sharing trust fund, which it is estimated will total \$25,300,000.00, be used for the foundation program, and that the balance needed be appropriated from the general fund."

And renumber the lines accordingly.

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2026 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2026. A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-16, 15-40.2-03, and 57-15-14 of the North Dakota Century Code, relating to the foundation program payments, tax levy limitations in school districts, and aid for transportation and tuition payments for school districts; and to repeal section 57-58-02 of the North Dakota Century Code, relating to computation of grants-in-aid to county equalization funds; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 331, 332, 333, 334 of the Senate Journal, and from the floor, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson

Jacobson

Nasset

Schultz, C.

Barth	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Holand	Morgan	Sands	Wright
Iszler	Naaden	Sandness	

Those voting in the negative were:
 Berube Hoffner Mutch Stroup
 Goldberg

Absent and not voting:
 Butler Ringsak Strinden

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2026 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Longmire moved that the Senate reconsider the action by which Senate Bill No. 2298 was indefinitely postponed, which motion failed.

MOTION

Senator Litten moved that Senate Bill No. 2026 be re-printed, which motion prevailed.

MOTION

Senator Mutch moved that Senate Bill No. 2217 be laid over one legislative day, which motion prevailed.

MOTION

Senator Rait moved that Senate Bill No. 2059 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

MOTION

Senator Litten moved that Senate Bill No. 2160 be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2002. A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 319 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Sandness
Barth	Jones	Nasset	Schultz, C.
Berube	Kautzmann	Nothing	Schultz, J.
Christensen	Larson	Page	Shablow
Coughlin	Lee	Peterson	Smykowski
Erdman	Lips	Pyle	Solberg
Freed	Litten	Rait	Stroup
Fritzell	Longmire	Redlin	Thane
Goldberg	Melland	Reiten	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright
Iszler			

Absent and not voting:

Butler	Holand	Strand	Strinden
Hoffner	Ringsak		

So the bill passed and the title was agreed to.

Senate Bill No. 2267. A Bill for an Act to amend and reenact section 23-17.2-06 of the North Dakota Century Code, relating to authority of the North Dakota state health council regarding certificates of need.

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, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Schultz, C.
Barth	Jones	Nasset	Schultz, J.
Christensen	Kautzmann	Nothing	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Iszler	Mutch	Sandness	

Absent and not voting:

Berube	Hoffner	Rait	Strand
Butler	Holand	Ringsak	Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2296. A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to the calling of a state's attorney's inquiry; and to repeal section 11-19A-09 and 11-19A-17 of the North Dakota Century Code, relating to state's attorneys' inquiries in counties of over eight thousand population.

Which has been read. **ROLL CALL**

The question being on the final passage of the bill, as amended, page 321 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Schultz, C.
Barth	Jones	Nasset	Schultz, J.
Christensen	Kautzmann	Nothing	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Iszler	Mutch	Sandness	

Absent and not voting:

Berube	Hoffner	Rait	Strand
Butler	Holand	Ringsak	Strinden

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return:

Senate Bill No. 2061

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Lips moved that the Senate reconsider the action by which Senate Bill No. 2061 passed, which motion prevailed.

MOTION

Senator Lips requested the unanimous consent of the Senate to withdraw Senate Bill No. 2061, which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2342. A Bill for an Act to amend and reenact subsection 7 of section 57-23-04 of the North Dakota Century Code, relating to the abatement or refund of taxes by county commissioners in cases of property destroyed or injured by fire, flood, or tornado; and to repeal subsection 4 of section 57-02-11 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 322 of the Senate Journal, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Sandness
Barth	Jones	Nasset	Schultz, C.
Christensen	Kautzmann	Nething	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Smykowski
Freed	Lips	Pyle	Solberg
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Iszler

Those voting in the negative were:

Mutch Thane

Absent and not voting:

Berube	Hoffner	Rait	Strand
Butler	Holand	Ringsak	Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2364. A Bill for an Act, not applicable to banks and certain other financial businesses, in relation to the definition, licensing, and regulating of the business of selling, issuing or delivering checks, drafts, and money orders as a service or for a fee or other consideration; to provide for the licensing of such business; and to prescribe remedies and penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 322-26 of the Senate Journal, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sandness
Barth	Jacobson	Naaden	Schultz, C.
Christensen	Kautzmann	Nasset	Schultz, J.
Coughlin	Larson	Nething	Shablow
Erdman	Lee	Page	Smykowski
Freed	Lips	Peterson	Solberg
Fritzell	Litten	Pyle	Thane
Goldberg	Longmire	Redlin	Tweten
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Roen	Wright

Those voting in the negative were:

Jones	Sands		
Absent and not voting:			
Berube	Holand	Sands	Strinden
Butler	Rait	Strand	Stroup
Hoffner	Ringsak		

So the bill passed and the title was agreed to.

SECOND READING OF A
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4011. A Concurrent Resolution urging the United States Department of Agriculture, the United States Department of Commerce, and the United States Department of Transportation to assist and encourage further experimentation

to determine the feasibility of using grain alcohol in motor vehicle fuels.

Senator Morgan moved that Senate Concurrent Resolution No. 4011 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2074
Senate Bill No. 2107
Senate Bill No. 2125
Senate Bill No. 2144
Senate Bill No. 2175
Senate Bill No. 2177
Senate Bill No. 2259
Senate Bill No. 2265
Senate Bill No. 2269
Senate Bill No. 2303
Senate Bill No. 2308
Senate Bill No. 2311
Senate Bill No. 2317
Senate Bill No. 2336
Senate Bill No. 2357
Senate Bill No. 2360
Senate Bill No. 2378
Senate Bill No. 2382

Senate Concurrent Resolution No. 4008

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3030

Which the Senate has passed unchanged.

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

House Bill No. 1105
House Bill No. 1170
House Bill No. 1180
House Bill No. 1204
House Bill No. 1230
House Bill No. 1243
House Bill No. 1315
House Bill No. 1334
House Bill No. 1364
House Bill No. 1370
House Bill No. 1371
House Bill No. 1380
House Bill No. 1391

ROY GILBREATH, Chief Clerk
MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following which the House has passed unchanged.

Senate Bill No. 2021
Senate Bill No. 2022
Senate Bill No. 2024

ROY GILBREATH, Chief Clerk
Senator Litten moved that the Senate recess until 1:00 P.M., February 5, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FOURTH DAY AFTER RECESS
AND TWENTY-FIFTH DAY

Bismarck, February 5, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2009 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2109 has had the same under consideration and recommends that the same be amended as follows:

On page 6, line 11, after "insurance" insert the following: "; nor shall it apply to sales of goods or services with a purchase price of less than fifty dollars"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2159 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide for the voluntary and required inspection of motor vehicles, to provide for the adoption of rules and regulations, to provide a penalty, to make an appropriation, and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1, MOVEMENT OF VEHICLES WITH REQUIRED EQUIPMENT OR IN UNSAFE CONDITION PROHIBITED.) Except as hereinafter provided, no person shall drive or move a vehicle upon the highways of this state unless it has been determined by inspection that such vehicle is equipped pursuant to the laws of this state and such equipment is in good working order and adjusted as required by law.

SECTION 2. INSPECTION BY AGENTS OF THE STATE HIGHWAY COMMISSIONER.)

1. In addition to the vehicle inspection authorized by section 39-03-09 (4), the state highway commissioner may designate field inspectors to make on the spot highway inspections when reasonable cause exists to believe that a vehicle is unsafe or not equipped or adjusted as required by law.
2. No person shall refuse to submit such vehicle to an inspection and test when required to do so pursuant to section 39-03-09 (4) or this Act.
3. In the event such vehicle is found to be in unsafe condition or any required part or equipment is not present or is not in repair and adjustment, the field inspector shall give a written notice to the driver. The notice shall require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment, specifying the particulars with reference thereto.
4. Every owner or driver, upon receiving a notice as provided in section 3 of this Act, shall comply therewith and shall within ten days secure an official certificate of inspection from an official inspection station.
5. The motor vehicle registrar, upon notice from the state highway commissioner, may suspend the registration of any vehicle which the commissioner determines to be in such unsafe condition as to constitute a menace to safety or which after notice and demand, is not equipped as required by law or for which a required certificate has not been obtained.
6. Any person aggrieved by the decision of the commissioner and the suspension of registration may appeal to the district court.

SECTION 3. APPOINTMENT OF OFFICIAL INSPECTION STATIONS.)

1. The state highway commissioner shall designate official stations for inspection of vehicles. No person shall operate an official inspection station unless a permit has been obtained from the commissioner.
2. The commissioner shall supervise and audit the operation of such stations and shall revoke the permit issued to a station that is not properly equipped or fails to comply with rules issued pursuant to this Act.
3. An official inspection station shall issue a certificate of inspection and approval, upon an official form for all vehicles which meet the requirement of section 1 of this Act.

SECTION 4. VOLUNTARY VEHICLE INSPECTION.)

1. Any owner of a vehicle may request a vehicle inspection at an official inspection station.
2. Inspection of motor vehicles shall include, but is not limited to: the condition, adjustment and installation of brakes; steering; tires; bumpers; horn; seat belts; lights; windshield wipers; rearview mirrors; suspension system; direction lights; exhaust system; and glass and body metal.
3. Inspection of trailers shall include brakes, lights, hitch, safety chains, tires, and suspension system.
4. The owner of a vehicle may obtain such repair or adjustment as needed at any place he may choose.
5. Vehicles properly equipped and adjusted as required by law will be issued a certificate of inspection and approval.

SECTION 5. REQUIRED VEHICLE INSPECTION — FEES TO BE PLACED IN SPECIAL FUND.)

1. After April 30, 1975, the state highway commissioner shall require an annual inspection of vehicles not exempted by

this Act. An official certificate of inspection and approval shall be obtained for each such vehicle.

2. The commissioner may exempt from this Act vehicles which have a current certificate of inspection and approval issued in another state.
 3. Any fees collected by the commissioner under this Act shall be deposited in the state treasury in a special fund to be known as the motor vehicle inspection fund and used to defray the cost of administering the provisions of this Act.
- Any balance remaining in the motor vehicle inspection fund at the end of each biennium shall be credited to the state highway fund.

SECTION 6. IMPROPER REPRESENTATION AS OFFICIAL STATION.)

1. No person shall in any manner represent any place as an official inspection station unless such station displays a valid permit issued by the state highway commissioner.
2. No person other than duly authorized personnel under this Act or the regulations issued pursuant to this Act shall issue a certificate of inspection and approval.
3. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.
4. All signs and posters pertaining to the safety inspection program to be used by an official inspection station shall be issued or approved by the commissioner.

SECTION 7. EXEMPT VEHICLES.) Pickups and trucks owned and operated by bona fide resident farmers and which travel less than one thousand miles annually, together with any pole trailer or trailer not required to be registered, shall be exempt from the required inspection provided in section 5 of this Act.

SECTION 8. PROVISION FOR SELF-INSPECTION.) Any person, firm or governmental agency, in whose name three or more vehicles are registered in this state and who operates a garage or motor vehicle repair shop that is adequately manned and equipped to make inspections of vehicles may qualify for a permit to operate an official self-inspection station but only in regard to those vehicles owned by the permittee, subject to the same rules, regulations and supervision applicable to licensed public stations.

SECTION 9. ADMINISTRATION AND ENFORCEMENT BY HIGHWAY COMMISSIONER.)

1. The state highway commissioner shall promulgate rules and regulations for inspections and issuing permits pursuant to the Administrative Practices Act. The commissioner may adopt inspection manuals, conduct training programs, and produce official certificates of inspection and approval and all such forms necessary for the purpose of this Act.
2. The commissioner shall have the authority to designate official inspection stations; determine classes of permits; and establish fees for public inspection stations; self inspection stations, official certificate of inspection and approval and charges for inspection services rendered.
3. The commissioner shall make necessary rules and regulation for the administration and enforcement of this Act.
4. The commissioner shall designate personnel and establish the qualifications of such persons for the enforcement of this Act.

SECTION 10. PENALTY.) Any person violating any of the provisions of section 6 of this Act shall be guilty of a misdemeanor

and shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

SECTION 11. APPROPRIATION.) All funds in the motor vehicle inspection fund are hereby appropriated to the state highway commissioner for defraying the costs of administering this Act.

SECTION 12. EFFECTIVE DATE.) This Act shall be in full force and effect from and after July 1, 1973, except that the provisions of subsection 1 of section 5 of this Act shall become effective April 30, 1975."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2228 has had the same under consideration and recommends that the same be indefinitely postponed.

Senator Mutch requested a roll call vote, which request was granted.

SENATOR GOLDBERG, Chairman

ROLL CALL

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Redlin
Barth	Goodman	Longmire	Sands
Butler	Holand	Melland	Schultz, J.
Coughlin	Kautzmann	Nasset	Solberg
Freed	Lee	Nething	Wenstrom
Fritzell	Lips	Peterson	Wright

Those voting in the negative were:

Berube	Jacobson	Page	Schultz, C.
Christensen	Jones	Pyle	Shablow
Erdman	Larson	Rait	Smykowski
Gronhovd	Morgan	Reiten	Strand
Hoffner	Mutch	Roen	Thane
Iszler	Naaden		

Absent and not voting:

Ringsak	Strinden	Stroup	Tweten
Sandness			

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2251 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2271 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2281 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2323 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2329 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2353 has had the same under consideration and recommends that the same be amended as follows:

On page 2 delete all of lines 12 through 15

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2374 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2380 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2396 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2399 has had the same under consideration and recommends that the same be indefinitely postponed.

Senator Hoffner requested a roll call vote, which request was granted.

SENATOR FREED, Chairman

ROLL CALL

Those voting in the affirmative were:

Anderson	Kautzmann	Nasset	Schultz, C.
Butler	Lee	Nething	Schultz, J.
Coughlin	Lips	Page	Smykowski
Freed	Litten	Peterson	Solberg
Goldberg	Melland	Pyle	Strand
Holand	Morgan	Reiten	Stroup
Iszler	Mutch	Roen	Thane
Jacobson	Naaden	Sands	Wright

Jones

Those voting in the negative were:

Barth	Fritzell	Larson	Shablow
Berube	Goodman	Longmire	Tweten
Christensen	Gronhovd	Rait	Wenstrom
Erdman	Hoffner	Redlin	

Absent and not voting:

Ringsak	Sandness	Strinden
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Senator Freed moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2401 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2408 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2409 has had the same under consideration and recommends that the same be amended as follows:

* On page 6, line 9 after the comma delete "or" and insert in lieu thereof "by Federal Executive Order 11246,"

On page 6 delete all of lines 13 through 17

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2411 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bill Nos. 2256, 2260, 2386 and 2414 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2256 as recommended by the Committee on Appropriations as printed on page 366 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2260 as recommended by the Committee on Appropriations as printed on page 366 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2386 as recommended by the Committee on Agriculture as printed on page 367 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to Senate Bill No. 2414 as recommended by the Committee on Political Subdivisions as printed on page 368 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2193
 Senate Bill No. 2224
 Senate Bill No. 2258
 Senate Bill No. 2345
 Senate Bill No. 2372

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2026

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2009, 2256, 2260, 2281, 2323, 2329, 2380, 2386, 2401, 2411, and 2414 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIFTH DAY

Bismarck, February 5, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Richard Unkenholz, First United Methodist Church, Bismarck.

"Our Father, we thank you for tasks that are worth the best that is in us. We thank you for the support of families, friends and co-workers in our efforts.

"When our minds are weighed down with conflicting thoughts, help us to depend upon your strength and guidance. Make us alert to discern truth and courageous to claim it. Help us to sense the importance of our actions to the lives of others, that we may choose the best.

"Where we have erred, correct us. Where we have been right, confirm us in our convictions. May the needs of our State be served well by what is done here today. Amen."

Roll Call: All Senators present except Ringsak, Sandness and Strinden.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-third day after recess and the twenty-fourth day, and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senator Erdman introduced:

Senate Concurrent Resolution No. 4025. A Concurrent Resolution

urging that officials at all levels of government who have responsibilities for the construction and maintenance of public roads, as well as private citizens that occupy lands abutting public roads, exert a concentrated effort to improve safety for the traveler.

Was read the first time and referred to the Committee on Transportation.

FIRST READING OF A SENATE RESOLUTION

Senators Anderson, Reiten and Redlin introduced:

Senate Resolution No. 5. A resolution commending Senator John D. "Jack" Coughlin on the auspicious occasion of his fifty-fifth birthday.

Was read the first time.

MOTION

Senator Anderson moved that the rules be suspended, that Senate Resolution No. 5 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

SENATE RESOLUTION No. 5

Introduced by Senators Anderson, Redlin and Reiten

1 A resolution commending Senator John D. "Jack" Coughlin on
1a the auspicious
2 occasion of his fifty-fifth birthday.

3

4 WHEREAS, fifty-five years ago, on Tuesday, February 5, 1918,
5 one of the State's most distinguished businessmen and law-
5a makers was
6 born; and

7 WHEREAS, according to the anonymous but ageless poem
7a titled

8 Birthdays, "Tuesday's child is full of grace"; and

9 WHEREAS, the good and able Senator from the Fifth District
9a has

10 aged exceedingly gracefully, all the while serving his city and
10a State

11 very well; and

12 WHEREAS, his civic activities and honors have been legion,
12a and

13 his work for North Dakota has been evidenced and recorded in
13a the legisla-

14 tive journal since his first session in the Senate in 1967; and

15 WHEREAS, he was selected as "Boss of the Year" in 1962 by
15a the

16 Minot Jaycees, thus showing that he doesn't beat his employees;
16a and

17 WHEREAS, his hometown newspaper, in describing the

17a "Fifth

18 District Team", said he was "Small in size, but tough. Plays

18a with no

19 helmet.";

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE

20a OF THE

21 STATE OF NORTH DAKOTA:

22 That it extend to "small but tough" Senator John D. "Jack"
22a Coughlin

23 its hearty congratulations on the occasion of his fifty-fifth

23a birthday,

24 and that it wish him many happy (election) returns.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 5. A resolution commending Senator John D. "Jack" Coughlin on the auspicious occasion of his fifty-fifth birthday.

Which has been read.

Senator Anderson moved that Senate Resolution No. 5 be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1105. A Bill for an Act to repeal section 9-07-11 of the North Dakota Century Code, relating to the law which governs the interpretation of contracts.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1170. A Bill for an Act to create and enact sections 39-12-05.1 and 39-12-05.2 of the North Dakota Century Code, relating to weight limitations for vehicles on interstate highways and highways other than the interstate designated by the commissioner or local authorities; and to amend and reenact subparagraph b. of subsection 2. of section 39-04-19 and section 39-12-05 of the North Dakota Century Code, relating to weight limitations for vehicles and motor vehicle registration fees.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1180. A Bill for an Act to create and enact section 15-47-43 of the North Dakota Century Code, relating to areas which are public school districts, their corporate powers, and corporate name; to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to reorganization, annexation, and dissolution of school districts; and to repeal sections 15-53.1-03 and 15-53.1-04 of the North Dakota Century Code, relating to areas which are public school districts, their corporate powers, and corporate name.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1204. A Bill for an Act to provide payment of expenses to certain elected state officers, providing for an appropriation, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1230. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1243. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claims for motor vehicle fuel tax refunds.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1315. A Bill for an Act to create and enact section 43-03-22 of the North Dakota Century Code, relating to the regulation of the practice of architecture; and to amend and reenact sections 43-03-01, 43-03-04, 43-03-06, 43-03-11, 43-03-13, 43-03-14, 43-03-15, 43-03-16, 43-03-18, 43-03-19, 43-03-20, and 43-03-21 of the North Dakota Century Code, relating to the membership, powers and duties of the state board of architecture, the qualifications and examination of applicants for registration and the regulation of the practice of architecture, and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1334. A Bill for an Act to amend and reenact subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to alternate valuation date for estate tax purposes, and declaring an emergency.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1364. A Bill for an Act to create and enact section 26-13-19 of the North Dakota Century Code and to amend section 26-27-10 of the North Dakota Century Code relating to discrimination against doctors of chiropraxy and to participation by doctors of chiropraxy in nonprofit medical service corporations.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1370. A Bill for an Act to amend and reenact section 6-03-34 of the North Dakota Century Code, relating to requirements for bank surplus fund.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1371. A Bill for an Act to repeal section 9-11-09 of the North Dakota Century Code, relating to assignment of accounts receivable.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1380. A Bill for an Act to provide that days in which schools are closed because of a state of emergency declared by the governor as the result of an act of God may be counted for foundation program payments.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1391. A Bill for an Act to amend and reenact section 15-18-03 of the North Dakota Century Code, relating to tuition and fees in junior colleges.

Which was read the first time and referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 2158. A Bill for an Act providing for an appropriation to match federal funds available for the constructing, furnishing, and equipping of North Dakota national guard air ambulance facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Izler	Mutch	Sands
Barth	Jacobson	Naaden	Schultz, C.
Berube	Jones	Nasset	Schultz, J.
Butler	Kautzmann	Nething	Shablow
Christensen	Larson	Page	Smykowski
Coughlin	Lee	Peterson	Solberg
Erdman	Lips	Pyle	Strand
Freed	Litten	Rait	Stroup
Fritzell	Longmire	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Roen	Wright
Holand			

Absent and not voting:

Goldberg	Ringsak	Strinden	Wenstrom
Hoffner	Sandness		

So the bill passed and the title was agreed to.

Senate Bill No. 2193. A Bill for an Act to amend and reenact sections 15-40.2-09 and 15-53.1-41 of the North Dakota Century Code, relating to attendance in public schools of bordering states and to

dissolution of school districts when students attend school in another state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 346 of the Senate Journal, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Roen	Wright
Hoffner	Melland	Sands	

Those voting in the negative were:

Butler	Mutch	Naaden	Thane
Gronhovd			

Absent and not voting:

Ringsak	Sandness	Strinden
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So the bill passed and the title was agreed to.

Senate Bill No. 2208. A Bill for an Act to create and enact sections 43-29-05.1 and 43-29-16.1 of the North Dakota Century Code, relating to the executive secretary of the state board of veterinary medical examiners and abandonment of animals by the owner; and to amend and reenact sections 43-29-01, 43-29-02, 43-29-03, 43-29-05, 43-29-06, 43-29-07, 43-29-08, 43-29-09, 43-29-11, 43-29-13, 43-29-14, 43-29-15, and subsection 3 of section 43-29-17 of the North Dakota Century Code, relating to purposes, appointment, qualifications, officers, rules and regulations, examinations, compensation, application for licenses, fees, renewals, temporary permits, exemptions, refusal to issue and grounds for revocation of licenses, hearings and penalties of the state board of veterinary medical examiners.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Naaden	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nothing	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Stroup
Freed	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd	Melland	Sands	

Absent and not voting:

Mutch	Ringsak	Sandness	Strinden
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So the bill passed and the title was agreed to.

Senate Bill No. 2224. A Bill for an Act to require a statement for

a certificate or declaration of full consideration with certain deeds filed for record in the office of the county register of deeds; and providing for a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 347 of the Senate Journal, the roll was called and there were ayes, 23, nays, 25; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Goodman	Naaden	Reiten
Butler	Hoffner	Nething	Sands
Christensen	Larson	Peterson	Schultz, J.
Erdman	Lips	Pyle	Solberg
Fritzell	Litten	Rait	Tweten
Goldberg	Melland	Redlin	

Those voting in the negative were:

Anderson	Jacobson	Mutch	Smykowski
Barth	Jones	Nasset	Strand
Coughlin	Kautzmann	Page	Stroup
Freed	Lee	Roen	Thane
Gronhovd	Longmire	Schultz, C.	Wenstrom
Holand	Morgan	Shablow	Wright
Iszler			

Absent and not voting:

Ringsak	Sandness	Strinden
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"Senator Holand changed his vote from aye to nay for the purpose of reconsideration."

So the bill was declared lost.

Senate Bill No. 2231. A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of 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, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:

Ringsak	Sandness	Strinden
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So the bill passed and the title was agreed to.

Senate Bill No. 2258. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota and used by the North Dakota state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 348 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan	Sands	

Those voting in the negative were:

Butler

Absent and not voting:

Ringsak Sandness Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2313. A Bill for an Act to amend and reenact section 57-02-33 of the North Dakota Century Code, relating to assessor districts for unorganized territory.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:

Ringsak Sandness Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2315. A Bill for an Act to amend and reenact section 16-13-47.1 of the North Dakota Century Code, relating to the availability of a recount of ballots cast for candidates to a congressional, state, legislative, or county office.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane

Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:
Ringsak Sandness Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2322. A Bill for an Act to repeal sections 4-01-17, 18-08-05, and 18-08-06 of the North Dakota Century Code, relating to regulations governing control of the European corn borer, and setting fires for the destruction of grasshoppers.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:
Ringsak Sandness Strinden

So the bill passed and the title was agreed to.

Senate Bill No. 2345. A Bill for an Act to authorize the director of the North Dakota mental health and retardation division of the state health department to sell and convey certain lands, owned by the state of North Dakota and used by the state hospital, at public auction or by sealed bids, the proceeds of which will be used for the benefit of the state hospital, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 348 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:
Ringsak Sandness Strinden

So the bill passed and the title was agreed to, and the emergency clause carried.

Senate Bill No. 2372 A Bill for an Act to suspend the operation of chapter 39-17 of the North Dakota Century Code, relating to the unsatisfied judgment fund, for all claims arising after July 1, 1973.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 349 of the Senate Journal, the roll was called and there were ayes, 23; nays, 24; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Smykowski
Butler	Jones	Peterson	Solberg
Coughlin	Lee	Roen	Thane
Freed	Melland	Sands	Tweten
Goldberg	Mutch	Schultz, C.	Wright
Iszler	Naaden	Schultz, J.	

Those voting in the negative were:

Barth	Gronhovd	Litten	Rait
Berube	Hoffner	Longmire	Redlin
Christensen	Holand	Morgan	Reiten
Erdman	Kautzmann	Nothing	Shablow
Fritzell	Larson	Page	Stroup
Goodman	Lips	Pyle	Wenstrom
Absent and not voting:			
Ringsak	Sandness	Strand	Strinden

So the bill was declared lost.

Senate Bill No. 2406. A Bill for an Act to amend and reenact section 50-09-21 of the North Dakota Century Code, relating to county reimbursement liability in aid to dependent children cases.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Stroup
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Roen	

Absent and not voting:

Ringsak	Sandness	Strand	Strinden
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So the bill passed and the title was agreed to.

Senate Bill No. 2217. A Bill for an Act to create and enact section 39-04-37.1 of the North Dakota Century Code, relating to motor vehicles operating in violation of registration laws.

Which has been read.

MOTION

Senator Butler moved that Senate Bill No. 2217 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1080. A Bill for an Act to amend and reenact section 14-10-17 of the North Dakota Century Code relating to minors contracting for medical treatment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 16; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goodman	Lips	Rait
Barth	Gronhovd	Litten	Redlin
Berube	Hoffner	Longmire	Schultz, J.
Butler	Holand	Melland	Solberg
Christensen	Jacobson	Nasset	Tweten
Coughlin	Jones	Peterson	Wenstrom
Fritzell	Kautzmann	Pyle	Wright
Goldberg	Lee		

Those voting in the negative were:

Erdman	Morgan	Reiten	Shablow
Freed	Mutch	Roen	Smykowski
Iszler	Nothing	Sands	Stroup
Larson	Page	Schultz, C.	Thane
Absent and not voting:			
Naaden	Sandness	Strand	Strinden
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1107. A Bill for an Act to amend and reenact section 40-24-10 and subsection 2 of section 40-61-10 of the North Dakota Century Code, relating to municipal bonds and debts being approved by boards of budget review, and to repeal chapter 40-41 of the North Dakota Century Code, relating to boards of budget review.

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, 2; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Berube	Jacobson	Naaden	Schultz, C.
Christensen	Jones	Nasset	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Holand	Morgan		

Those voting in the negative were:

Freed	Peterson		
Absent and not voting:			
Barth	Kautzmann	Sandness	Strinden
Butler	Nothing	Smykowski	Stroup
Hoffner	Ringsak	Strand	

So the bill passed and the title was agreed to.

House Bill No. 1168. A Bill for an Act to amend and reenact section 39-04-12 of the North Dakota Century Code, relating to the registration of a motor vehicle.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Roen
Berube	Iszler	Mutch	Sands
Christensen	Jacobson	Naaden	Schultz, C.
Coughlin	Jones	Nasset	Schultz, J.
Erdman	Larson	Page	Shablow
Freed	Lee	Peterson	Solberg
Fritzell	Lips	Pyle	Thane
Goldberg	Litten	Rait	Tweten
Goodman	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright

Absent and not voting:

Barth	Kautzmann	Sandness	Strinden
Butler	Nething	Smykowski	Stroup
Hoffner	Ringsak	Strand	

So the bill passed and the title was agreed to.

House Bill No. 1179. A Bill for an Act to amend and reenact section 39-06-24 of the North Dakota Century Code, relating to the authority to cancel driver's 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, 41; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Berube	Jacobson	Naaden	Schultz, C.
Christensen	Jones	Nasset	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Thane
Goldberg	Longmire	Redlin	Tweten
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Roen	Wright
Holand			

Absent and not voting:

Barth	Kautzmann	Sandness	Strinden
Butler	Nething	Smvkowski	Stroup
Hoffner	Ringsak		

So the bill passed and the title was agreed to.

House Bill No. 1187. A Bill for an Act to amend and reenact subsection 3 of section 39-22-09 of the North Dakota Century Code, relating to dealer registration of used motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Berube	Jacobson	Naaden	Schultz, C.
Christensen	Jones	Nasset	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Thane
Goldberg	Longmire	Redlin	Tweten

Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Roen	Wright
Holand			

Absent and not voting:

Barth	Kautzmann	Sandness	Strinden
Butler	Nething	Smykowski	Stroup
Hoffner	Ringsak		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2002
Senate Bill No. 2026
Senate Bill No. 2267
Senate Bill No. 2296
Senate Bill No. 2342
Senate Bill No. 2364
Senate Concurrent Resolution No. 4011

Which the Senate has passed and your favorable consideration is requested.

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

House Bill No. 1014
House Bill No. 1339
House Bill No. 1367
House Bill No. 1412
House Bill No. 1419
House Bill No. 1432
House Bill No. 1433
House Bill No. 1436
House Bill No. 1440
House Bill No. 1464
House Bill No. 1488
House Bill No. 1504

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following which the House has passed unchanged

Senate Bill No. 2187

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 P.M., February 6, 1973.

LEO LEIDHOLM, Secretary

TWENTY-FIFTH DAY AFTER RECESS
AND TWENTY-SIXTH DAY

Bismarck, February 6, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2256
Senate Bill No. 2260
Senate Bill No. 2386
Senate Bill No. 2414

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2114

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2019
Senate Bill No. 2039
Senate Bill No. 2040
Senate Bill No. 2052
Senate Bill No. 2056
Senate Bill No. 2087
Senate Bill No. 2134
Senate Bill No. 2188
Senate Bill No. 2225

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2019
Senate Bill No. 2039

Senate Bill No. 2040
 Senate Bill No. 2052
 Senate Bill No. 2056
 Senate Bill No. 2087
 Senate Bill No. 2114
 Senate Bill No. 2134
 Senate Bill No. 2188
 Senate Bill No. 2225

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2019
 Senate Bill No. 2039
 Senate Bill No. 2040
 Senate Bill No. 2052
 Senate Bill No. 2056
 Senate Bill No. 2087
 Senate Bill No. 2114
 Senate Bill No. 2134
 Senate Bill No. 2188
 Senate Bill No. 2225

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1018
 House Bill No. 1024
 House Bill No. 1047
 House Bill No. 1051
 House Bill No. 1052
 House Bill No. 1056
 House Bill No. 1075

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1018
 House Bill No. 1024
 House Bill No. 1047
 House Bill No. 1051
 House Bill No. 1052
 House Bill No. 1056
 House Bill No. 1075

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1018
 House Bill No. 1024
 House Bill No. 1047
 House Bill No. 1051
 House Bill No. 1052
 House Bill No. 1056
 House Bill No. 1075

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2019
Senate Bill No. 2039
Senate Bill No. 2040
Senate Bill No. 2052
Senate Bill No. 2056
Senate Bill No. 2087
Senate Bill No. 2114
Senate Bill No. 2134
Senate Bill No. 2188
Senate Bill No. 2225

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2019
Senate Bill No. 2039
Senate Bill No. 2040
Senate Bill No. 2052
Senate Bill No. 2056
Senate Bill No. 2087
Senate Bill No. 2114
Senate Bill No. 2134
Senate Bill No. 2188
Senate Bill No. 2225

Were delivered to the Governor for his approval at the hour of 1:04 o'clock p.m., February 6, 1973.

SENATOR JACOBSON, Chairman

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2008 has had the same under consideration and recommends that the same be amended as follows:

On page 2, after line 2 add the following: "SECTION 2. LEGISLATIVE INTENT.) It is the intent that the Highway Department expend up to \$900,000.00 out of their fund in the Travel Department to encourage and support tourism in North Dakota."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2207 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the figure "50,000.00" and insert in lieu thereof the figure "2,500.00"

On page 1, line 13 after the "," delete the following: "to be expended in accordance with chapter"

On page 1, line 14 delete the following: "54-35 of the North Dakota Century Code,"

On page 1, line 15, after the word "processing" delete the following: "between the state"

On page 1, delete all of line 16

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

It is the intent of this amendment that the funds be expended with a private computer firm or a college or university facility.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2223 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "to," insert the following: "create and enact a new subsection to section 15-47-38 and to"

On page 2, line 19, insert triple parentheses before the word "The"

On page 2, line 30, delete the words "Such teacher shall also be"

On page 2, delete lines 31 through 35

On page 3, delete lines 1 through 20

On page 3, line 21, delete the words "to the laws thereunto pertaining."

On page 3, line 30, delete the triple parentheses before and after the words "a person" and delete the letters "represnta-"

On page 3, line 31, delete the letters "tives"

On page 4, line 3, insert triple parentheses after the period and delete the words "Failure to strictly comply with this statute"

On page 4, delete lines 4 through 7 and insert in lieu thereof the following:

"The school board of any school district contemplating discharging a teacher for cause prior to the expiration of the term of the teacher's contract shall notify such teacher in writing of such fact at least ten days prior to the date of contemplated discharge. Such teacher shall be informed in writing of the time and place for a special meeting of the school board to be held for such purpose prior to the final decision on the matter. Such teacher shall also be informed in writing of his right to demand a specification of the reasons for such discharge, which must on demand of the teacher be furnished not less than five days prior to said meeting to be held on the question of contemplated discharge. Such reasons shall be sufficient to justify the contemplated action of the board and shall not be frivolous or arbitrary. At the meeting with the board, if the teacher has informed the board in writing at least two days prior thereto that he will contest the charges brought against him, the board must sustain the charges with evidence produced at such hearing with witnesses who shall be subject to cross-examination by the teacher or his representative. The teacher may then produce such witnesses as may be necessary to refute the charges, which witnesses shall be subject to cross-examination. The proceedings may, at the request of either party, be transcribed by a court reporter at the expense of the person requesting such transcript and the witnesses may on demand of either party be placed under oath by a person authorized by law to administer oaths. Any person testifying falsely under oath shall be guilty of perjury and punished according to law. The meeting shall be an executive session of the board unless both the school board and the teacher requesting such meeting shall agree that it shall be open to other persons or the public. The teacher may be represented at the meeting by two representatives of his own choosing. In addition to board members, the school district clerk, and the superintendent, the school board may be represented by two other representatives of its own choosing at such executive session. If the teacher so requests he shall be granted a continuance of not to exceed seven days by the board unless for good cause otherwise shown. No cause of action for libel or slander shall lie for any statement expressed either orally or in writing at any executive session of the school board held for the purposes provided for in this section.

SECTION 2.) A new subsection to section 15-47-38 of the North Dakota Century Code is hereby created and enacted to read as follows:

The school board of any school district contemplating not renewing a teacher's contract shall notify such teacher in writing of such contemplated nonrenewal no later than April first. Such teacher shall be informed in writing of the time and place of a special school board meeting for the purpose of discussing and acting upon such contemplated nonrenewal. The school board shall give an explanation and shall discuss at such meeting its reasons for the contemplated non-renewal of the contract. The meeting shall be an executive session of the board unless both the school board and the teacher shall agree that it shall be open to other persons or the public. The teacher may be represented at such meeting by any two representatives of his own choosing. In addition to board members, the school district clerk, and the superintendent, the school board may be represented by two other representatives of its own choosing at such executive session. Upon such hearing, if the teacher so requests, he shall be granted a continuance of not to exceed seven days. No cause of action for libel or slander shall lie for any statement expressed either orally or in writing at any executive session of the school board held for the purposes provided for in this section. The determination not to renew a contract if made in good faith shall be final and binding on all parties."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2254 has had the same under consideration and recommends that the same be indefinitely postponed.

It is the intent of the Legislative Assembly that the State Economic Opportunity office continue to operate under present federal funding and phase out programs as federal support diminishes.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2263 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2359 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2385 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1150 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1178 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1195 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2109, 2159, 2353 and 2409 be dispensed with, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2109 as recommended by the Committee on Industry, Business and Labor as printed on page 375 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2159 as recommended by the Committee on Transportation as printed on pages 375, 376, 377 and 378 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2353 as recommended by the Committee on Finance and Taxation as printed on page 379 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2409 as recommended by the Committee on Industry, Business and Labor as printed on page 380 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF A

SENATE CONCURRENT RESOLUTION

The Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4026. A Concurrent Resolution directing the Director of Institutions to conduct a space utilization study and a facility needs and improvement study of the institutions and facilities under his control.

Was read the first time and referred to the Committee on Appropriations.

MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Bill No. 2224 was declared lost, which motion prevailed.

MOTION

Senator Holand moved that Senate Bill No. 2224 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

MOTION

Senator Sands moved that the Senate reconsider the action by which Senate Bill No. 2228 was indefinitely postponed, which motion failed.

FIRST READING OF HOUSE BILLS

House Bill No. 1014. A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1339. A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense of state officers and employees.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1367. A Bill for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to application of a parent or guardian for payment of tuition by a school district.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1412. A Bill for an Act to amend and reenact section 39-18-02 of the North Dakota Century Code, relating to mobile home dealers, and increasing the amount of bond required.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1419. A Bill for an Act to provide an appropriation to the department of agriculture for the control and reduction of the state's coyote population, providing a statement of legislative intent, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1432. A Bill for an Act defining "membership subscription plans" and requiring an affirmative response by members of such plans before acceptance of merchandise is acknowledged; and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1433. A Bill for an Act to regulate certain commercial activities on school premises and to provide for the accounting of proceeds to school boards; to repeal section 15-49-10 of the North Dakota Century Code, relating to solicitations and sales in schools; and to provide a penalty.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1436. A Bill for an Act to provide a statement of legislative intent concerning the use of sales, market, and productivity studies in the assessment and equalization of property for taxation purposes; to amend and reenact subsection 4 of section 57-01-05, and sections 57-01-06 and 57-01-07 of the North Dakota Century Code, relating to the authority of the state supervisor of assessments and the state tax commissioner, and property to be excluded in sales, market, and productivity studies.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1440. A Bill for an Act to amend and reenact section 57-38-30.1 of the North Dakota Century Code, relating to corporate income tax credits for new industry.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1464. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school starting age of a child.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1488. A Bill for an Act to authorize the public service commission to fix the terms under which the facilities of one public utility will be permitted to cross those of another public utility.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1504. A Bill for an Act to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old age and survivor insurance system.

Which was read the first time and referred to the Committee on State and Federal Government.

SECOND READING OF SENATE BILLS

Senate Bill No. 2009. A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, J.
Barth	Jones	Nothing	Shablow
Berube	Kautzmann	Page	Smykowski
Butler	Larson	Peterson	Solberg
Christensen	Lee	Pyle	Strand
Coughlin	Lips	Rait	Strinden
Erdman	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler			

Absent and not voting:

Freed	Hoffner	Ringsak	Sandness
Goldberg	Naaden		

So the bill passed and the title was agreed to.

Senate Bill No. 2256. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 366 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, J.
Barth	Jacobson	Nothing	Shablow
Berube	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Schultz, C.	Wright
Holand	Mutch		

Those voting in the negative were:

Butler

Absent and not voting:

Hoffner Naaden Ringsak Sandness

So the bill passed and the title was agreed to.

Senate Bill No. 2260. A Bill for an Act to provide an appropriation for salaries and expenses of the merit system council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 366 of the Senate Journal, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Holand	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Solberg
Christensen	Kautzmann	Page	Strand
Coughlin	Larson	Peterson	Strinden
Erdman	Lee	Pyle	Stroup
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Roen	Wright
Gronhovd	Morgan	Sands	

Those voting in the negative were:

Iszler Smykowski

Absent and not voting:

Ringsak Sandness

So the bill passed and the title was agreed to.

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 57-38-49 and subsections 4 and 5 of section 57-39.2-13 of the North Dakota Century Code, relating to preservation of liens.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Ringsak Sandness

So the bill passed and the title was agreed to.

Senate Bill No. 2323. A Bill for an Act to amend and reenact section 57-38-30.2 of the North Dakota Century Code, relating to the surtax on income, providing for an effective date, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Holand	Naaden	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nothing	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Twetten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Larson

Absent and not voting:

Ringsak	Roen	Sandness	Stroup
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So the bill passed and the title was agreed to, and the emergency clause carried.

Senate Bill No. 2329. A Bill for an Act relating to income tax credits for charitable contributions to nonprofit private institutions of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Twetten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Roen	

Those voting in the negative were:

Schultz, C.

Absent and not voting:

Ringsak	Sandness	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2380. A Bill for an Act to create and enact a new section to chapter 40-57.1 and to amend and reenact section 40-57.1-02 of the North Dakota Century Code, relating to tax exemptions for new industries.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.

Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright

Absent and not voting:

Ringsak	Sandness	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2386. A Bill for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security interests in growing and unharvested crops.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 367 of the Senate Journal, the roll was called and there were ayes, 36; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Smykowski
Barth	Holand	Nasset	Solberg
Butler	Iszler	Nething	Strand
Christensen	Kautzmann	Peterson	Strinden
Coughlin	Larson	Pyle	Stroup
Erdman	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goldberg	Longmire	Schultz, C.	Wenstrom
Goodman	Melland	Schultz, J.	Wright

Those voting in the negative were:

Berube	Jones	Naaden	Roen
Freed	Lee	Page	Sands
Gronhovd	Mutch	Rait	Shablow
Jacobson			

Absent and not voting:

Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Which has been read.

MOTION

Senator Coughlin moved that Senate Bill No. 2401 be laid over one legislative day, which motion prevailed.

MOTION

Senator Litten moved that the Select Study Committee appointed to investigate the North Dakota State Penitentiary be granted an extension of fifteen legislative days in which to complete their work, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2109, 2159, 2353, 2409, House Bills Nos. 1150, 1178 and 1195 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SIXTH DAY

Bismarck, February 6, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Norman Winkelman, Calvary United Methodist Church, Bismarck.

"Our Heavenly Father, we come to You with the sincere desire that Your spirit would guide us in the way of truth and justice. Give us the spirit of Jesus Christ so that we too, may have a sense of compassion and concern for all men. Grant us your wisdom in the deliberation of the business at hand and may the decisions that are made be in accord with Your righteous will and purposes.

"We ask this in the name of Jesus Christ our Lord.

Amen."

Roll Call: All Senators present except Sandness.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fourth day after recess and the twenty-fifth day and recommends that the same be corrected as follows:

"On page 386, after line 26 from the top of the page, insert the following:

"Senator Holand changed his vote from aye to nay for the purpose of reconsideration."

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2411. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, defining "projects" under the Municipal Industrial Development Act of 1955 as amended.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:

Sandness

So the bill passed and the title was agreed to.

Senate Bill No. 2414. A Bill for an Act to create and enact section 11-33-21 of the North Dakota Century Code, relating to the general penalties for violation of zoning regulations and restrictions.

Which has been read.

MOTION

Senator Butler moved that Senate Bill No. 2414 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2160. A Bill for an Act to create and enact section 6-09-02.1 of the North Dakota Century Code, relating to the creation of a board of directors for the Bank of North Dakota to be appointed by the governor; to amend and reenact section 6-09-02, 6-09-03, 6-09-04, 6-09-05, 6-09-09, 6-09-11, 6-09-12, 6-09-14, 6-09-15, 6-09-15.1, 6-09-25, 6-09-26, 6-09-29, 6-09.1-03, 6-09.2-09, and 54-17-07 of the North Dakota Century Code, relating to the industrial commission and the Bank of North Dakota; and to repeal section 6-09.1-02 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of North Dakota.

Which has been read.

MOTION

Senator Nothing moved that Senate Bill No. 2160 be amended as follows:

On page 2, line 16 after "of" insert "**the members of the industrial commission and four**" and delete "**seven**" and after "**governor**" insert a comma

On page 2, line 17 after "**each**" insert "**appointed**"

On page 2, line 18 delete "**seven**" and insert in lieu thereof "**four**"

On page 2, line 20 after "**Vacancies**" insert "**of appointed members**"

On page 2, line 22 delete "**three**" and insert in lieu thereof "**two**"

On page 2, line 27 after the first word "**the**" insert "**appointed**"

On page 2, line 30 after "**All**" insert "**appointed**"

And renumber the lines accordingly.

Which motion prevailed.

Senator Nothing moved that the rules be suspended, that Senate Bill No. 2160 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2160. A Bill for an Act to create and enact section 6-09-02.1 of the North Dakota Century Code, relating to the creation of a board of directors for the Bank of North Dakota to be appointed by the governor; to amend and reenact section 6-09-02, 6-09-03, 6-09-04, 6-09-05, 6-09-09, 6-09-11, 6-09-12, 6-09-14, 6-09-15, 6-09-15.1, 6-09-25, 6-09-26, 6-09-29, 6-09.1-03, 6-09.2-09, and 54-17-07 of the North Dakota Century Code, relating to the industrial commission and the Bank of North Dakota; and to repeal section 6-09.1-02 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of 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 ayes, 32; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Morgan	Schultz, J.
Butler	Jacobson	Nasset	Smykowski
Coughlin	Kautzmann	Nothing	Solberg
Freed	Lee	Page	Strand
Fritzell	Lips	Peterson	Strinden
Goldberg	Litten	Pyle	Stroup
Goodman	Longmire	Ringsak	Thane
Holand	Melland	Roen	Tweten

Those voting in the negative were:

Barth	Hoffner	Rait	Schultz, C.
Berube	Jones	Redlin	Shablow

Christensen	Larson	Reiten	Wenstrom
Erdman	Mutch	Sands	Wright
Gronhovd	Naaden		

Absent and not voting:
Sandness

So the bill was lost due to the lack of a constitutional majority.

Senate Bill No. 2217. A Bill for an Act to create and enact section 39-04-37.1 of the North Dakota Century Code, relating to motor vehicles operating in violation of registration laws.

Which has been read.

MOTION

Senator Melland moved that Senate Bill No. 2217 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2158
Senate Bill No. 2193
Senate Bill No. 2208
Senate Bill No. 2231
Senate Bill No. 2258
Senate Bill No. 2313
Senate Bill No. 2315
Senate Bill No. 2322
Senate Bill No. 2345
Senate Bill No. 2406

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1080
House Bill No. 1107
House Bill No. 1168
House Bill No. 1179
House Bill No. 1187

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit House Bill No. 1042 which the House has passed over the Governor's veto.

The vote on House Bill No. 1042 is: 72 Ayes; 30 Nays; 0 Absent and not voting

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged

Senate Concurrent Resolution No. 4018

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the follow-

ing, which the House has passed and your favorable consideration is requested on

- House Bill No. 1092
- House Bill No. 1231
- House Bill No. 1240
- House Bill No. 1329
- House Bill No. 1330
- House Bill No. 1369
- House Bill No. 1397
- House Bill No. 1398
- House Bill No. 1449

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 P.M. January 7, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTY-SIXTH DAY AFTER RECESS
AND TWENTY-SEVENTH DAY

Bismarck, February 7, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2109

Senate Bill No. 2159

Senate Bill No. 2353

Senate Bill No. 2409

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2216

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Litten requested a call of the Senate, which request was granted.

Senator Litten moved to suspend the call of the Senate, which motion prevailed.

MOTION

Senator Litten moved that House Bill No. 1042 be placed at the head of the calendar, which motion prevailed.

MOTION

Senator Litten moved that the Senate reconsider House Bill No. 1042, pursuant to Section 79 of the Constitution of the State of North Dakota, which the House has passed over the Governor's veto, which motion prevailed.

PERSONAL PRIVILEGE

Senator Nething: Mr. President. I rise on a point of personal privilege.

Mr. President: "State your privilege, Senator Nething."

Senator Nething:

"Fellow Senators:

"Inconsistency appears to be the theme of the Governor's veto

message of House Bill 1042 and found on page 476-478 of the House Journal.

"He states the bill is contrary to the expressed will of the people of North Dakota. There is no foundation for such a statement as the House and Senate voted on the measure January 18 and 23 respectively through the people's elected legislators and indicates the true fact.

"He states that multi-senatorial districts also tend to under represent minority groups. There is no showing that this objection is any more than conjecture on his part. Further, why would multi-senate districts cause an under representation, and not a multi-representative district?

"He says we have increased campaign costs in multi-senate districts. There has been absolutely no testimony that campaign costs are a factor in a multi-member district compared to a single-member district, nor was there any showing that persons would not be a candidate in a multi-member district for that reason.

"He states that a substitute plan would have violated fewer county lines. What he fails to comprehend is that the courts want a closer population to representation ratio first and then consideration for other factors. This plan has a deviation of only +3.3 to minus 3.5 and the substitute plan was +4.5 to minus 3.9, a significant difference.

"He refers also to our North Dakota Constitution as supporting a single-member Senate district. What he is not telling us is the fact that our Constitution favored single-member Senate districts as compared to the Federal System wherein senators represent an area, and not population. Unfortunately the U. S. Supreme Court has decreed that both houses must reflect population and took from us the privilege of considering geography.

"He criticises the attachment of the Air Bases to urban areas, yet the Federal Court in giving its opinion, recommended this. Incidentally, the same substitute plan handled the Grand Forks Air Base identically to this one, and made a multi-member senate district in District No. 3 with Minot Air Base.

"Yes, that is right, the substitute plan offered by the minority provided for a multi-senate district in District No. 3.

"You should also know that the original Legislative Council plan, for which the Senate and House minority leaders voted as members of the Reapportionment Study Committee, also provided for District No. 3 to be multi-senate. Last Session's Minority Leader in the House endorsed this plan when he voted for it as a member of the Legislative Council.

"So, Mr. President and Ladies and Gentlemen of the Senate, I urge you to vote to override this veto. This reapportionment plan does provide equal representation because of its low variation percentage. It does meet the guidelines the court has laid down. It does provide all 37 multi-member House districts and 5 multi-member Senate districts, which type of districts have in the past been upheld by the U. S. Supreme Court as I outlined to you in my remarks on pages 242 through 246 of the Senate Journal.

"Do not be swayed by the inconsistent remarks and past comments of the minority. It is a fair reapportionment plan and is worthy of your support. There is strong rational justification for House Bill 1042."

MOTION

Senator Litten moved that Senator Nething's remarks be printed in the journal, which motion prevailed.

PERSONAL PRIVILEGE

Senator Christensen: "Mr. President, I rise on a point of personal privilege, and request that my remarks be printed in the journal."

Mr. President: "State your privilege, Senator Christensen."
 Senator Christensen:

"Today we are considering the Governor's veto of the Reapportionment Bill that was passed by this assembly and by the House of Representatives. Reapportionment is a very important issue, not only to this body but to the citizens of North Dakota. I think the thing that we should keep uppermost in our mind is that every voter in the State of North Dakota should have the opportunity to vote for, and to be represented by, a like number of people. And I think that for just a moment we should try to lay aside political consideration and look at only the basic rights of the people of North Dakota. If we look at those rights, I am sure that we would agree with the Governor's veto message that under the terms of House Bill 1042 that some people are indeed being denied their rights under the Constitution. Ladies and Gentlemen of the Senate, representative government demands very close communication and identification between the elected official and his constituent. Those of us who support the Governor in his veto of House Bill 1042 submit to you that when districts are represented by large numbers of Senators and of Representatives, that that close communication and identification with the public is lost. Mr. President and Ladies and Gentlemen of the Senate, this is a very important issue. It's the last opportunity that this Legislative body is going to have to come forth with a reapportionment plan that represents the people of North Dakota, and we respectfully submit that you uphold the Governor's veto of this House Bill."

SECOND READING OF A HOUSE BILL

House Bill No. 1042. A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code, and chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

Was read the second time.

ROLL CALL

The question being on the passage of House Bill No. 1042, over the Governor's veto.

The roll was called and there were ayes, 37; nays, 14; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Jones	Nething	Smykowski
Butler	Kautzmann	Page	Solberg
Coughlin	Lee	Peterson	Strand
Freed	Lips	Pyle	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Holand	Morgan	Sandness	Wenstrom
Iszler	Nasset	Schultz, J.	Wright
Jacobson			

Those voting in the negative were:

Barth	Gronhovd	Naaden	Sands
Berube	Hoffner	Rait	Schultz, C.
Christensen	Larson	Redlin	Shablow
Erdman	Mutch		

So the bill passed over the Governor's veto and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2014 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 1 delete the figure "5,057,097" and insert in lieu thereof the figure "5,047,097"

On page 2, line 2 delete the figure "5,536,602" and insert in lieu thereof the figure "5,526,602"

On page 2, line 4 delete the figure "351,663" and insert in lieu thereof the figure "341,663"

On page 2, delete all of lines 19, 20 and 21

On page 2, line 22 delete the figure "485,813" and insert in lieu thereof the figure "455,813"

On page 2, line 24 delete the figure "5,670,752" and insert in lieu thereof the figure "5,640,752"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To remove \$10,000 which represents previous state general fund appropriation to the Law Enforcement Council, which have been unexpended because of the alternative use of federal funds, and to delete the Law Enforcement — Indian Reservations as federal revenue sharing funds on the local level eliminate need for state funding.

SENATOR MELLAND, Vice Chairman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2033 has had the same under consideration and recommends that the same be amended as follows:

On page 22, line 14, delete the numeral "5" and insert in lieu thereof the numeral "6"

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2165 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MELLAND, Vice Chairman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2183 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "enact", insert the words "two new", and after the word "subsections", delete the numbers and word "3, 4, and 5"

On page 2, after line 28 insert the following:

"SECTION 3.) A new subsection to section 15-47-38 of the North Dakota Century Code is hereby created and enacted to read as follows:"

On page 2, line 29, delete the following: "5" and after the word "board" insert the following: "by unanimous vote"

An renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2209 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2212 has had the same under consideration and recommends that the same do pass and be re-referred to Committee on Appropriations.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2213 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2216 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2236 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2247 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2288 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "to" insert the following: "create and enact sections 15-53.1-19.1, 15-53.1-19.2, and 15-53.1-19.3, and to"

On page 1, line 2, delete the number and comma: "15-53.1-11,"

On page 1, line 3, delete the numbers and commas: "15-53.1-12, 15-53.1-13,"

On page 1, line 7, delete the words "changing the county" and insert in lieu thereof the word "area", and delete the words "committee to a regional committee" and insert in lieu thereof the word "committees"

On page 1, line 21, delete the triple parentheses

On page 1, line 22, delete the word "regional", and after the word "committees" insert the following: "or area committee, as the case may be"

On page 2, line 20, delete the triple parentheses, delete the quotation marks and the word "Regional", and before the word "and" insert the following words and quotation marks: ", "area committee","

On page 2, line 21, delete the triple parentheses and delete the word "regional"

On page 2, line 22, after the word "districts" insert the following: ", the area committee for the reorganization of school districts,"

On page 2, line 30, delete the triple parentheses and delete the word "regional"

On page 2, line 34, delete the triple parentheses and delete the word "regional"

On page 3, line 3, after the period insert the following new sentence: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 3, line 8, delete the triple parentheses and delete the word "regional"

On page 3, line 14, delete the triple parentheses and delete the word "regional"

On page 3, line 20, delete the triple parentheses and delete the word "regional"

On page 3, line 22, after the period insert the following new sentence: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 3, line 23, delete the word "region" and insert in lieu thereof the word "area", and delete the word "regions" and insert in lieu thereof the word "areas"

On page 3, line 24, delete the word "regional" and insert in lieu thereof the word "area"

On page 3, line 25, delete the word "regional" and insert in lieu thereof the word "area"

On page 3, line 27, delete the word "regional" and insert in lieu thereof the word "area"

On page 3, line 31, delete the word "regional" and insert in lieu thereof the word "area"

On page 3, line 32, delete the word "regional" and insert in lieu thereof the word "area"

On page 4, line 9, delete the triple parentheses and delete the word "regional"

On page 4, line 16, delete the triple parentheses

On page 4, line 17, delete the word "regional", and after the period insert the following new sentence: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 4, delete lines 18 through 35

On page 5, delete lines 1 through 35

On page 6, delete lines 1 through 35

On page 7, delete lines 1 through 35

On page 8, delete lines 1 through 7

On page 8, line 8, delete the number "9" and insert in lieu thereof the number "6"

On page 8, line 10, delete the triple parentheses and delete the word "REGION"

On page 8, line 11, delete both sets of triple parentheses

On page 8, line 12, delete the word "regional", delete the triple parentheses, and delete the following: **"shall, immediately after organization,"**

On page 8, line 13, delete the word "regional", insert triple parentheses around the word "system", and delete the beginning triple parentheses before the word "whenever" and insert in lieu thereof the words **"districts within the county"**

On page 8, line 14, delete the closing triple parentheses

On page 9, line 3, after the period insert the following new sentence: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 9, line 4, delete the number "10" and insert in lieu thereof the number "7"

On page 9, line 7, delete the triple parentheses and delete the word "regional"

On page 9, line 12, after the period insert the following new sentence: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 9, line 13, delete the number "11" and insert in lieu thereof the number "8"

On page 9, line 16, delete the triple parentheses and delete the word "regional"

On page 9, line 17, delete the triple parentheses and delete the words **"within the geographical area to be affected one or more"**

On page 9, line 18, delete the triple parentheses, delete the word "hearings", and delete the word "original"

On page 9, line 23, delete the words **"of the affected county or counties"**

On page 9, line 24, delete the triple parentheses and delete the word "regional"

On page 9, line 31, delete the triple parentheses and delete the word "regional"

On page 9, line 33, delete the triple parentheses and delete the word "regional"

On page 10, line 13, delete the triple parentheses and delete the word "regional"

On page 10, line 17, insert beginning triple parentheses before the word "A"

On page 10, line 18, delete the triple parentheses and delete the words **"the regional"** and delete the words **"and its secretary"**

On page 10, line 19, delete the triple parentheses before the word "the", delete the triple parentheses after the word "of", delete the triple parentheses around the word "county", and delete the word "region"

On page 10, line 20, delete the triple parentheses and delete the following: **"together with the secretary of each regional"**

On page 10, line 21, delete the words **"committee of each region concerned, when"**, and delete the triple parentheses

On page 10, line 22, delete the word "regions", delete the triple parentheses, and delete the word "regional"

On page 10, line 23, after the period insert closing triple parentheses and add the following new sentence: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 10, line 24, delete the number "12" and insert in lieu thereof the number "9"

On page 10, line 27, delete the triple parentheses, delete the word "regional", insert triple parentheses around the word "shall", and delete the comma and the words **"not later"** and insert in lieu thereof the word **"may"**

On page 10, line 28, delete the words, numbers, and commas: **"than July 1, 1974,"**

On page 10, line 29, delete the triple parentheses and delete the word "region"

On page 11, line 5, insert beginning triple parentheses before the word "including" and insert closing triple parentheses after the second comma

On page 11, line 17, after the period insert the following new paragraph: **"Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."**

On page 11, line 18, delete the number "13" and insert in lieu thereof the number "10"

On page 11, line 21, delete the triple parentheses and delete the word "REGION" and insert in lieu thereof the word "AREA"

On page 11, line 22, delete the triple parentheses and delete the word "regions" and insert in lieu thereof the word "areas"

On page 11, line 24, delete the triple parentheses around the word "county", delete the word "regional" and insert in lieu thereof the word "area", and delete the triple parentheses around the second word "county"

On page 11, line 25, delete the word "region" and insert in lieu thereof the word "area" and delete the triple parentheses

On page 11, line 26, delete the word "regional" and insert in lieu thereof the word "area"

On page 11, line 27, delete the triple parentheses

On page 11, line 28, delete the word "regional" and insert in lieu thereof the word "area"

On page 11, line 29, delete the triple parentheses

On page 11, line 30, delete the closing triple parentheses and delete the words "regions, the region" and insert in lieu thereof the words "areas, the area"

On page 11, line 34, delete the triple parentheses

On page 11, line 35, delete the word "regional" and insert in lieu thereof the word "area"

On page 12, line 1, delete the triple parentheses and delete the word "regional" and insert in lieu thereof the word "area"

On page 12, line 3, delete the number "14" and insert in lieu thereof the number "11"

On page 12, line 6, delete the triple parentheses and delete the word "REGIONAL"

On page 12, line 7, delete the triple parentheses and delete the word "regional"

On page 12, line 11, delete the triple parentheses, delete the word "regional", and after the period insert the following new sentence and sections: "Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee."

SECTION 12. Section 15-53.1-19.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

15-53.1-19.1. AREA COMMITTEES — MEMBERSHIP — COMPENSATION.) For purposes of this chapter, there shall be areas respectively composed of the following named counties:

1. Area number one shall consist of the counties of Burke, Divide, McKenzie, Mountrail, and Williams.
2. Area number two shall consist of the counties of Bottineau, McHenry, Renville, and Ward.
3. Area number three shall consist of the counties of Benson, Pierce, Ramsey, Rolette, and Towner.
4. Area number four shall consist of the counties of Cavalier, Grand Forks, Nelson, Pembina, and Walsh.
5. Area number five shall consist of the counties of Cass, Richland, Sargent, Ransom, Steele, and Traill.
6. Area number six shall consist of the counties of Barnes, Eddy, Foster, Griggs, Stutsman, and Wells.
7. Area number seven shall consist of the counties of Emmons, Dickey, LaMoure, Logan, and McIntosh.
8. Area number eight shall consist of the counties of Burleigh, Kidder, McLean, and Sheridan.
9. Area number nine shall consist of the counties of Grant, Mercer, Morton, Oliver, and Sioux.

10. Area number ten shall consist of the counties of Adams, Billings, Bowman, Dunn, Golden Valley, Hettinger, Slope, and Stark.

In each area of this state there shall be an area committee. The members of the area committee shall consist of one person from each county within an area selected by the school officers' association of such county, or, if no school officers' association exists within such county, by the presidents of the school boards of each school district, the principal administrative unit for which is located within such county. Such member shall be chosen at a meeting called and chaired by the county superintendent of schools through election by a majority vote of the eligible representatives voting in such election. If a tie vote shall result after three ballots cast, the county superintendent of schools shall break the tie. Within five days after the election, the county superintendent shall report for his county to the superintendent of public instruction the name and address of the area committee member elected. The members of the area committee shall serve for a term of four years commencing on July first of the year of their selection, and any vacancy shall be filled for the unexpired term in the same manner as members were originally selected. Each member shall receive from the county from which he is elected the actual and necessary expenses incurred by him in attending scheduled meetings and in performing his official duties in the same manner and amounts as other county officials.

SECTION 13.) Section 15-53.1-19.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

15-53.1-19.2. AREA COMMITTEE — MEETINGS — QUORUM.) After receipt of the names and addresses of the area committee members, the superintendent of public instruction or his authorized representative shall call the organizational meeting of the area committee for the purpose of organizing the committee, electing a chairman and vice chairman, and appointing a secretary as hereinafter provided. The area committee shall annually select its own chairman and vice chairman from among its members and shall appoint a secretary from among the county superintendents of the counties represented on such area committee. The secretary shall be an ex officio nonvoting member of such area committee for the duration of his appointment. The secretary of the area committee shall be allowed and paid his actual and necessary expenses incurred while in the performance of his duties under the provisions of this chapter and shall be compensated at the rate of three dollars per hour for his time reasonably expended pursuant to his duties under the provisions of this chapter. Such expenses and compensation shall be chargeable and payable within the limits of legislative appropriation as an expense of the state and shall be administered by the superintendent of public instruction.

SECTION 14.) Section 15-53.1-19.3 of the North Dakota Century Code is hereby created and enacted to read as follows:

15-53.1-19.3. AREA COMMITTEE COUNSEL.) The area committee may employ legal counsel of its choice at a rate of compensation as determined by the superintendent of public instruction. Such expenses and compensation shall be chargeable and payable within the limits of legislative appropriation as an expense of the state and shall be administered by the superintendent of public instruction."

On page 12, line 16, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "and area"

On page 12, line 23, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "and area"

On page 12, line 26, delete the triple parentheses, and delete the word "regions" and insert in lieu thereof the words "and areas"

On page 12, line 28, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 12, line 31, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 12, line 32, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 12, line 34, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 13, line 1, delete the triple parentheses around the first word "county", delete the word "regional" and insert in lieu thereof the words "or area", and delete the triple parentheses around the second word "county"

On page 13, line 2, delete the word "regional" and insert in lieu thereof the words "or area", and after the number "15-53.1-11" insert the following: "or section 15-53.1-19.1, as the case may be"

On page 13, line 12, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 13, line 14, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the following commas and words: ", area,"

On page 13, line 23, delete the triple parentheses around the word "county" and insert an underscored comma following that word

On page 13, line 24, delete the word "regional" and insert in lieu thereof the following word and comma: "area,"

On page 13, line 27, delete the triple parentheses around the word "county" and insert an underscored comma following that word

On page 13, line 28, delete the word "regional" and insert in lieu thereof the following word and comma: "area,"

On page 13, line 34, delete the triple parentheses

On page 13, line 35, delete the word "regional" and insert in lieu thereof the words "or area", delete the triple parentheses, and delete the word "shall"

On page 14, line 35, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 15, line 1, after the word "committee" insert the following: ", as the case may be"

On page 15, line 12, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 15, line 22, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 15, line 24, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 15, line 26, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 15, line 31, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 15, line 34, delete the triple parentheses, and delete the word "region" and insert in lieu thereof the words "or area"

On page 16, line 4, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 16, line 9, delete the triple parentheses, and delete the word "REGIONAL" and insert in lieu thereof the words "OR AREA"

On page 16, line 14, delete the triple parentheses

On page 16, line 15, delete the word "regional" and insert in lieu thereof the words "or area"

On page 16, line 19, delete the triple parentheses around the word "county", delete the word "regional" and insert in lieu thereof the words "or area", and after the word "committee" insert the following comma and words: ", as the case may be"

On page 16, line 35, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 17, line 8, delete the triple parentheses

On page 17, line 9, delete the word "regional" and insert in lieu thereof the words "or area"

On page 17, line 11, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 17, line 18, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 17, line 22, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 17, line 26, delete the triple parentheses, and delete the word "region" and insert in lieu thereof the words "or area"

On page 17, line 32, delete the triple parentheses, and delete the word "regional" and insert in lieu thereof the words "or area"

On page 18, line 17, insert an underscored comma after the word "state", insert triple parentheses around the word "or", delete the triple parentheses around the word "county", and delete the word "regional" and insert in lieu thereof the following comma and words: ", or area"

On page 18, line 34, delete the triple parentheses

On page 18, line 35, delete the word "regional"

On page 19, line 10, delete the triple parentheses and delete the word "regional"

On page 19, line 27, after the period insert the following new sentence: "**Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee.**"

On page 19, line 31, delete the triple parentheses

On page 19, line 32, delete the word "regional"

On page 19, line 35, delete the triple parentheses

On page 20, line 1, delete the word "regional"

On page 20, line 3, delete the triple parentheses and delete the word "regional"

On page 20, line 6, delete the triple parentheses and delete the word "regional"

On page 20, line 17, after the period insert the following new sentence: "**Whenever more than one county is involved, the area committee shall assume the responsibilities of the county committee.**"

On page 20, line 18, insert beginning triple parentheses before the word "a," delete the beginning triple parentheses before the word "county", and delete the word "region" and insert in lieu thereof the words "an area"

On page 20, line 21, delete the word "regional" and insert in lieu thereof the word "area"

On page 20, line 22, delete the word "region" and insert in lieu thereof the word "area"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2294 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2300 has had the same under consideration and recommends that the same do pass

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2301 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11 delete the word "the" and insert in lieu thereof "a" and delete the words "a majority of" and insert in lieu thereof "sixty percent of the qualified"

On page 1, line 13 delete the word "ten" and insert in lieu thereof "fifty"

On page 1, line 16 delete the words "three mills" and insert in lieu thereof "one mill"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2332 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2341 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2356 has had the same under consideration and recommends that the same do pass.

Senator Goldberg, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2358 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2383 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2389 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2413 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9 delete the figure "400,000.00" and insert in lieu thereof the figure "150,000.00"

On page 1, line 10 after the word "the" delete the following: "remodeling and expansion of facilities," and insert in lieu thereof the following: "purchase and improvement of adjacent property for parking,"

On page 1, line 11 delete the figure "400,000.00" and insert in lieu thereof the figure "150,000.00"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to reduce the appropriation to allow for purchase of adjacent property for parking but to disallow remodeling costs.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2416 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2417 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2419 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4022 has had the same under consideration and recommends that the same be returned to the Senate without recommendations.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1008 has had the same under consideration and recommends that the same do pass.

SENATOR MELLAND, Vice Chairman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF STANDING COMMITTEE ON APPROPRIATIONS

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1048 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 12-47-30, 32-12-04, 37-14-08, 54-14-03, 54-14-03.1, 54-14-04, 54-14-04.1, 54-14-07, 54-14-08, and subsection 10 of section 54-44.1-03 of the North Dakota Century Code, relating to the powers and duties of the office of the budget; to provide a statement of legislative intent; and to repeal sections 54-14-01 and 54-14-02 of the North Dakota Century Code, relating to the membership and meetings of the state auditing board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 12-47-30 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

12-47-30. EXPENSE OF TRANSFERRING INMATES TO AND FROM STATE HOSPITAL.) The expense of transferring any person to the state hospital and of his return to the penitentiary shall be (((audited by the state auditing board))) **approved by the office of the budget** and paid out of the state treasury.

SECTION 2. AMENDMENT.) Section 32-12-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

32-12-04. HOW JUDGMENT COLLECTED.) No execution shall issue against the state on any judgment, but whenever a final judgment against the state shall have been obtained in any action, the clerk shall make and furnish to the (((department of accounts and purchases))) **office of the budget** a duly certified copy of such judgment. (((Upon approval by the auditing board,))) **After approval,** and if funds have been appropriated therefor, the (((department))) **office of the budget,** in due course, shall prepare and issue ((, and the state auditor shall sign,))) a warrant (((upon the state treasurer))) for the amount of such judgment and deliver the same to the person entitled thereto.

SECTION 3. AMENDMENT.) Section 37-14-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-14-08. HOW PAYMENTS ARE MADE.) All payments or other expenditures approved by the department of veterans' affairs shall be made upon vouchers approved by the (((state auditing board by warrant-checks prepared by the department of accounts and purchases))) **office of the budget.**

SECTION 4. AMENDMENT.) Section 54-14-03 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-03. POWERS AND DUTIES OF (((STATE AUDITING BOARD))) THE OFFICE OF THE BUDGET.) The (((state auditing board))) **office of the budget** shall audit and approve or disapprove for payment all claims, accounts, bills, or demands against the state, except those of state-owned utilities, enterprises, and business projects, and such others as are specifically excepted by law. (((The state auditing board may delegate to the director of accounts and purchases authority to approve payments for payrolls, purchases, and such other items as in their discretion they deem feasible and desirable. Any person or department aggrieved by the disallowance of a claim by the director of accounts and purchases under the authority delegated herein may appeal such disallowance to the auditing board, which may reverse or affirm the action of the director of accounts and purchases.)))

SECTION 5. AMENDMENT.) Section 54-14-03.1 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-03.1. REPORTS TO ((COMMITTEE ON AUDITS AND FISCAL REVIEW))) LEGISLATIVE COUNCIL BUDGET COMMITTEE.) It shall be the duty of the ((state auditing board)) **office of the budget**, in the course of the preaudit of claims against the state, or in otherwise carrying out its duties, to note irregularities in the fiscal practices of the state and its departments, agencies, and institutions and areas where more uniform and improved fiscal procedures are desirable, and it shall further note expenditures and governmental activities that (((the board or its members))) it may believe to be contrary to (((the intent of))) law or to the intent of the legislative assembly. ((The board or its individual members shall regularly report such matters to the committee on audits and fiscal review.)) **The office of the budget shall submit a detailed written report accompanied by adequate documentation to the budget committee of the legislative council, or any division of that committee designated for that purpose, setting out the irregularity, expenditure, or activity. The report shall be presented at the next scheduled meeting of the committee following the discovery of the irregularity, expenditure, or activity.**

SECTION 6. AMENDMENT.) Section 54-14-04 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-04. CLAIM AGAINST STATE FILED WITH ((STATE AUDITING BOARD))) OFFICE OF THE BUDGET.) No bill, claim, account, or demand against the state shall be audited, allowed, or paid until a full itemized statement in writing has been filed with the ((state auditing board)) **office of the budget**, unless such bill, claim, account, or demand is:

1. For a salary fixed by law;
2. Against a state-owned utility, enterprise, or business project; or
3. Specifically exempt by law.

SECTION 7. AMENDMENT.) Section 54-14-04.1 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-04.1. DEPARTMENTAL PAYROLLS.) The ((director of accounts and purchases)) **office of the budget** is authorized to issue regulations governing methods whereby the regular payrolls for each department, agency, or institution of this state may be prepared and certified by the agency concerned without individually executed or signed certificates of claim by the employees as provided in section 54-14-04. In all such cases, the warrants issued to cover such payroll items shall have the required certificate printed on the back of the warrant in such manner that the endorsement of the warrant will constitute an execution of the certificate provided in section 54-14-04.

SECTION 8. AMENDMENT.) Section 54-14-07 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-07. ((AUDITING BOARD))) OFFICE OF THE BUDGET TO MAKE RULES - STANDARD VOUCHERS - DISAPPROVAL OF CLAIMS.) In order to ((insure)) **ensure** that sufficient information is provided to verify claims and determine the exact purpose of expenditures, the ((state auditing board)) **office of the budget** shall promulgate rules and regulations which ((they deem)) **it deems** necessary for an adequate accounting and shall direct the preparation of standard forms or vouchers upon which claims against any public fund shall be submitted. The standard forms or vouchers shall be prepared in such a manner so as to require an enumeration

and description of services performed, purposes of expenditures, types of items or services purchased, number of days of per diem payments, the capacity in which per diem is claimed, and any other information which is deemed necessary or desirable ((by the state auditing board))). In the case of travel expenses, the ((state auditing board))) **office of the budget** shall specifically provide by rule or regulation for certification and a method whereby adequate verification of travel allowances or expenses can be provided, and to this end it may direct individuals or departments to maintain adequate records which they may be called upon to produce for pre-audit or postaudit purposes in order to verify any information submitted upon travel vouchers or verify the correctness and lawfulness of the expenditures. The ((auditing board))) **office of the budget** shall disapprove all vouchers or expenditures it determines to be in error or unlawful or ((exceeding))) in excess of the limits of legislative appropriation.

SECTION 9. AMENDMENT.) Section 54-14-08 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-08. ALL DEPARTMENTS, AGENCIES, BOARDS, COMMISSIONS, AND INSTITUTIONS IN STATE GOVERNMENT SHALL HAVE THE AUTHORITY TO WITHHOLD CERTAIN AMOUNTS FROM STATE EMPLOYEES' COMPENSATION.) All departments, agencies, boards, commissions, and institutions in state government shall compute and withhold from state employees' monetary compensation only those amounts which are required by law to be withheld and only those other items approved by the ((state auditing board))) **office of the budget**.

SECTION 10. AMENDMENT.) Subsection 10 of section 54-44.1-0 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

10. Perform all other necessary duties to carry out the provisions of this chapter and of chapter 54-14.

SECTION 11. OFFICE OF THE BUDGET TO ASSUME FUNCTIONS OF AUDITING BOARD - SUBSTITUTION OF PHRASES.) The office of the budget authorized in chapter 54-44.1 shall assume all of the functions performed, prior to the effective date of this Act, by the state auditing board. Wherever the phrases "state auditing board", "auditing board", or the word "board", when used in reference to the state auditing board, may appear in the Century Code, they shall be construed to mean the "office of the budget".

SECTION 12. LEGISLATIVE STATEMENT.) The legislative assembly intends that the budget committee of the legislative council, or the division of that committee known as the legislative audit and fiscal review committee, shall periodically review the actions of the office of the budget under this Act. For that purpose, the committee may call the director of the budget, or any employee or employees of the office of the budget before it, along with such of the records of the office as may be deemed necessary.

SECTION 13. REPEAL.) Section 54-14-01 of the North Dakota Century Code and section 54-14-02 of the 1971 Supplement to the North Dakota Century Code are hereby repealed."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MELLAND, Chairman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

RECOGNITION

The President announced that representatives from the four Boy Scout Councils of North Dakota, who were in the Capitol to report to the Governor on the occasion of the 63rd anniversary of Boy Scouts of America, were in the Chambers and requested that

they be escorted to the rostrum for the purpose of recognition by the North Dakota State Senate.

The Scouts were escorted to the rostrum in the following manner:

Bill Hunt, Great Plains Area Council, by Sgt. at Arms, Al Bradley; W. J. Johnson, Red River Valley Council, by Majority Floor Leader Litten; Terry Jacobs, Lake Agassiz Council, by Minority Floor Leader Christensen, and Steve Gwynn, Missouri Valley Council, by Senator Lips, Executive Board Member of the Missouri Valley Council.

The President then asked President Pro Tem Ringsak to approach the rostrum and extend greetings on behalf of the North Dakota State Senate.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2008, 2207 and 2223 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2008 as recommended by the Committee on Appropriations as printed on page 395 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Ringsak moved that Senate Bill No. 2008 be further amended as follows:

"On page 1, line 17, delete the numerals "4,854,537" and insert in lieu thereof the numerals "4,904,537"

On page 2 delete all of line 1.

Re-number the lines accordingly.

Which motion failed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2207 as recommended by the Committee on Appropriations as printed on page 395 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2223 as recommended by the Committee on Education as printed on pages 396 and 397 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2008, 2207, 2209, 2216, 2223, 2294, 2300, 2356, 2419, Senate Concurrent Resolution No. 4022, and House Bill No. 1008 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SEVENTH DAY

Bismarck, February 7, 1973

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Phillip Lint, McCabe Methodist Church, Bismarck.

"Our Father and our God, we pause for a few moments in the midst of our discussions, our deliberations, and our decision making to recognize that all this takes place before You. We pause to remind ourselves that unless Your will is considered in what we do, all is done in vain. Unless we allow Your wisdom and guidance to affect our thinking and our doing, it is all dust and ashes — like so much chaff to be blown away in the wind of Your coming.

"Forgive our indifference to Your guidance. Have mercy upon

us in our ignorance. Uphold us in our concern for others, and renew our strength in our efforts to be faithful to You and to our fellow citizens.

"We share in this prayer, in the name of Jesus our Lord, Amen."

Roll call: All Senators present except J. Schultz.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fifth day after recess and twenty-sixth day, and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Freed and Nething introduced:

Senate Concurrent Resolution No. 4027. A Concurrent Resolution directing the Legislative Council to conduct an interim study of law enforcement and regulatory activities in the State of North Dakota.

Was read the first time and referred to the Committee on Judiciary.

FIRST READING OF HOUSE BILLS

House Bill No. 1092. A Bill for an Act to amend and reenact section 43-23-08 of the North Dakota Century Code, relating to standards for licensing of mortgage brokers and real estate brokers and salesmen by the state real estate commission.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1231. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1240. A Bill for an Act to create and enact a new section to chapter 49-14 of the North Dakota Century Code, providing penalties for the failure of railroads to furnish cars for grain loading.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1329. A Bill for an Act to create and enact section 11-18-15 of the North Dakota Century Code, relating to the seal on notarized documents filed with a register of deeds, and to amend and reenact subsection 1 of section 44-06-04 of the North Dakota Century Code, relating to the filing of a notary's seal with the secretary of state.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1330. A Bill for an Act to amend and reenact section 40-23-02 of the North Dakota Century Code, relating to compensation of the special assessment commission members.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1369. A Bill for an Act to create and enact section 27-18-07 of the North Dakota Century Code, authorizing the board of county commissioners to appoint an alternate county justice.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1397. A Bill for an Act to amend and reenact sections 40-05.1-03 and 40-05.1-04 of the North Dakota Century Code, relating to the publication of proposed home rule charters.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1398. A Bill for an Act to amend and reenact section 15-22-25 of the North Dakota Century Code, relating to a common county superintendent of schools for two or more counties or parts thereof.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1449. A Bill for an Act to amend and reenact section 11-10.1-07 of the North Dakota Century Code, to provide that counties and cities may employ a joint county director of tax equalization and city assessor.

Which was read the first time and referred to the Committee on Political Subdivisions.

MOTION

Senator Litten moved that Senate Concurrent Resolution No. 4022 be placed at the head of the calendar, which motion prevailed

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4022. A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, prohibiting states from denying a citizen equality of rights under law on account of sex.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Shablow
Christensen	Holand	Nething	Smykowski
Coughlin	Jones	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sandness	Wright
Gronhovd	Melland		

Those voting in the negative were:

Barth	Jacobson	Naaden	Sands
Berube	Kautzmann	Page	Schultz, C.
Butler	Lee	Rait	Solberg
Freed	Morgan	Reiten	Stroup
Iszler	Mutch	Ringsak	Wenstrom

Absent and not voting:
Schultz, J.

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4022 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2109. A Bill for an Act to regulate, not prohibit, home solicitation sales by:

1. Granting the buyer a statutory period during which time the contract may be cancelled.
2. Providing that any transfer of a note or other evidence of indebtedness shall be deemed an assignment only and all claims

and defenses of the buyer against the seller shall be applicable against the transferee.

3. Prohibiting referral selling in conjunction with a home solicitation sale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended on page 375 of the Senate Journal, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Shablow
Berube	Jacobson	Page	Smykowski
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Larson	Rait	Strinden
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Longmire	Sands	Wenstrom
Goodman	Melland	Sandness	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Mutch Naaden

Absent and not voting:

Hoffner Roen Schultz, J.

So the bill passed and the title was agreed to.

Senate Bill No. 2159. A Bill for an Act to provide for the voluntary and required inspection of motor vehicles, to provide for the adoption of rules and regulations, to provide a penalty, to make an appropriation, and to provide an effective date.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2159 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2353. A Bill for an Act to amend and reenact section 57-40.3-04 of the North Dakota Century Code, relating to tax exemptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 379 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Berube	Iszler	Naaden	Sandness
Butler	Jacobson	Nasset	Schultz, C.
Christensen	Jones	Nothing	Shablow
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Freed	Lips	Pyle	Strinden
Fritzell	Litten	Rait	Thane
Goldberg	Longmire	Redlin	Tweten
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Ringsak	Wright

Absent and not voting:

Barth Kautzmann Schultz, J. Stroup
Hoffner Roen Smykowski

So the bill passed and the title was agreed to.

Senate Bill No. 2409. A Bill for an Act to prohibit discrimination in employment because of race, color, religion, sex, or national origin, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 380 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Ringsak	Wright
Gronhovd	Morgan	Sands	

Absent and not voting:

Barth	Kautzmann	Roen	Smykowski
Hoffner	Nothing	Schultz, J.	Stroup

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1150. A Bill for an Act making an appropriation to provide for the preparation, printing, and distribution of the North Dakota blue book.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Shablow
Berube	Larson	Nasset	Solberg
Christensen	Lee	Page	Strand
Erdman	Lips	Peterson	Strinden
Fritzell	Litten	Pyle	Thane
Goldberg	Longmire	Rait	Tweten
Gronhovd	Melland	Redlin	Wenstrom
Holand	Morgan	Sandness	Wright
Iszler	Mutch		

Those voting in the negative were:

Butler	Goodman	Reiten	Sands
Coughlin	Jones	Ringsak	Schultz, C.
Freed			

Absent and not voting:

Barth	Kautzmann	Roen	Smykowski
Hoffner	Nothing	Schultz, J.	Stroup

So the bill passed and the title was agreed to.

House Bill No. 1178. A Bill for an Act making an appropriation for the completion of an interpretive center at the Chateau de Mores, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Berube	Jacobson	Naaden	Sandness

Christensen	Jones	Nasset	Schultz, C.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Strinden
Goldberg	Longmire	Redlin	Tweten
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Ringsak	Wright

Those voting in the negative were:

Butler Iszler

Absent and not voting:

Barth	Nothing	Schultz, J.	Stroup
Hoffner	Roen	Smykowski	Thane
Kautzmann			

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1195. A Bill for an Act to amend and reenact section 12-48-03.1 of the North Dakota Century Code, relating to the establishment, or discontinuance of prison industries.

Which has been read.

MOTION

Senator Morgan moved that House Bill No. 1195 be amended as follows:

"On page 1, line 11, insert triple parentheses around "BOARD" and insert in lieu thereof "**DIRECTOR OF INSTITUTIONS**"

And renumber the lines accordingly"

Which motion prevailed.

MOTION

Senator Morgan moved that the rules be suspended, that House Bill No. 1195 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1195. A Bill for an Act to amend and reenact section 12-48-03.1 of the North Dakota Century Code, relating to the establishment, or discontinuance of prison industries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Roen
Berube	Iszler	Mutch	Sands
Butler	Jacobson	Naaden	Sandness
Christensen	Jones	Nasset	Schultz, C.
Coughlin	Larson	Peterson	Shablow
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd			

Those voting in the negative were:

Page Strinden Wright

Absent and not voting:

Barth	Kautzmann	Schultz, J.	Stroup
Hoffner	Nothing	Smykowski	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

Senate Bill No. 2217. A Bill for an Act to create and enact section 39-04-37.1 of the North Dakota Century Code, relating to motor vehicles operating in violation of registration laws.

Which has been read.

MOTION

Senator Gronhovd moved that Senate Bill No. 2217 be re-referred to the Committee on Transportation, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2401 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2414. A Bill for an Act to create and enact section 11-33-21 of the North Dakota Century Code, relating to the general penalties for violation of zoning regulations and restrictions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 17; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goodman	Longmire	Reiten
Berube	Gronhovd	Melland	Sands
Christensen	Holand	Nasset	Shablow
Coughlin	Jacobson	Peterson	Strand
Erdman	Larson	Pyle	Tweten
Fritzell	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	

Those voting in the negative were:

Butler	Morgan	Ringsak	Solberg
Freed	Mutch	Roen	Strinden
Iszler	Naaden	Sandness	Thane
Jones	Page	Schultz, C.	Wright
Lee			

Absent and not voting:

Barth	Kautzmann	Schultz, J.	Stroup
Hoffner	Nething	Smykowski	

So the bill passed and the title was agreed to.

MOTION

Senator Butler moved that Senate Bill No. 2106 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Butler requested the unanimous consent of the Senate to withdraw Senate Bill No. 2106, which motion prevailed.

MOTION

Senator Ringsak moved that Senate Bill No. 2284 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Ringsak requested the unanimous consent of the Senate to withdraw Senate Bill No. 2284, which request was granted.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2009
Senate Bill No. 2256
Senate Bill No. 2260
Senate Bill No. 2281
Senate Bill No. 2323
Senate Bill No. 2329
Senate Bill No. 2380
Senate Bill No. 2386
Senate Bill No. 2411

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2088

ROY GILBREATH, Chief Clerk

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:

House Bill No. 1136
House Bill No. 1167
House Bill No. 1332
House Bill No. 1351
House Bill No. 1393
House Bill No. 1435
House Bill No. 1498
House Concurrent Resolution No. 3012
House Concurrent Resolution No. 3025
House Concurrent Resolution No. 3041

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1042 which the Senate has passed over the Governor's veto.

The vote on House Bill No. 1042 is: 37 ayes, 14 nays, 0 absent, not voting.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution 4022

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 12:30 p.m., February 8, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**TWENTY-SEVENTH DAY AFTER RECESS
AND TWENTY-EIGHTH DAY**

Bismarck, February 8, 1973

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2008

Senate Bill No. 2207

Senate Bill No. 2223

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTION

Senator Litten moved that the Senate request the return of Senate Bill No. 2114 from the Governor, which motion prevailed.

MOTION

Senator Freed moved that Senate Bill No. 2404 be returned to the Senate from the Committee on Social Welfare, which motion prevailed.

Senator Freed requested the unanimous consent of the Senate to withdraw Senate Bill No. 2404, which request was granted.

MOTION

Senator Kautzmann moved that Senate Bill No. 2419 be laid over two legislative days, which motion prevailed.

MOTION

Senator Butler moved that Senate Bill No. 2217 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Butler requested the unanimous consent of the Senate to withdraw Senate Bill No. 2217, which request was granted.

MOTION

Senator Stroup moved that Senate Bill No. 2282 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

MOTION

Senator Stroup moved that Senate Bill No. 2282 be re-referred to the Committee on State and Federal Government, which motion prevailed.

MOTION

Senator Mutch moved that House Bill No. 1234 be returned to the

Senate from the Committee on Transportation, which motion prevailed.

MOTION

Senator Mutch moved that House Bill No. 1234 be re-referred to the Committee on Judiciary, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2012 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9, delete the numerals "87,251,915" and insert in lieu thereof the numerals "88,684,916"

On page 1, after line 18, insert the following lines:

"Assistance payments	30,875,637
Medical assistance	43,559,155
Crippled Children's Services	1,232,000
Social Services	2,182,742
Area Human Service Centers —	
Dickinson and Williston	1,145,000
100% federally funded programs	2,186,618
UND Department of Social Work	144,000
State Hospital	1,827,082"

On page 1, delete line 19

On page 1, line 20, delete the numerals "87,251,915" and insert in lieu thereof the numerals "87,008,839"

On page 1, line 21, delete the numerals "64,490,544" and insert in lieu thereof the numerals "64,223,468"

On page 1, line 22, delete the numerals "22,761,371" and insert in lieu thereof the numerals "22,785,371"

On page 2, after line 11, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated to the social service board, out of any moneys in the general fund in the state treasury, the sum of \$69,012.00 and the sum of \$207,065.00 in federal funds or such lesser amounts as may be necessary, not otherwise appropriated, to employ a certified public accountant, establish five screening teams, and develop a fiscal planning and program monitoring system during the biennium beginning July 1, 1973, and ending June 30, 1975. The social service board shall establish during this period of time and implement a system for paying vendors of medical services on a basis related to the level of care and treatment provided eligible recipients, and shall from time to time report the status of its work to the legislative council or such committee of the council as it designates.

SECTION 5. APPROPRIATION.) There is hereby appropriated to the social service board the sum of \$1,000,000.00 in federal funds and \$400,000.00 to be contributed by individuals, organizations, governmental units, or other sources, or such lesser amounts as may be necessary, for purposes determined to be eligible for funding as provided by state and federal law during the biennium beginning July 1, 1973, and ending June 30, 1975. Expenditures pursuant to this appropriation shall be made only for funding such functions or activities that have first been approved by the legislative council committee on budget. The social service board shall present such requests for program approval to the legislative council committee on budget in such form as may be prescribed by the committee.

SECTION 6. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that:

1. The AFDC program be based upon a monthly payment level to provide a family of four \$315 per month, or such lesser

amount that the social service board may determine necessary so that total expenditures for the program do not exceed available funds;

2. Since counties will be receiving revenue sharing funds, the appropriation to the social service board does not include funds to assist counties in making payments to the ineligible spouse or supplement payments to those in homes for the aged and infirmed; and
3. There are moneys from the general fund included in the budget in the amount of \$50,000.00 for the northwest human resource center, Williston, and \$140,000.00 for the Badlands human service center, Dickinson."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The amendments to the social service board appropriation bill are intended to accomplish the following: *

1. Put the department of social services on a program budgeting basis by including line items for assistance payments, medical assistance payments, etc.
2. Provide for medicaid assistance payments to the State Hospital for mentally ill children under the age of 21. The amount included in the budget is \$240,000 for this program. Make available federal funds for a social work program at the University of North Dakota. The total cost of the program is \$144,000; the state matching will come from UND.
3. Anticipate an average AFDC caseload during the next biennium of 4,800 rather than 5,400, and reduce the amount of funds in this program from \$26,325,548, as provided in the governor's budget to \$24,552,000.
4. Increase medical assistance costs for nursing homes and intermediate care facilities by \$1,541,744. over the amount included in the governor's budget.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2013 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23, delete the figure "1,350,669" and insert in lieu thereof the figure "1,408,389"

On page 1, line 24, delete the figure "329,600" and insert in lieu thereof the figure "354,800"

On page 2, line 1, delete the figure "54,500" and insert in lieu thereof the figure "70,000"

On page 2, line 6, delete the figure "2,049,769" and insert in lieu thereof the figure "2,148,189"

On page 2, line 10, delete the figure "2,469,439" and insert in lieu thereof the figure "2,664,875"

On page 2, line 11, delete the figure "1,066,900" and insert in lieu thereof the figure "1,123,168"

On page 2, line 15, delete the figure "3,849,839" and insert in lieu thereof the figure "4,101,543"

On page 2, line 17, delete the figure "5,899,608" and insert in lieu thereof the figure "6,249,732"

On page 2, line 18, delete the figure "5,908,458" and insert in lieu thereof the figure "6,258,582"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendments is to allow additional funding to the Bank of North Dakota in salaries and wages for additional audit staff, in fees and services for expansion funds and in supplies and materials to allow for the additional volume of business the Bank is doing. The Mill and Elevator increases are to allow for full production and operation in the 1973 - 1975 biennium.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2020 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete lines 16 through 25, and insert in lieu thereof the following:

"work on sixth-class items amounting to one hundred fifty dollars or over as determined by the Franklin Printing Catalogue, not done by the central duplicating service of the department of accounts and purchases or by departments, institutions, or state offices with authorized duplicating or printing centers, must be let by competitive bidding or by the solicitation of at least two quotations by the department of accounts and purchases, or by the departments, institutions, or state offices authorized to bid their own printing needs. Printing items amounting to less than one hundred fifty dollars and which are not economically feasible to be done by the central duplicating service, may be given by the department head to the printer of his choice. All departments, institutions, or state offices shall submit requisitions for all printing to the department of accounts and purchases. Departments, institutions, or state offices authorized to do their own bidding must attach the bids or quotations to their requisition for printing. Where practical, all departments, institutions, or state offices authorized to do their own bidding shall take advantage of annual contracts established by the department of accounts and purchases. The department of accounts and purchases shall determine and fix the reasonable maximum costs or price for such printing work. The maximum cost of the work shall not exceed Franklin Printing Catalogue prices."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2059 has had the same under consideration and the Committee is equally divided and one portion recommends that the same be indefinitely postponed.

Senator Butler
 Senator Schultz
 Senator Goodman
 Senator Lee

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion failed on a roll call vote.

ROLL CALL

The question being on the adoption of the committee report for indefinite postponement of Senate Bill No. 2059, the roll was called and there were ayes, 21; nays, 28; absent and not voting, 2.

Those voting in the affirmative were:

Butler	Iszler	Morgan	Smykowski
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Coughlin	Kautzmann	Nothing	Strand
Freed	Lee	Page	Strinden
Goldberg	Litten	Peterson	Tweten
Goodman	Melland	Sands	Wenstrom
Holand			

Those voting in the negative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Pyle	Shablow
Christensen	Larson	Rait	Solberg
Erdman	Lips	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Gronhovd	Mutch	Roen	Wright

Absent and not voting:

Ringsak Schultz, J.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2059 has had the same under consideration and the Committee is equally divided and one portion recommends that the same be amended as follows:

On page 1, line 10 of the engrossed bill, after the word "INTER-EST" and before the period, insert the following: " -- CREDIT AGAINST AD VALOREM TAXES"

On page 1, line 14, delete the word "three" and insert in lieu thereof the word "ten"

On page 2, line 1, after the period, insert the following new sentences: "In the case of mineral interests not severed from the surface estate which have been assessed and taxed under the ad valorem real property tax as part of and together with the surface estate, or in the case of mineral interests which have been separately assessed and taxed under the ad valorem real property tax, the amount of mineral taxes levied by this Act shall be credited against the ad valorem taxes due upon such property. The state tax commissioner shall promulgate rules and regulations to carry out the purposes of this Act."

Renumber the pages and lines accordingly.

Senator Wright
 Senator Shablow
 Senator Rait
 Senator Anderson

And when so amended recommends the same do pass.

SENATOR ANDERSON, Vice Chairman

Senator Anderson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2005 has had the same under consideration and recommends that the same be amended as follows:

On page 1, delete all of line 20

On page 1, line 22, delete the figure "69,003,260" and insert in lieu thereof the figure "2,003,260"

On page 2, line 31, delete the figure "74,010,059" and insert in lieu thereof the figure "7,010,059"

On page 2, line 33, delete the figure "87,390,730" and insert in lieu thereof the figure "20,390,730"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to remove the foundation program payment amount because it is funded in Senate Bill No. 2026.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2076 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2115 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, after the word "to" delete the remainder of the line

On page 1, delete all of line 5

On page 1, line 6, delete the following: "bureau, salary of the bureau commissioners,"

On page 16, line 20, after "governor" insert "with the consent of the senate"

On page 22, line 9, after the comma delete "and"

On page 22, line 10, after "board" delete the beginning triple parentheses and after "bureau" delete the ending triple parentheses

On page 23, line 22, delete the beginning triple parentheses

On page 23, line 24, delete the ending triple parentheses and delete "The"

On page 23, delete all of lines 25 through 27

On page 23, line 28, delete "North Dakota Century Code."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2137 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2148 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 16, insert an underscored colon after the word "operate", and delete the remainder of the line

On page 2, delete lines 17 and 18, and insert in lieu thereof the following: "two offices or two facilities, or one office and one facility in cities with populations in excess of thirty thousand persons according to the latest federal census; or one office or facility in cities with populations of thirty thousand or less according to the latest federal census; which offices or facilities may be separate and apart from its main banking house, and which have power to transact any and all business"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was

referred Senate Bill No. 2155 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2168 has had the same under consideration and recommends that the same be amended as follows:

On page 5, line 7, after the words "**modify**", insert a comma and the following: "**jointly with the state water commission,**"

On page 5, line 10, after the numerals "**15.**", insert the following: "**The department, with the cooperation of the state water commission, shall**" and delete the word "**Formulate**" and insert in lieu thereof the word "**formulate**"

On page 6, at the end of line 4, insert the following new subsection: "**24. The department, with the cooperation of other departments, may maintain an action for damages in the name of the state for violations of the provisions of this chapter.**"

On page 7, line 25, insert beginning triple parentheses before the word "**appeals**" and insert ending triple parentheses after the word "**provided**", and insert in lieu thereof the following: "**any person claiming to be aggrieved or adversely affected by actions taken, or by any rule, regulation or order issued under this chapter may request a hearing by the department. There shall be a right of appeal to the district court from any adverse ruling by the department**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2197 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2227 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2319 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2330 has had the same under consideration and recommends that the same do pass and be re-referred to Committee on Appropriations.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom

was referred Senate Bill No. 2337 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2348 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2349 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2354 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2367 has had the same under consideration and recommends that the same do pass and be re-referred to Committee on Appropriations.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2395 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2410 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2418 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4012 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was

referred Senate Concurrent Resolution No. 4021 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1155 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1162 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 17, insert triple parentheses around the word "of" and insert in lieu thereof the words "**and physically living in**"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1188 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1193 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22, after "institutions" insert "**or their designated representatives**"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1216 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1222 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bills Nos. 2014, 2033, 2183, 2288, 2301, 2413, and House Bill No. 1048 be dispensed with, which motion prevailed.

Senator Melland moved that the amendments to Senate Bill No. 2014 as recommended by the Committee on Appropriations as

printed on page 412 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2033 as recommended by the Committee on Judiciary as printed on page 412 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2183 as recommended by the Committee on Education as printed on page 412 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2288 as recommended by the Committee on Education as printed on pages 413, 414, 415, 416, 417, 418, and 419 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2301 as recommended by the Committee on Finance and Taxation as printed on page 420 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2413 as recommended by the Committee on Appropriations as printed on page 421 of the Senate Journal be adopted, which motion prevailed.

Senator Melland moved that the amendments to House Bill No. 1048 as recommended by the Committee on Appropriations as printed on pages 422, 423, and 424 of the Senate Journal be adopted, which motion prevailed.

SENATE CHAMBERS

The Honorable Arthur A. Link:
Governor, State of North Dakota

The Senate respectfully requests the return of Senate Bill No. 2114.

LEO LEIDHOLM,
Secretary of the Senate

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2014, 2033, 2137, 2155, 2183, 2227, 2288, 2301, 2337, 2413, 2418, Senate Concurrent Resolutions Nos. 4012, 4021, House Bills Nos. 1048, 1155, 1188, 1216 and 1222 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-EIGHTH DAY

Bismarck, February 8, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John McMullen, First United Methodist Church, Mandan.

"Eternal Father of our souls, let our first thought at the beginning of this new 'Legislative Day' be of Thee. Let our first impulse be to pause to worship Thee, let our first speech be Thy name, let our first action be to humble ourselves before Thee in prayer.

"These who have been elected by the people of our fair State to represent them have tremendous responsibility. They are called upon all day, every day during this session to make decisions that have lasting effects upon the people whom they represent. No man, no woman is really capable of such responsibility. The best minds, and the best experience have often blundered — and none is more aware of this than these gathered in this solemn assembly.

"We pause to ask Thy blessing, Thy wisdom, Thy guidance upon each Senator. As they weigh the issues before them, may they offer a brief prayer of request for guidance from Thee.

"We pray for their families. We pray for our State and for our nation. God bless America! God bless North Dakota! And,

Heavenly Father, when we have offered this prayer, let us not think that our worship is ended. Rather, from these moments of quietness, let light go forth, and joy, and power, and wisdom, that will remain with each of us through all the hours of this day.

"We ask this in the name of Jesus Christ, our Lord, our Saviour, our Wisdom and our Guide. Amen!"

Roll Call: All Senators present except J. Schultz.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-sixth day after recess and the twenty-seventh day and recommends that the same be corrected as follows:

On page 430, in line 31 from the top of the page, after the word "be" delete the words "deemed properly re-engrossed and"

On line 32, after the comma insert "as amended,"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Nething introduced:

Senate Concurrent Resolution No. 4028. A Concurrent Resolution directing the Legislative Council to study the relationship between franchisors and franchisees, the laws relating to franchises, and protections available to franchisees and consumers.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4029. A Concurrent Resolution urging the Congress of the United States to assume full responsibility for funding and administering the Aid to Families with Dependent Children Program and the Medical Assistance Program on Federal Indian reservations.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Roen and Lee introduced:

Senate Concurrent Resolution No. 4030. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility and desirability of legislation regulating clay, sand, and gravel pit and other land disturbing operations.

Was read the first time and referred to the Committee on Natural Resources.

Senator Litten introduced:

Senate Concurrent Resolution No. 4031. A Concurrent Resolution for the amendment of sections 74 and 77 of the Constitution of the state of North Dakota, relating to the election of the governor and lieutenant governor and to the powers and duties of the lieutenant governor.

Was read the first time and referred to the Committee on Judiciary.

Senator Litten introduced:

Senate Concurrent Resolution No. 4032. A concurrent resolution commending Senator Milton R. Young for his service to North Dakota.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution No. 4032 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Page One

SENATE CONCURRENT RESOLUTION No. 4032
Introduced by Senator Litten

1 A concurrent resolution commending Senator Milton R. Young
1a for his
2 service to North Dakota.
3
4 WHEREAS, United States Senator Milton R. Young has per-
4a formed
5 twenty-eight years of effective service for the people of North
5a Dakota in
6 the United States Senate; and
7 WHEREAS, Senator Young has continually worked on behalf
7a of
8 more prosperous agriculture; and
9 WHEREAS, Senator Young has had a major role in the
9a writing of
10 better price-support legislation and other farm programs; and
11 WHEREAS, Senator Young has worked to bring federal
11a projects of all
12 kinds to North Dakota to benefit the economy of the State and
12a provide
13 employment for North Dakota citizens; and
14 WHEREAS, Senator Young was instrumental in convincing
14a the first
15 four major industries to locate plants in North Dakota; and
16 WHEREAS, day by day, Senator Young fights for our State
16a as he
17 works for the Nation, as the most powerful Senator North
17a Dakota has ever
18 had; and
19 WHEREAS, Senator Young is a former member of the North
19a Dakota
20 State Senate and the North Dakota House of Representatives;
21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
21a OF THE STATE
22 OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES
22a CONCURRING
23 THEREIN:
24 That the Forty-third Legislative Assembly heartily com-
24a mend Senator

Page Two

1 Milton R. Young for his many years of devoted service to North
1a Dakota,
2 and that it join with the many North Dakotans who will honor
2a Senator Young
3 at the statewide Lincoln Day dinner in Bismarck; and
4 BE IT FURTHER RESOLVED, that the Secretary of State
4a send an
5 enrolled copy of this resolution to Senator Milton R. Young.

SECOND READING OF A
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4032. A concurrent resolution commending Senator Milton R. Young for his service to North Dakota.

Which has been read.

MOTION

Senator Litten moved that Senate Concurrent Resolution No. 4032 be adopted, which motion prevailed.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senators Barth and Stroup introduced:

Senate Concurrent Resolution No. 4033. A Concurrent Resolution commending the rural electric and rural telephone cooperatives for their significant and long-standing contributions to the social and economic development of North Dakota by virtue of providing dependable and low cost electric and telephone service to all areas regardless of density and load area factors, and thereby contributing an important and strategic part in the effort to stem the forced migration of rural citizens to urban areas.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF HOUSE BILLS

House Bill No. 1136. A Bill for an Act to amend and reenact sections 39-08-01 and 40-18-12 of the North Dakota Century Code to provide for the diagnosis, prior to sentencing, and later treatment of persons convicted of driving while under the influence of intoxicating liquor or narcotic drugs.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1167. A Bill for an Act to amend and reenact section 15-40.1-07 of the North Dakota Century Code, relating to foundation program payments for high school students.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1332. A Bill for an Act to amend and reenact section 40-08-10 of the North Dakota Century Code, relating to conduct of regular meetings which fall upon a holiday.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1351. A Bill for an Act to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to audits and examinations of the state bank of North Dakota.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1393. A Bill for an Act to amend and reenact sections 27-18-02 and 27-18-06 of the North Dakota Century Code, providing for the appointment of county justices in counties under six thousand population, providing for the qualifications of an appointed justice, and providing for appointment in other counties in certain instances.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1435. A Bill for an Act to amend and reenact section 40-08-03 of the North Dakota Century Code, relating to the determination of the number of aldermen in cities.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1498. A Bill for an Act to amend and reenact subdivision a of subsection 1 and subdivision a of subsection 2 of section 19-03.1-23, section 19-03.1-29, and subsection 3 of section 19-03.1-31 of the North Dakota Century Code, relating to the penalties for distribution of narcotics and other controlled substances.

Which was read the first time and referred to the Committee on Judiciary.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3012. A Concurrent Resolution for the amendment of sections 28 and 34 of the Constitution of the State of North Dakota, relating to qualifications of legislators.

Which was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution No. 3025. A Concurrent Resolution urging AMTRAK to improve the service and facilities of the national rail passenger service.

Which was read the first time and referred to the Committee on Transportation.

House Concurrent Resolution No. 3041. A Concurrent Resolution commending Jamestown Police Sergeant Gerald Rudnick for his quick action and courage in rescuing a four-year old boy from a burning home.

Which was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that House Concurrent Resolution No. 3041, as printed on pages 533 and 534 of the House Journal, be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3041. A Concurrent Resolution commending Jamestown Police Sergeant Gerald Rudnick for his quick action and courage in rescuing a four-year old boy from a burning home.

Which has been read.

MOTION

Senator Melland moved that House Concurrent Resolution No. 3041 be adopted, which motion prevailed.

STATE OF NORTH DAKOTA

Executive Office

Bismarck

February 8, 1973

Mr. Leo Leidholm
Secretary of the Senate
Senate Chambers
State Capitol
Bismarck, North Dakota
Dear Mr. Leidholm:

At the request of the Senate, I am hereby returning Senate Bill 2114.

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:ak
Enclosure

SECOND READING OF SENATE BILLS

Senate Bill No. 2008. A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 395 of the Senate Journal, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Roen
Barth	Holand	Nasset	Sandness
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Solberg
Christensen	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wright
Gronhovd	Mutch		

Those voting in the negative were:

Coughlin	Morgan	Schultz, C.	Smykowski
Iszler	Sands		

Absent and not voting:

Litten	Schultz, J.	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 2207. A Bill for an Act to appropriate funds in accordance with chapter 54-35 of the North Dakota Century Code to study the need for computerized assessment of real property in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 395 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Schultz, J.	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 2209. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to the membership of the district executive committee of each political party.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sandness
Butler	Kautzmann	Nething	Schultz, C.
Coughlin	Lee	Page	Smykowski
Freed	Lips	Peterson	Solberg
Fritzell	Litten	Pyle	Strand

Goldberg	Longmire	Redlin	Strinden
Goodman	Melland	Reiten	Stroup
Holand	Morgan	Ringsak	Thane
Iszler	Mutch	Roen	Tweten
Jacobson	Naaden	Sands	Wright

Those voting in the negative were:

Barth	Erdman	Hoffner	Rait
Berube	Gronhovd	Larson	Shablow
Christensen			

Absent and not voting:

Schultz, J. Wenstrom

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE House Chambers

Mr. President: I have the honor to inform you that the House requests the return of:

Senate Bill No. 2114

ROY GILBREATH, Chief Clerk

MOTION

Senator Litten moved that the Senate accede to the request of the House for the return of Senate Bill No. 2114, which motion prevailed.

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to return:

Senate Bill No. 2114

Which the House requested.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 50-26-01, subsection 1 of section 50-26-02, and section 50-26-03 of the North Dakota Century Code, relating to the activities of the governor's council on human resources.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Kautzmann	Nasset	Schultz, C.
Butler	Larson	Nothing	Smykowski
Coughlin	Lee	Page	Solberg
Erdman	Lips	Pyle	Strand
Freed	Litten	Rait	Strinden
Fritzell	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Holand	Morgan	Roen	Tweten
Iszler	Mutch	Sands	Wenstrom
Jacobson	Naaden	Sandness	Wright
Jones			

Those voting in the negative were:

Barth	Goldberg	Hoffner	Redlin
Berube	Gronhovd	Peterson	Shablow
Christensen			

Absent and not voting:

Schultz, J.

So the bill passed and the title was agreed to.

Senate Bill No. 2223. A Bill for an Act to create and enact a new subsection to section 15-47-38 and to amend and reenact section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 396 and 397 of the Senate Journal, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Those voting in the negative were:
Schultz, C.

Absent and not voting:

Butler Schultz, J.

So the bill passed and the title was agreed to.

Senate Bill No. 2294. A Bill for an Act to amend and reenact section 10-19-44 of the North Dakota Century Code, relating to corporate dividends, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Butler Lee Nothing Schultz, J.

So the bill passed and the title was agreed to, and the emergency clause carried.

MOTION

Senator Litten moved that Senate Bill No. 2223 be reprinted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2300. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code,

relating to the definition of a telephone company for taxation purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nothing	Solberg
Christensen	Jones	Page	Strand
Coughlin	Kautzmann	Peterson	Strinden
Erdman	Larson	Pyle	Stroup
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Ringsak	Wright
Gronhovd	Morgan	Roen	

Those voting in the negative were:

Smykowski

Absent and not voting:

Lee Sands Schultz, J.

So the bill passed and the title was agreed to.

Senate Bill No. 2356. A Bill for an Act to amend and reenact sections 6-03-13.1, 6-02-13.2 and 6-03-13.3 of the North Dakota Century Code, relating to drive-in facilities of banks, their locations, and providing for the approval, in certain instances, of the comptroller of the currency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Goodman	Litten	Reiten
Barth	Gronhovd	Melland	Ringsak
Berube	Hoffner	Morgan	Sandness
Butler	Holand	Mutch	Schultz, C.
Christensen	Iszler	Nasset	Solberg
Coughlin	Jacobson	Nothing	Strand
Erdman	Jones	Peterson	Thane
Freed	Kautzmann	Pyle	Tweten
Fritzell	Lee	Rait	Wenstrom
Goldberg	Lips	Redlin	Wright

Those voting in the negative were:

Larson	Naaden	Shablow	Strinden
Longmire	Page	Smykowski	Stroup

Absent and not voting:

Roen Sands Schultz, J.

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE BILL

House Bill No. 1008. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Roen
Barth	Jacobson	Naaden	Sandness
Berube	Jones	Nasset	Shablow
Butler	Kautzmann	Nothing	Smykowski
Christensen	Larson	Page	Solberg
Coughlin	Lee	Peterson	Strand
Erdman	Lips	Pyle	Stroup
Goodman	Litten	Rait	Thane
Gronhovd	Longmire	Redlin	Tweten
Hoffner	Melland	Reiten	Wenstrom
Holand	Morgan	Ringsak	Wright

Those voting in the negative were:

Schultz, C.	Strinden		
Absent and not voting:			
Freed	Goldberg	Sands	Schultz, J.
Fritzell			

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE BILL

Senate Bill No. 2159. A Bill for an Act to provide for the voluntary and required inspection of motor vehicles, to provide for the adoption of rules and regulations, to provide a penalty, to make an appropriation, and to provide an effective date.

Which has been read.

MOTION

Senator Solberg moved that Senate Bill No. 2159 be further amended as follows:

On page 4 of the engrossed bill, on line 24, delete the following: "together with" and insert in lieu thereof: "antique vehicles, and"

Which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Bill No. 2159 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2159. A Bill for an Act to provide for the voluntary and required inspection of motor vehicles, to provide for the adoption of rules and regulations, to provide a penalty, to make an appropriation, and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 375, 376, 377 and 378 of the Senate Journal, and from the floor, the roll was called and there were ayes, 34; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Goodman	Melland	Redlin
Barth	Gronhovd	Mutch	Reiten
Berube	Hoffner	Nasset	Shablow
Butler	Holand	Nothing	Solberg
Christensen	Jones	Page	Strand
Erdman	Kautzmann	Peterson	Stroup
Freed	Lips	Pyle	Tweten
Fritzell	Litten	Rait	Wenstrom
Goldberg	Longmire		

Those voting in the negative were:

Coughlin	Lee	Roen	Smykowski
Iszler	Morgan	Sands	Strinden
Jacobson	Naaden	Sandness	Thane
Larson	Ringsak	Schultz, C.	Wright

Absent and not voting:

Schultz, J.

So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that Senate Bill No. 2159 be reprinted, which motion prevailed.

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2401 be laid over one legislative day, which motion prevailed.

SELECT COMMITTEE ON MEMORIAL SERVICE

The President appointed a Select Committee to arrange for a memorial service for the North Dakota State Senate, such committee being: Senator Sandness, Chairman, and Senators Solberg and Shablow.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2109

Senate Bill No. 2353

Senate Bill No. 2409

Senate Bill No. 2414

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1150

House Bill No. 1178

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1195

Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4032

Which the Senate has passed and your favorable consideration is requested.

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

House Bill No. 1005
House Bill No. 1275
House Bill No. 1360
House Bill No. 1361
House Bill No. 1389
House Bill No. 1415
House Bill No. 1493
House Bill No. 1519

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2053

ROY GILBREATH, Chief Clerk

On page 1, line 1, delete everything after the words "A BILL" to the end of the bill, and insert the following in lieu thereof: "for an Act providing for dairy commissioner, city health department, and district health unit cooperation in the inspection of milk producers and processors, and to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to the adoption of standards and regulations for grade "A" milk and milk products and authorizing the adoption of amendments and new editions thereof.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DAIRY COMMISSIONER - CITY HEALTH DEPARTMENT - DISTRICT HEALTH UNITS - COOPERATION IN INSPECTION.) When a health district or city health department is conducting inspections of grade "A" milk producers and processors within their jurisdiction, the dairy commissioner shall not conduct inspections of said milk producers and processors, except that he shall carry out such inspections when requested information pertaining to inspections made, findings, and related information is not furnished by said district or department. Health districts and city health departments may provide such information and assistance to the dairy commissioner as he might reasonably request pursuant to this Act.

SECTION 2. AMENDMENT.) Section 4-30-36 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-30-36. STANDARDS FOR GRADE A MILK AND MILK PRODUCTS - ADOPTION OF AMENDMENTS.) The minimum standards for milk and milk products designated as Grade A shall be the same as the minimum requirements of the (((latest edition of the))) "Grade A Pasteurized Milk Ordinance, 1965 Recommendations of the United States Public Health Service ((and Code)))" and all supplements added thereto (((which is published by the Public Health Service of the United States Department of Health, Education, and Welfare))). The dairy commissioner may adopt as dairy department regulations any amendments, supplements to, and/or new editions of said milk Ordinance which are in the interest of public safety, wholesomeness of product, consumer interest, sanitation, good supply, salability and promotion of grade "A" milk and milk products."

And renumber the lines accordingly.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2114

ROY GILBREATH, Chief Clerk

On page 1, line 2, of the Engrossed Bill delete the following: “, hour meters on tachometers or”

On page 1, line 3, delete the following: “other hour recorders”

On page 1, line 9, delete the following: “, HOUR METERS ON TACHOMETERS OR OTHER HOUR RECORDERS”

On page 1, line 11, delete the comma after the word “recorder”

On page 1, line 12, delete the following: “hour meter on tachometer or other hour recorder”

And renumber the lines accordingly.

Senator Litten moved that the Senate recess until 12:30 p.m., February 9, 1973.

LEO LEIDHOLM, Secretary

TWENTY-EIGHTH DAY AFTER RECESS
AND TWENTY-NINTH DAY

Bismarck, February 9, 1973

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

I have made the following appointments which, under state law, are subject to State Senate confirmation:

State Social Service Board (50-06-02)

Marcellus M. Hartze, WillistonFeb. 7, 1973 to April 6, 1975
(completing the unexpired term of Ralph
Christensen, who resigned)

V. Frank Kadlec, BismarckApril 6, 1973 to April 6, 1977

George M. Unruh, Sr., Grand Forks April 6, 1973 to April 6, 1977

Virgil Johnson, FargoApril 6, 1973 to April 6, 1977

Commissioner of Banking and Financial Institutions (6-01-08)

G. W. Ellwein, BismarckJuly 1, 1973 to July 1, 1977

Commissioner of Securities (10-04-03)

Donald R. Holloway, BismarckJuly 1, 1973 to July 1, 1977

Attached are brief biographies of these appointees.

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:ab
Encls.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

The following is a further list of persons appointed to various boards and commissions by former Governor William L. Guy subject to State Senate confirmation, but which were made subsequent to the last meeting of the Senate:

State Board of Public School Education (15-21-17)

Arthur A. Johnson, RayDec. 20, 1971 to July 1, 1974
 Robert P. Miller, BismarckJuly 1, 1972 to July 1, 1978
 Merlyn Miller, WahpetonJuly 1, 1971 to July 1, 1978

State Social Service Board (50-06-02)

Paige J. Baker, Sr., MandareeJuly 1, 1971 to April 6, 1975
 Richard Holmes, GuelphJuly 1, 1971 to April 6, 1975

In those cases where, by law, appointees are deemed to have resigned as of January 1, 1973, although their appointments are subject to Senate confirmation I reserve the right to accept these resignations prior to July 1, 1973.

Sincerely yours,
 ARTHUR A. LINK
 Governor

AAL:ab
 Encls.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2159

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2014

Senate Bill No. 2033

Senate Bill No. 2183

Senate Bill No. 2288

Senate Bill No. 2301

Senate Bill No. 2413

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

COMMUNICATION

A communication addressed to the President of the Senate from the Governor listing appointments made subject to confirmation by the Senate was read.

The following referrals were made of these appointments:

COMMITTEE ON INDUSTRY, BUSINESS AND LABOR
 Senator Goldberg, Chairman

COMMISSIONER OF BANKING AND FINANCIAL INSTITUTIONS (SECTION 6-01-08)

G. W. Ellwein, Bismarck, July 1, 1973 - July 1, 1977

COMMISSIONER OF SECURITIES (SECTION 10-04-03)

Donald R. Holloway, Bismarck, July 1, 1973 - July 1, 1977

COMMITTEE ON STATE AND FEDERAL GOVERNMENT
 Senator Stroup, Chairman

DIRECTOR OF INSTITUTIONS (SECTION 54-21-06)

Walter R. Fiedler, Bismarck, January 2, 1973 - January 2, 1977

COMMITTEE ON EDUCATION
 Senator Holand, Chairman

STATE BOARD OF HIGHER EDUCATION (SECTION 15-10)

Richard H. McGee, Minot, July 1, 1973 - July 1, 1980

Dr. Robert C. Painter, Grand Forks, July 1, 1972 - July 1, 1979

HIGHER EDUCATION FACILITIES COMMISSION (SECTION 15-10-29)

Dr. J. Kenneth Galloway, Devils Lake, July 1, 1972 - July 1, 1975

Richard P. Rausch, Bismarck, July 1, 1971 - July 1, 1974

STATE BOARD OF PUBLIC SCHOOL EDUCATION (SECTION 15-21-17)

Arthur A. Johnson, Ray, Dec. 20, 1971 - July 1, 1974

Robert P. Miller, Bismarck, July 1, 1972 - July 1, 1978

Merlyn Miller, Wahpeton, July 1, 1971 - July 1, 1978

COMMITTEE ON SOCIAL WELFARE

Senator Ringsak, Chairman

COUNCIL ON THE ARTS AND HUMANITIES (SECTION 54-54-02)

Dr. Frank C. Pearson, Dickinson, July 1, 1972 - July 1, 1977

Dr. William Boehle, Grand Forks, July 1, 1972 - July 1, 1977

Jack Askew, Bismarck, July 11, 1972 - July 1, 1977

Bryan Gackle, Dickinson, July 1, 1972 - July 1, 1977

Mrs. A. J. Pederson, Kenmare, July 1, 1972 - July 1, 1977

Mrs. Russell F. Freeman, Fargo, Nov. 18, 1971 - July 1, 1973

Dennis Navrat, Dickinson, Nov. 18, 1971 - July 1, 1975

Walter J. Piehl, Minot, Oct. 16, 1972 - July 1, 1975

STATE SOCIAL SERVICE BOARD (SECTION 50-06-02)

Paige J. Baker, Sr., Mandaree, July 1, 1971 - April 6, 1975

Richard Holmes, Guelph, July 1, 1971 - April 6, 1975

Marcellus M. Hartzel, Williston, Feb. 7, 1973 - April 6, 1975

V. Frank Kadlec, Bismarck, April 6, 1973 - April 6, 1977

George M. Unruh, Sr., Grand Forks, April 6, 1973 - April 6, 1977

Virgil Johnson, Fargo, April 6, 1973 - April 6, 1977

COMMITTEE ON POLITICAL SUBDIVISIONS

Senator Nething, Chairman

STATE HISTORICAL BOARD (SECTION 55-01-01)

Edward A. Milligan, Bottineau, July 1, 1971 - July 1, 1974

Mrs. Hugh McCreery, Bismarck, July 1, 1971 - July 1, 1974

Mr. Pat DeForest, Bismarck, July 1, 1971 - July 1, 1974

Robert Cory, Minot, July 1, 1972 - July 1, 1975

Mrs. Harold Oberlander, New England, July 1, 1972 - July 1, 1975

Mr. D. Jerome Tweton, Grand Forks, July 1, 1972 - July 1, 1975

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2149 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2181 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2189 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete "one hundred fifty" and insert in lieu thereof "three hundred"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2190 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10 delete "one hundred fifty" and insert in lieu thereof "two hundred"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2233 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 24, delete the word "from" and insert in lieu thereof the following: "with such restrictions as required by"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2240 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 11, after the comma insert the words "and any aircraft as defined by section 2-03-01,"

On page 3, line 12, after the word "vehicle" insert the words "or such aircraft"

On page 3, line 27, after the comma delete the word "sickness,"

On page 3, line 28, delete the words "or disease,"

On page 4, line 13, after the comma delete the word "one"

On page 4, line 14, delete the word "hundred" and insert in lieu thereof "ten" and after the word "and" delete the word "three"

On page 4, line 15, delete the word "hundred" and insert in lieu thereof "twenty"

On page 4, line 16, after the comma delete the words "one hundred" and insert in lieu thereof "ten"

On page 5, delete all of lines 24 through 35

On page 6, delete all of lines 1 through 7

On page 6, after line 21, add the following section "EFFECTIVE DATE.) The effective date of this Act shall be July 1, 1975."

And renumber the pages, lines and sections accordingly.

And when so amended recommends the same be returned to the Senate without recommendation.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was

referred Senate Bill No. 2241 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the remainder of the bill after the word "to", and insert in lieu thereof the following: "repeal chapter 15-66 of the North Dakota Century Code, relating to the regional medical education board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. REPEAL.) Chapter 15-66 of the North Dakota Century Code is hereby repealed."

And renumber the lines accordingly.

Statement of the Purpose of the Amendment:

The intent of the amendment is to remove the statutory authorization for the medical education commission because it is being dissolved.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2264 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2278 has had the same under consideration and recommends that the same be amended as follows:

On page 7, line 4 after the word "office" insert the following: "subsequently filling vacancies"

On page 7, line 5 after the numerals "2-07-06." insert the following: "The board of county commissioners may remove from office any weather modification commissioner, whenever it appears to them by competent evidence and after a hearing that such commissioner has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, or of habitual drunkenness or gross incompetency."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2286 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, following the word "salaries", insert the words "in counties exceeding twenty-two thousand inhabitants"

On page 1, line 15, delete the triple parentheses around the word "twelve" and delete the word "fourteen"

On page 1, line 16, delete the triple parentheses before the word "five" and following the word "hundred"

On page 1, line 17, delete the triple parentheses around the word "fifteen" and delete the word "ten"

On page 1, line 18, delete the triple parentheses around the word "fifteen", delete the word "sixteen" and delete the triple parentheses around the words "five hundred"

On page 1, line 19, delete the triple parentheses around the word "fifteen" and delete the word "ten"

On page 1, line 20, delete the triple parentheses around the words "twenty-two" and delete the word "eighteen"

On page 1, line 22, delete the triple parentheses before the word "twenty."

On page 1, line 23, delete the triple parentheses after the word "two" and delete the word "eighteen" and the words "but not exceeding forty"

On page 1, delete line 24

On page 2, delete line 1

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2295 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 14 after the word "provides" insert a comma and after "compensation" insert "in excess of \$500.00 a year,"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2283 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2302 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion failed and Senate Bill No. 2302 was placed on the calendar.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2304 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2306 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2318 has had the same under consideration and recommends that the same be amended as follows:

"On page 1, line 1, delete everything after "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for farm structures and improvements.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 15 of section 57-02-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15. All farm structures, and improvements located on agricultural lands. This subsection shall be construed to exempt farm buildings and improvements only, and shall not be construed to exempt from taxation industrial plants, or structures of any kind not used or intended for use as a part of a farm plant, or as a farm residence. Any structure or structures used in connection with a retail or wholesale business other than farming, even though situated on agricultural land, shall not be exempt under this subsection(((;))). It is the intent of the legislative assembly that this exemption shall be strictly construed and interpreted to exempt only those structures and improvements which are situated on a farm and which is occupied or used by a person who is a farmer and that the exemption shall not be applied to property which is occupied or used by a person who is not a farmer. For the purposes of this subsection, the term "farm" means a single tract of agricultural land which contains a minimum of ten acres and which normally provides a farmer, who is actually farming the land or engaged in the raising of livestock or other similiar operations normally associated with farming and ranching, with not less than fifty percent of his annual net income; and the term "farmer" means an individual who normally devotes the major portion of his time to the activities of producing products of the soil, poultry, livestock, or dairy farming in such products' unmanufactured state and who normally receives not less than fifty percent of his annual net income from any one or more of the foregoing activities;"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2320 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2324 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, delete the word "aviation"

On page 1, line 4, delete the following words: "gasoline and other motor fuel and"

On page 1, line 13, after the word "OF" insert the word "JET"

On page 1, line 16, delete the words "aviation gasoline and other motor fuel,"

On page 1, line 17, delete the word "except"

On page 1, line 17, after the word "fuel" delete the "comma"

On page 1, line 18, delete the words "aviation gasoline"

On page 1, line 19, delete the words "and other"

On page 1, line 20, after the number "57-54" delete the word "and" and insert in lieu thereof the word "or"

On page 1, line 21, after the number "57-50" delete the following: "; and, in addition to any" and insert in lieu thereof a "period"

On page 1, delete lines 22 through 24

On page 2, delete lines 1 through 4

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2325 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2326 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2328 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2333 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2338 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2352 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2355 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2361 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2362 has had the same under consideration and recommends that the same do pass and be referred to the Committee on Appropriations.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2363 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2365 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed, on a recorded roll call vote.

ROLL CALL

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, C.
Butler	Kautzmann	Nething	Smykowski
Coughlin	Lee	Page	Solberg
Erdman	Lips	Peterson	Strand
Freed	Litten	Pyle	Strinden
Goldberg	Longmire	Redlin	Stroup
Goodman	Melland	Reiten	Thane
Holand	Morgan	Roen	Tweten
Iszler	Mutch	Sands	Wright
Jacobson	Naaden	Sandness	

Those voting in the negative were:

Barth	Fritzell	Larson	Shablow
Berube	Gronhovd	Rait	Wenstrom
Christensen	Hoffner		

Absent and not voting:

Ringsak Schultz, J.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2366 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2368 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to create trustees for commercial buildings during foreclosures.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPOINTMENT OF TRUSTEE.) On application of the mortgagee, in any action for the foreclosure of a real estate mortgage upon any commercial building, including apart-

ments of five or more units, the court, upon ten days' notice to mortgagor, shall appoint a trustee to take possession of the premises. Any person, other than the mortgagee, its agents or employees, may act as trustee if the court deems them qualified.

SECTION 2. AUTHORITY AND DUTIES OF TRUSTEE.) The trustee shall:

1. Take possession of the premises.
2. Pay, to the extent funds are available, all utilities, taxes, and insurance.
3. Receive the rentals from tenants.
4. Remove tenants for nonpayment of rent or for any other cause permissible by law.
5. Rent premises.

SECTION 3. TERMINATION AND ACCOUNTING.) The appointment of a trustee shall continue until:

1. The expiration of the period of redemption;
2. The redemption of the premises by the mortgagor;
3. The voluntary dismissal of the foreclosure action; or
4. His removal by the court.

Within thirty days after the termination of his appointment, the trustee shall file with the court a report of his activities and all receipts and expenditures, and shall serve a copy thereof on the mortgagor by certified or registered mail, an affidavit of service by mail being competent proof thereof. The trustee's account shall become final unless objected to within thirty days from the date of mailing to the mortgagor.

SECTION 4. COMPENSATION OF TRUSTEE AND DISTRIBUTION OF FUNDS.) Upon the trustee's account becoming final, the trustee shall pay all remaining funds, less his fee and expenses, to the mortgagor. The trustee shall be entitled to a fee as set by the court. All expenses incurred by the trustee in performing his duties hereunder shall be reimbursed out of available funds." And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

MOTION

Senator Goldberg moved that the Senate reconsider the action by which Senate Bill No. 2197 was indefinitely postponed, which motion prevailed.

MOTION

Senator Longmire moved that Senate Bill No. 2197 be laid over one legislative day, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2370 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2371 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2375 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2376 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2377 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2379 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 after the numerals "57-38-01" delete the remainder of the line

On page 1, line 3 delete "section 57-38-01.3"

On page 1, line 5 after "corporations" delete the following: "to provide for an income tax rate study;"

On page 2, delete all of lines 10 through 26

On page 2, line 28 delete "sections" and insert in lieu thereof "section" and after the numeral "1" delete "and 2"

And renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2391 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, after the word "body" insert the words "of the city"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2400 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 delete "severance" and insert in lieu thereof "severance"

On page 1, line 10 delete "SEVERANCE" and insert in lieu thereof "SEVERANCE"

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2402 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4013 has had the same under consideration and recommends the same be amended as follows:

Page 1, line 5 after the word "purposes" insert the words ", and to investigate any other means of transporting goods into and out of North Dakota"

Page 2, line 9, after the semicolon insert the word "and" and insert the following: "WHEREAS, other means of transportation such as pipelines, and airplanes are currently being studied in the United States and Canada;"

Page 2, line 20, after the word "waterways" insert "or other methods of transportation"

Page 2, line 21, delete the words "these waterways" and insert in lieu thereof "them"

Page 2, line 22, delete the word "navigational" and insert in lieu thereof "transportation"

Re-number the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4016 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4020 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4025 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1127 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22 delete the semicolon and the word "and" and insert in lieu thereof a period

On page 1, delete all of lines 23 and 24

And re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1169 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1203 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "to", insert the words "amend and reenact section 36-15-21 of the North Dakota Century Code, and to"; delete the word "sections" and insert in lieu thereof the word "section"; and delete the word and numerals "and 36-15-21"

On page 1, line 3, after the word "calves", insert the following: ", and providing a penalty"

On page 1, line 8, after the word and numeral "SECTION 1.", insert the following: "AMENDMENT.) Section 36-15-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

36-15-21. CALFHOOD VACCINATION AGAINST BRUCELLOSIS REQUIRED - PENALTY. No person shall bring into this state any female dairy cattle ((over eight months of age)) or any female beef cattle (((over twelve months of age))) for dairy or breeding purposes within this state that have not been officially calthood vaccinated against brucellosis (((; nor shall he acquire within this state, except by his own raising, any female dairy cattle over eight months of age or any female beef cattle over twelve months of age born after January 1, 1963, for dairy or breeding purposes within this state, that have not been officially calthood vaccinated against brucellosis))). "Officially calthood vaccinated" shall mean a bovine female animal vaccinated against brucellosis (((while from four through eight months of age, if a dairy breed, or from four to twelve months, if a beef breed,))) under the supervision of a federal or state veterinary official within age limits prescribed by the North Dakota livestock sanitary board in compliance with USDA recommended uniform methods and rules, with a vaccine approved by the North Dakota state veterinarian, and permanently identified as such a vaccinate and reported at the time of vaccination to the appropriate state or federal agency cooperating in the eradication of brucellosis. However, the board in its discretion (((, and only in extenuating circumstances,))) may grant a hearing to any person under such rules and regulations as the board may prescribe, as to whether or not an exception should be made to the provisions of this section. An appeal may be taken from the decision of the board under the provisions of chapter 28-32. Any person who shall bring into this state or acquire within this state any cattle contrary to the provisions of this section, shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

SECTION 2."

On page 1, line 8, delete the word "Sections" and insert in lieu thereof the word "Section", and delete the word and numerals "and 36-15-21"

On page 1, line 9, delete the word "are" and insert in lieu thereof the word "is"

And renumber the pages, sections, and lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1241 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1283 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1284 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, after the second word "plats" insert a comma

On page 1, line 12, after the period delete the remainder of the line

On page 1, line 13, delete "made by sending copies of such documents to the county auditor."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1285 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1309 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3018 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bills Nos. 2005, 2012, 2013, 2020, 2059, 2115, 2148, 2168, and House Bills Nos. 1162 and 1193 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2005 as recommended by the Committee on Appropriations as printed on page 437 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2012 as recommended by the Committee on Appropriations as printed on pages 434 and 435 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2013 as recommended by the Committee on Appropriations as printed

on pages 435 and 436 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2020 as recommended by the Committee on State and Federal Government as printed on page 436 of the Senate Journal be adopted, which motion prevailed.

Senator Anderson moved that the amendments to Senate Bill No. 2059 as recommended by the Committee on Finance and Taxation as printed on page 437 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberge moved that the amendments to Senate Bill No. 2115 as recommended by the Committee on Industry, Business and Labor as printed on page 438 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2148 as recommended by the Committee on Industry, Business and Labor as printed on page 438 of the Senate Journal be adopted.

MOTION TO LAY ON TABLE

Senator Nething moved that the amendments to Senate Bill No. 2148 be laid on the table, which motion prevailed.

Senator Nething moved that the vote by which the amendments to Senate Bill No. 2148 were laid on the table be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Roen moved that the amendments to Senate Bill No. 2168 as recommended by the Committee on Natural Resources as printed on page 439 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1162 as recommended by the Committee on Agriculture as printed on page 441 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1193 as recommended by the Committee on State and Federal Government as printed on page 441 of the Senate Journal be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 2053 which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 2053 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2053. A Bill for an Act providing for dairy commissioner, city health department, and district health unit cooperation in the inspection of milk producers and processors, and to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to the adoption of standards and regulations for grade "A" milk and milk products and authorizing the adoption of amendments and new editions thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 483 of the House Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Absent and not voting:

Hoffner	Ringsak	Schultz, J.
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So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2114 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 2114,

Senator Jones

Senator Iszler

Senator Barth

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after reading of Senate Bills Nos. 2005, 2012, 2013, 2020, 2059, 2115, 2149, 2168, 2197, 2264, 2302, 2328, 2333, 2352, 2363, 2375 2376 2377 Senate Concurrent Resolutions Nos. 4016, 4020, 4025, House Bills Nos. 1162, 1169, 1193, 1241, 1283, 1285, 1309 and House Concurrent Resolution No. 3018 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-NINTH DAY

Bismarck, February 9, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain David Knecht, McCabe United Methodist Church, Bismarck.

"God of our fathers, we seek wisdom and power in You — for in the midst of the dizzying change of these days and the bludgeoning pressures of life around us, we need some Source that is sure and steadfast. We thank You that we can put our trust in You and not be dismayed or disheartened.

"But we thank You, too, that You will not let us rest in our securities, or be satisfied with what has been. By change You encourage us to grow, and under pressures, to become strong. So by Your Grace we would move confidentially into the unknown, asking only that we might be faithful to Your purposes as we see them, leaving the results of our labors in Your hands.

"In the Name of Him in whose will is our Peace. Amen."

Roll Call: All Senators present except Ringsak and J. Schultz. A quorum was declared by the President.

FIRST READING OF HOUSE BILLS

House Bill No. 1005. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1275. A Bill for an Act to provide that criminal dispositions are to be entered promptly on the record, to provide that criminal records are to be opened to public inspection at reasonable times, and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1360. A Bill for an Act to amend and reenact section 26-17-01.7 of the North Dakota Century Code, relating to the issuance of a license to a nonresident insurance agent.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1361. A Bill for an Act to amend and reenact section 26-17-06 of the North Dakota Century Code, relating to the issuance of insurance agent's license and the requirement of underwriter's license.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1389. A Bill for an Act to create and enact a new subsection to section 39-20-07 of the North Dakota Century Code, relating to interpretation of chemical tests as evidence in trial.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1415. A Bill for an Act to create and enact sections 40-16-11, 40-16-12, 40-16-13, 40-16-14, 40-16-15 and 40-16-16 of the North Dakota Century Code, relating to functions and responsibilities of city auditors; to amend and reenact sections 18-04-07, 18-05-04, subsection 5 of section 40-01-01, sections 40-14-01, 40-14-07, 40-16-01, subsections 1, 3, 14, 15, and 16 of section 40-16-03, sections 40-16-10, 40-45-03, 40-46-06, and 40-49-08 of the North Dakota Century Code, relating to functions and responsibilities of city auditors; to authorize the legislative council to delete references to "city treasurer" in other places in the Century Code; and to repeal chapter 40-17 of the North Dakota Century Code, relating to the office of city treasurers.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1493. A Bill for an Act to amend and reenact section 40-18-15 of the North Dakota Century Code, to repeal sections 40-18-16 and 40-18-17 of the North Dakota Century Code, and to repeal section 40-18-18 of the 1971 Supplement to the North Dakota Century Code relating to jury trials in municipal courts.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1519. A Bill for an Act to create and enact sections 54-35-02.1 and 54-35-02.2 of the North Dakota Century Code, establishing the legislative audit and fiscal review committee as a division of the committee on budget of the legislative council; and to repeal chapter 54-35.1 of the North Dakota Century Code, relating to the legislative audit and fiscal review committee.

Which was read the first time and referred to the Committee on Appropriations.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-seventh day after recess and the twenty-eighth day and recommends that the same be corrected as follows: On page 441, in line 2 from the top of the page, after the word "Resolution" insert the following: "No. 4021"

And when so corrected recommends that the same be approved.
SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Hoffner and Barth introduced:

Senate Concurrent Resolution No. 4034. A Concurrent Resolution directing the Legislative Council to study the entire system of corrections in North Dakota, including the possibility of decentralizing incarcerative facilities.

Was read the first time and referred to the Committee on Judiciary.

Senators Morgan and Christensen introduced:

Senate Concurrent Resolution No. 4035. A Concurrent Resolution directing the Legislative Council to make a study of necessary legislation and costs to the State of North Dakota to comply with the Federal Environmental Pesticide Control Act of 1972, requiring implementation of training programs for certification of all commercial and private applicators of pesticide chemicals.

Was read the first time and referred to the Committee on Agriculture.

Senator Jones introduced:

Senate Concurrent Resolution No. 4036. A Concurrent Resolution urging the Aviation Subcommittee of the Commerce Committee of the United States Senate to give favorable consideration to Senate Bill No. 3460, which authorizes the United States Civil Aeronautics Board to contract for experimental commuter airline service to be provided to small communities in sparsely populated states, such as North Dakota.

Was read the first time and referred to the Committee on Transportation.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2021

Senate Bill No. 2024

Senate Bill No. 2064

Senate Bill No. 2084

Senate Bill No. 2094

Senate Bill No. 2166

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2014. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the attorney general's office.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 412 of the Senate Journal, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Roen
Barth	Holand	Morgan	Sandness
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Erdman	Kautzmann	Page	Strand

Freed	Larson	Peterson	Stroup
Fritzell	Lee	Rait	Thane
Goldberg	Lips	Redlin	Wenstrom
Goodman	Litten	Reiten	Wright
Gronhovd	Longmire		

Those voting in the negative were:

Coughlin	Pyle	Schultz, C.	Strinden
Mutch	Sands		

Absent and not voting:

Ringsak	Schultz, J.	Tweten
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So the bill passed and the title was agreed to.

Senate Bill No. 2033. A Bill for an Act to provide for alternate methods of disposing of certain traffic offenses; to define moving and nonmoving offenses; to provide for mandatory suspension of motor vehicle operators' licenses when certain numbers of demerits have accumulated on licensees' driving records; to create and enact section 29-27-02.1 of the North Dakota Century Code, relating to disposition of fines and forfeitures; and to amend and reenact subsection 3 of section 29-01-14, sections 29-05-31, 39-05-12, subsections 2 and 9 of section 39-06-03, subsection 1 of section 39-06-17, sections 39-06-31, 39-06-32, 39-07-09, 39-07-11, 39-08-18, 39-09-01, 39-10-31, 39-12-08, 39-12-09, subsection 2 of section 39-16.1-07, subsection 1 of section 39-21-46, sections 39-21-50, 39-24-11, and 40-05-06 of the North Dakota Century Code, relating to restricted licenses and mandatory revocation of licenses, to discretionary authority to suspend licenses, to the form of the uniform traffic summons and complaint, to the powers of halting officers, to the definition of magistrates, to the duties of magistrates, to the penalties to be assessed for certain traffic offenses, and to the maximum penalties for violation of city traffic ordinances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 412 of the Senate Journal, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Roen
Barth	Iszler	Nasset	Sands
Christensen	Jones	Nething	Sandness
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goodman	Litten	Redlin	Wenstrom
Gronhovd	Longmire	Reiten	Wright
Hoffner	Melland		

Those voting in the negative were:

Butler	Mutch	Shablow	Thane
Jacobson	Naaden	Solberg	

Absent and not voting:

Berube	Ringsak	Schultz, J.	Tweten
Goldberg	Schultz, C.		

So the bill passed and the title was agreed to.

Senate Bill No. 2137. A Bill for an Act to amend and reenact section 39-05-32 of the North Dakota Century Code, relating to enforcement of motor vehicle title law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Butler	Kautzmann	Nothing	Shablow
Christensen	Larson	Page	Smykowski
Coughlin	Lee	Peterson	Solberg
Erdman	Lips	Pyle	Strand
Freed	Litten	Rait	Strinden
Fritzell	Longmire	Redlin	Stroup
Goodman	Melland	Reiten	Thane
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Those voting in the negative were:

Jones

Absent and not voting:

Berube	Ringsak	Schultz, J.	Tweten
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 39-04-15.1 of the North Dakota Century Code, relating to the registration of motor vehicles over thirty-six thousand pounds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Barth	Jacobson	Naaden	Sandness
Butler	Jones	Nasset	Schultz, C.
Christensen	Kautzmann	Nothing	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Strinden
Goodman	Longmire	Redlin	Stroup
Gronhovd	Melland	Reiten	Thane
Hoffner	Morgan	Roen	Wright
Holand			

Absent and not voting:

Berube	Ringsak	Tweten	Wenstrom
Goldberg	Schultz, J.		

So the bill passed and the title was agreed to.

Senate Bill No. 2183. A Bill for an Act to create and enact two new subsections to section 15-47-38 of the North Dakota Century Code, and to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of the school board and providing for rules for suspension or dismissal of a teacher.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 412 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski

Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch		

Absent and not voting:

Berube	Ringsak	Schultz, J.	Tweten
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2227. A Bill for an Act relating to and defining abandoned severed mineral interests, providing methods for same to be taken into the custody of the state, for its sale, for an administrator, for a penalty, and providing an appropriation.

Which has been read.

MOTION

Senator Jacobson moved that Senate Bill No. 2227 be re-referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2288. A Bill for an Act to create and enact sections 15-53.1-19.1, 15-53.1-19.2, and 15-53.1-19.3, and to amend and reenact sections 15-47-21, subsection 2 of section 15-53.1-01, and sections 15-53.1-05, 15-53.1-06, 15-53.1-07, 15-53.1-14, 15-53.1-15, 15-53.1-16, 15-53.1-17, 15-53.1-18, 15-53.1-19, 15-53.1-20, 15-53.1-25, 15-53.1-26, 15-53.1-28, 15-53.1-29, 15-53.1-30, 15-53.1-32, 15-53.1-33, 15-53.1-37, 15-53.1-39, 15-53.1-41, and 15-53.1-42 of the North Dakota Century Code, relating to area reorganization committees.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2288 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2301. A Bill for an Act to create and enact section 57-15-51.1 of the North Dakota Century Code, to authorize a special townships tax levy for ambulance services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 420 of the Senate Journal, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Roen
Barth	Iszler	Morgan	Sands
Butler	Jacobson	Nasset	Schultz, C.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Wenstrom
Goodman	Litten	Redlin	Wright
Gronhovd	Longmire	Reiten	

Those voting in the negative were:

Mutch	Sandness	Strinden	Thane
Naaden			

Absent and not voting:

Berube	Holand	Schultz, J.	Tweten
Goldberg	Ringsak	Solberg	

So the bill passed and the title was agreed to.

Senate Bill No. 2337. A Bill for an Act to provide state solid waste management and land protection, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goodman	Litten	Redlin
Barth	Gronhovd	Longmire	Reiten
Butler	Hoffner	Melland	Roen
Christensen	Iszler	Nasset	Shablow
Erdman	Jacobson	Nething	Strand
Freed	Kautzmann	Peterson	Stroup
Fritzell	Lee	Pyle	Wenstrom
Goldberg	Lips	Rait	

Those voting in the negative were:

Berube	Morgan	Sands	Strinden
Coughlin	Mutch	Sandness	Thane
Jones	Naaden	Schultz, C.	Wright
Larson	Page	Smykowski	

Absent and not voting:

Holand	Schultz, J.	Solberg	Tweten
Ringsak			

So the bill passed and the title was agreed to.

Senate Bill No. 2413. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 421 of the Senate Journal, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hoffner	Morgan	Sands
Berube	Iszler	Nasset	Sandness
Butler	Jacobson	Nething	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Wright
Goodman			

Those voting in the negative were:

Mutch	Naaden	Schultz, C.
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Absent and not voting:

Holand	Ringsak	Solberg	Wenstrom
Longmire	Schultz, J.	Tweten	

So the bill passed and the title was agreed to.

Senate Bill No. 2418. A Bill for an Act to create and enact chapter 54-55 and sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, establishing a department of natural resources through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee; providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies; to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission; to amend and reenact section 20.1-02-07, as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly;

to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, subsection 12 of section 38-14-02, sections 38-14-03, 38-14-04, the first paragraph and subsections 7, 8, 9, 10, 11, and 12 of section 38-14-05, sections 38-14-06, 38-14-07, 38-14-09, 38-14-10, 38-14-12, 38-14-13, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee and the game and fish department, the licensing of surface mine operations, the regulation of strip mined lands, the personnel, powers and duties of the outdoor recreation agency, North Dakota park service, and water conservation commission, and placing certain agencies in the department of natural resources; and to repeal sections 38-14-11 and 61-03-14 of the North Dakota Century Code, relating to the strip mine regulation authority or the mine inspector, and relating to modification of rules by the state water conservation commission, and providing an effective date.

Which has been read.

MOTION

Senator Roen moved that Senate Bill No. 2418 be re-referred to the Committee on Natural Resources, which motion prevailed.

MOTIONS

Senator Melland moved that House Bill No. 1048 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1048. A Bill for an Act to amend and reenact sections 12-47-30, 32-12-04, 37-14-08, 54-14-03, 54-14-03.1, 54-14-04, 54-14-04.1, 54-14-07, 54-18-08, and subsection 10 of section 54-44.1-03 of the North Dakota Century Code, relating to the powers and duties of the office of the budget; to provide a statement of legislative intent; and to repeal sections 54-14-01 and 54-14-02 of the North Dakota Century Code, relating to the membership and meetings of the state auditing board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 422, 423 and 424 of the Senate Journal, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goodman	Morgan	Sandness
Barth	Gronhovd	Nasset	Shablow
Berube	Hoffner	Nething	Smykowski
Butler	Iszler	Page	Solberg
Christensen	Jacobson	Peterson	Strand
Coughlin	Kautzmann	Pyle	Strinden
Erdman	Larson	Rait	Stroup
Freed	Lips	Redlin	Wenstrom
Fritzell	Litten	Reiten	Wright
Goldberg	Melland	Roen	

Those voting in the negative were:

Jones	Mutch	Sands	Thane
Lee	Naaden	Schultz, C.	
Absent and not voting:			
Holand	Ringsak	Schultz, J.	Tweten
Longmire			

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No 2008
- Senate Bill No. 2159
- Senate Bill No. 2207
- Senate Bill No. 2209
- Senate Bill No. 2216

Senate Bill No. 2223
 Senate Bill No. 2294
 Senate Bill No. 2300
 Senate Bill No. 2356

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1008
 House Concurrent Resolution No. 3041
 Which the Senate has passed unchanged.

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

House Bill No. 1084
 House Bill No. 1212
 House Bill No. 1227
 House Bill No. 1320
 House Bill No. 1357
 House Bill No. 1405
 House Bill No. 1515
 House Bill No. 1520
 House Bill No. 1526
 House Concurrent Resolution No. 3037
 House Concurrent Resolution No. 3039

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1195

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged

Senate Bill No. 2016
 Senate Bill No. 2066
 Senate Bill No. 2079
 Senate Bill No. 2206
 Senate Bill No. 2221

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 2021
 Senate Bill No. 2024
 Senate Bill No. 2064
 Senate Bill No. 2084
 Senate Bill No. 2094
 Senate Bill No. 2166

And the President signed the same in the presence of the Senate. Senator Litten moved that the Senate recess until 1:00 P.M. February 12, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-NINTH DAY AFTER RECESS
AND THIRTIETH DAY

Bismarck, February 12, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken,
Senator Lips presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

February 7, 1973

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

This is to inform you that on February 6, 1973, I signed:

Senate Bill No. 2019
Senate Bill No. 2039
Senate Bill No. 2040
Senate Bill No. 2052
Senate Bill No. 2056
Senate Bill No. 2087
Senate Bill No. 2114
Senate Bill No. 2134
Senate Bill No. 2188
Senate Bill No. 2225

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:km

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2021
Senate Bill No. 2024
Senate Bill No. 2064
Senate Bill No. 2084
Senate Bill No. 2094
Senate Bill No. 2166

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2021
Senate Bill No. 2024

Senate Bill No. 2064
 Senate Bill No. 2084
 Senate Bill No. 2094
 Senate Bill No. 2166
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2021
 Senate Bill No. 2024
 Senate Bill No. 2064
 Senate Bill No. 2084
 Senate Bill No. 2094
 Senate Bill No. 2166

Were delivered to the Governor for his approval at the hour of 10:55 o'clock a.m., February 12, 1973.

SENATOR JACOBSON, Chairman

MESSAGE FROM THE HOUSE House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1025
 House Bill No. 1059
 House Bill No. 1082

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2059

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2005
 Senate Bill No. 2012
 Senate Bill No. 2013
 Senate Bill No. 2020
 Senate Bill No. 2115
 Senate Bill No. 2168

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Holand introduced:

Senate Concurrent Resolution No. 4037. A Concurrent Resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools.

Was read the first time and referred to the Committee on Education.

Senator Nething introduced:

Senate Concurrent Resolution No. 4038. A Concurrent Resolution requesting the State Auditor to make a study of the cash flow and investment practices and policies of the several county governments.

Was read the first time and referred to the Committee on Political Subdivisions.

Senators Barth and Holand introduced:

Senate Concurrent Resolution No. 4039. A Concurrent Resolution directing the Legislative Council to study the laws, practices and procedures involved and concerned with the North Dakota Sales Ratio Study.

Was read the first time and referred to the Committee on Finance and Taxation.

Senators Naaden, Coughlin, C. Schultz, Thane and Butler introduced:

Senate Concurrent Resolution No. 4040. A Concurrent Resolution urging the United States Congress to pass the resolution which has been introduced by Representative Lawrence J. Hogan into the United States House of Representatives calling for a right to life and anti-euthanasia amendment to the United States Constitution.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Redlin introduced:

Senate Concurrent Resolution No. 4041. A Concurrent Resolution urging suppliers of electrical power and energy to cease unnecessary and costly self-promotional advertising campaigns and practices.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Wenstrom introduced:

Senate Concurrent Resolution No. 4042. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Consumer Credit Code in North Dakota.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Wenstrom introduced:

Senate Concurrent Resolution No. 4043. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Alcoholism and Intoxication Treatment Act in North Dakota.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Ringsak, Butler and Thane introduced:

Senate Concurrent Resolution No. 4044. A Concurrent Resolution directing the Legislative Council to study the impact of present and proposed taxes upon mineral interests as they relate to state and local governments.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF HOUSE BILLS

House Bill No. 1084. A Bill for an Act authorizing the director of institutions to discontinue operation of the tuberculosis sanatorium and transfer the responsibility of the care of tuberculous patients to the state department of health.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1212. A Bill for an Act to amend and reenact sections 11-17-04, 27-03-05, 27-07-40, and 27-98-14 of the North Dakota Century Code, relating to filing fees and other fees required by

district courts, the North Dakota supreme court, county courts, and county courts of increased jurisdiction and increasing such fees.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1227. A Bill for an Act relating to the responsibilities of the game and fish commissioner in the protection of property.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1320. A Bill for an Act to amend and reenact subsection 1 of section 57-57-01 and sections 57-57-02, 57-57-03, 57-57-05, 57-57-06, 57-57-07, and 57-57-08 of the North Dakota Century Code, to change the native woodland tax to a woodland tax which applies to both natural and planted forest covers.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1357. A Bill for an Act to amend and reenact section 20.1-03-11 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to special permits to hunt mule deer.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1405. A Bill for an Act to amend and reenact section 14-03-17 of the North Dakota Century Code, making it mandatory that the county judge cause a copy of the application for marriage license be filed in a prior divorce action where the applicant is under court decree to provide child support or alimony combined with child support, requiring the county judge to secure from the applicants an acknowledgement of any provision for child support or alimony combined with child support contained in a prior divorce decree or judgment, and requiring an affidavit from the clerk of the district court to whom support payments are directed showing that there are no arrears in payment or, in lieu thereof, a waiver of the requirement for such affidavit signed by the district court ordering such child support or alimony combined with child support.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1515. A Bill for an Act to amend and reenact section 32-07-02 of the North Dakota Century Code, relating to claim and delivery to recover possession of personal property.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1520. A Bill for an Act to amend and reenact subsection 1 of section 37-25-02 and sections 37-25-03 and 37-25-10 of the North Dakota Century Code, establishing an ending date to periods of service which give rise to credits or eligibility for Vietnam veterans' adjusted compensation; providing for maximum adjusted compensation payments; and declaring an emergency.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1526. A Bill for an Act to amend and reenact section 14-06-05 of the North Dakota Century Code, relating to revocation of decree of separate maintenance and granting of divorce.

Which was read the first time and referred to the Committee on Judiciary.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3037. A Concurrent Resolution urging the United States Postal Service to issue a commemorative

stamp on the 150th anniversary of Sondre Norheim's birth.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3039. A concurrent resolution urging Congress to give favorable consideration to House Bill No. 2235, to increase the authorization for the appropriation of federal funds for completion of the formal garden and erection of the peace tower at the International Peace Garden.

Which was read the first time and referred to the Committee on State and Federal Government.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2015 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2031 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted.

MOTION

Senator Thane moved for a roll call vote, which motion prevailed.

ROLL CALL

The roll was called and there were ayes, 26; Nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Smykowski
Butler	Jacobson	Nasset	Solberg
Coughlin	Jones	Nothing	Strinden
Freed	Kautzmann	Peterson	Stroup
Goldberg	Litten	Pyle	Tweten
Goodman	Longmire	Roen	Wright
Holand	Melland		

Those voting in the negative were:

Barth	Hoffner	Page	Schultz, J.
Berube	Larson	Rait	Shablow
Christensen	Lee	Redlin	Strand
Erdman	Lips	Sandness	Thane
Fritzell	Morgan	Schultz, C.	Wenstrom
Gronhovd	Naaden		

Absent and not voting:

Reiten	Ringsak	Sands
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So the bill was indefinitely postponed on a roll call vote.

Senator Goldberg moved that the vote by which Senate Bill No. 2031 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

ANNOUNCEMENT

Senator Litten announced that since the President is absent today, and President Pro Tem Ringsak is hospitalized, that Senator Evan Lips has been asked to preside.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2096 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the number and comma "11," insert the word "and"

On page 1, line 2, delete the number and comma ", and 13", and after the number "15-65-03" delete the comma and the remainder of the line.

On page 1, line 3, delete everything before the word "of"

On page 1, line 4, delete the following: ", levy"

On page 1, delete line 5

On page 1, line 6, delete the words "proceeds for" and insert in lieu thereof the word "of"

On page 1, line 9, following the word "council" insert the following: "; and providing an appropriation"

On page 1, line 14, after the number and comma "11," insert the word "and" and delete the comma, word, and number ", and 13"

On page 2, delete lines 9 through 35

On page 3, delete lines 1 through 19

On page 3, line 20, delete the number "13" and insert in lieu thereof the number "12"

On page 3, line 32, after the number and period "2." delete the remainder of the line and insert in lieu thereof the following: "APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,500,000.00, or so much thereof as may be necessary, to the North Dakota educational broadcasting commission for the purposes of chapter 15-65 for the biennium beginning July 1, 1973, and ending June 30, 1975."

On page 3, delete lines 33 through 35

On page 4, delete lines 1 through 35

On page 5, delete lines 1 through 32

On page 5, line 34, delete the number "7" and insert in lieu thereof the number "3"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass, and be referred to the Committee on Appropriations.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2178 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 9 delete "and trained"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2195 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2212 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, after the word "additional" add the word "annual"

On page 1, line 17, after the word "dollars" place triple parentheses before and after "annually,"

On page 1, line 18, after the word "additional" add the word "annual"

On page 1, line 19, after the word "dollars" place triple parentheses before and after "annually,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to clarify language to specifically provide for an increase in judges pay to not reoccur annually.

SENATOR MELLAND, Vice-Chairman

Senator Melland moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2214 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2234 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2239 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted.

MOTION

Senator Fritzell moved for a roll call vote, which motion prevailed.

ROLL CALL

The roll was called and there were ayes, 26; nays, 21; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Page	Solberg
Butler	Kautzmann	Pyle	Strinden
Coughlin	Lee	Roen	Stroup
Erdman	Melland	Schultz, C.	Thane
Goldberg	Mutch	Schultz, J.	Tweten
Goodman	Naaden	Smykowski	Wright
Iszler	Nasset		

Those voting in the negative were:

Barth	Hoffner	Litten	Redlin
Berube	Holand	Longmire	Sandness
Christensen	Jones	Nething	Shablow
Freed	Larson	Peterson	Strand
Fritzell	Lips	Rait	Wenstrom
Gronhovd			

Absent and not voting:

Morgan	Reiten	Ringsak	Sands
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So the bill was indefinitely postponed on a roll call vote.

Mr. President: Your Committee on Social Welfare and Veterans'

Affairs to whom was referred Senate Bill No. 2243 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the comma and insert the word "and"

On page 1, line 2, delete the following: ", 50-24-13, and 50-24-33"

On page 1, line 3, delete the words "payment of expenses for burial of deceased"

On page 1, line 4, delete the words and comma "persons without kin,"; delete the comma after the word "persons"; and after the word "and" insert the words "disposition of bodies by coroners"

On page 1, delete line 5 except for the period

On page 3, line 1, delete the ending triple parentheses after the word "exceeding"

On page 3, line 2, delete the words "sum of", delete the beginning triple parentheses before the comma, and delete the words "and any burial"

On page 3, delete line 3

On page 3, line 4, before the word "shall" insert the words "cost of such burial", and delete the words "for such"

On page 3, line 5, delete the word "burial" and insert beginning triple parentheses before the period; delete the words "welfare board"; and after the word "pay" insert ending triple parentheses and immediately thereafter insert the following: ", subject to the following:

- a. **The sum of three hundred fifty dollars shall be allowed for personal property and burial services furnished by a funeral director or funeral home.**
- b. **The reasonable costs of transporting the body to the place of burial when burial is made in a cemetery out of the county in which death occurred, but not exceeding one hundred dollars.**
- c. **The cost of the grave box or vault, not to exceed the sum of eighty dollars, provided that a grave box or vault is required by the cemetery before a burial may be made.**
- d. **The cost of a grave space, not to exceed the sum of fifty dollars.**
- e. **Any grave opening and closing expenses, not to exceed the sum of fifty dollars.**

Payment for services rendered or personal property furnished under subdivisions a, b, and c above shall be made to the funeral home or funeral director furnishing the same, while payment for a grave space, services rendered, or personal property furnished under subdivisions d and e above shall be made to the cemetery furnishing the same."

On page 3, delete lines 10 through 35

On page 4, delete lines 1 through 35

On page 5, delete lines 1 and 2

And renumber the sections, pages, and lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2274 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted.

MOTION

Senator Mutch moved for a roll call vote, which motion prevailed.

ROLL CALL

The roll was called and there were ayes, 31; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Solberg
Butler	Kautzmann	Nething	Strand
Coughlin	Lee	Page	Strinden
Freed	Litten	Peterson	Stroup
Goldberg	Melland	Pyle	Thane
Goodman	Morgan	Roen	Tweten
Iszler	Mutch	Schultz, C.	Wright
Jacobson	Naaden	Smykowski	

Those voting in the negative were:

Barth	Gronhovd	Lips	Sandness
Berube	Hoffner	Longmire	Schultz, J.
Christensen	Holand	Rait	Shablow
Erdman	Larson	Redlin	Wenstrom
Fritzell			

Absent and not voting:

Reiten	Ringsak	Sands
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So the bill was indefinitely postponed on a roll call vote.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2282 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 65-05-05 of the North Dakota Century Code, relating to workmen's compensation coverage for coal miners who are disabled and to dependents of coal miners who have died as a result of pneumoconiosis; and to provide such benefits as required by the Federal Coal Mine Health and Safety Act of 1969 and amendments thereto.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 65-05-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-05-05. PAYMENTS MADE TO INSURED EMPLOYEES INJURED IN COURSE OF EMPLOYMENT AND TO THEIR DEPENDENTS.) The bureau shall disburse the fund for the payment of compensation and other benefits as provided in this chapter to employees, or to their dependents in case death has ensued, who:

1. Are subject to the provisions of this title;
2. Are employed by employers who are subject to this title; and
3. Have been injured in the course of their employment.

Where the injury is sustained outside the state of North Dakota and compensation is claimed and received through some other state act no compensation shall be allowed under this title.

The bureau shall provide such additional coverage, allow such additional time for claims to be filed, and pay such additional compensation and other benefits in excess of the coverage, filing time, and benefits otherwise provided in this title, as may be required by the Federal Coal Mine Health and Safety Act of 1969 and amendments thereto, for any coal miner, his widow, or dependents who, due to the disability or death of such coal miner as the result of pneumoconiosis, would be entitled to claim benefits under such fed-

eral Act; provided, however, that such pneumoconiosis was contracted or aggravated as the result of employment as a coal miner in the state of North Dakota.

The bureau shall adopt such reasonable rules and regulations and enter into such agreements necessary to comply with section 421 of said federal Act."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2312 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2327 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted.

MOTION

Senator Christensen moved for a roll call vote, which motion prevailed.

ROLL CALL

The roll was called and there were ayes, 44; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Nasset	Smykowski
Christensen	Kautzmann	Nething	Solberg
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Redlin	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sandness	Wright

Those voting in the negative were:

Butler Coughlin Schultz, C.

Absent and not voting:

Jones Reiten Ringsak Sands

So the bill was indefinitely postponed on a roll call vote.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2373 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2381 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom

was referred Senate Bill No. 2384 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14 insert beginning triple parentheses before the period

On page 1, line 15 insert ending triple parentheses after "exceed" and delete "one hundred" and insert beginning triple parentheses before "fifty" and insert ending triple parentheses after "month"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2393 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8 delete "nineteen" and insert in lieu thereof the word "eighteen"

On page 2, line 10 delete "twelve" and insert in lieu thereof the word "eleven"

On page 2, line 20 after the word "figures" insert "and the publication of ballots"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2396 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4014 has had the same under consideration and recommends that the same do pass and be referred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: The Majority of your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4015 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Majority:

Senator Nasset

Senator Iszler

Senator Smykowski

Senator Morgan

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted.

Mr. President: The Minority of your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4015 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18, after the word "are" insert "environmental and"

And renumber the lines accordingly.

And when so amended recommends the same do pass.
For the Minority:

Senator Redlin
Senator Barth
Senator Wright

Senator Redlin moved that the report of the minority be substituted for that of the majority, which motion failed on a roll call vote.

ROLL CALL

Those voting in the affirmative were:

Barth	Fritzell	Larson	Sandness
Berube	Gronhovd	Rait	Shablow
Christensen	Hoffner	Redlin	Wright
Erdman	Kautzmann		

Those voting in the negative were:

Anderson	Jones	Nasset	Smykowski
Butler	Lee	Nothing	Solberg
Coughlin	Lips	Page	Strand
Freed	Litten	Peterson	Strinden
Goldberg	Longmire	Pyle	Stroup
Goodman	Melland	Roen	Thane
Holand	Morgan	Schultz, C.	Tweten
Iszler	Mutch	Schultz, J.	Wenstrom
Jacobson	Naaden		

Absent and not voting:

Reiten	Ringsak	Sands
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The majority report on Senate Concurrent Resolution No. 4015 was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4017 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "priority" insert the words "for openings as they occur"

On page 1, line 23, after the word "that" delete the word "all"

On page 1, line 24, after the word "priority" insert the words "for openings as they occur"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4027 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4033 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1033 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1097 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1146 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1147 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1154 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1236 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1257 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1450 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bills Nos. 2189, 2190, 2233, 2240, 2241, 2278, 2286, 2295, 2318, 2324, 2368, 2379, 2391, 2400, Senate Concurrent Resolution No. 4013, House Bills Nos. 1127, 1203 and 1284 be dispensed with, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2189 as recommended by the Committee on State and Federal Government as printed on page 458 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2190 as recommended by the Committee on State and Federal Government as printed on page 458 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2233 as recommended by the Committee on Agriculture as printed on page 458 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2240 as recommended by the Committee on Judiciary as printed on page 458 of the Senate Journal be adopted and that Senate Bill No. 2240 be placed on the calendar without recommendation, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2241 as recommended by the Committee on Appropriations as printed on page 459 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 2278 as recommended by the Committee on Natural Resources as printed on page 459 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2286 as recommended by the Committee on Judiciary as printed on pages 459 and 460 of the Senate Journal be adopted.

MOTION

Senator Holand moved that the consideration of the amendments to Senate Bill No. 2286 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Roen moved that the amendments to Senate Bill No. 2295 as recommended by the Committee on Natural Resources as printed on page 460 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2318 as recommended by the Committee on Finance and Taxation as printed on pages 460 and 461 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2324 as recommended by the Committee on Finance and Taxation as printed on pages 461 and 462 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2368 as recommended by the Committee on Judiciary as printed on pages 463 and 464 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2379 as recommended by the Committee on Finance and Taxation as printed on page 465 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that the amendments to Senate Bill No. 2391 as recommended by the Committee on Political Subdivisions as printed on page 465 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to Senate Bill No. 2400 as recommended by the Committee on Industry, Business and Labor as printed on page 465 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to SCR No. 4013 as recommended by the Committee on Natural Resources as printed on page 466 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1127 as recommended by the Committee on Agriculture as printed on page 466 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1203 as recommended by the Committee on Agriculture as printed on page 467 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that the amendments to House Bill No. 1284 as recommended by the Committee on Political Subdivisions as printed on page 468 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2015, 2189, 2190, 2233, 2240, 2241, 2278, 2295, 2312, 2318, 2324, 2368, 2379, 2391, 2400, Senate Concurrent Resolutions Nos. 4013, 4033, House Bills Nos. 1033, 1097, 1127, 1146, 1147, 1154, 1203, 1236, 1284 and 1450 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTIETH DAY

Bismarck, February 12, 1973

The Senate convened at 2:00 p.m., Senator Lips presiding.

Prayer by Chaplain Ira Herzberg, Calvary United Methodist Church, Bismarck.

"Our Father, as we remember the great men who by their trust in Thee, helped to give this nation its glorious heritage, remind us that we honor them best when we follow their good example.

"Today on this 12th of February, the birthday of Abraham Lincoln, we thank Thee for his inspiration and memory, and we pray that something of the spirit that was his may be ours also. Like him, may we be more concerned that we are on Thy side, than that Thou art on ours.

"In our hearts may there be, as there was in his, malice toward none and charity for all; that we may, together, with Thy blessings and help, work for the best of all concerned.

"Give to us as a people and to our leaders, the old-fashioned simplicity of faith, the old-fashioned honesty, the old-fashioned love of God and all ten of His Commandments, and the old-fashioned love of state and nation that sought to give rather than to get.

"We need to pray that our own eyes be opened to the truth. May we feel His love and respond to it.

"Make each one mindful of the needs of our fellowmen and less absorbed in selfish concerns, that Christ may approve and bless what we do here each day.

"We ask these things in His name. "

Roll Call: All Senators present except Reiten, Ringsak, Sands and Wenstrom.

A quorum was declared by Senator Lips.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-eighth day after recess and the twenty-ninth day and recommends that the same be corrected as follows:

On page 469, in line 18 from the top of the page, delete the word "which"

On page 469, in line 19 from the top of the page, delete the words "motion prevailed"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE RESOLUTION

Senators Iszler, Litten, Christensen, Larson and Nasset introduced:
Senate Resolution No. 6. A resolution urging Senator Elton Ringsak a speedy recovery from his illness.

Was read the first time.

MOTION

Senator Iszler moved that the rules be suspended, that Senate Resolution No. 6 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on second reading and final passage.

Page One

SENATE RESOLUTION No. 6

Introduced by Senators Iszler, Litten, Christensen,
 Larson and Nasset

1 A resolution urging Senator Elton Ringsak a speedy recovery
 2 from his illness.

3
 4 WHEREAS, Senator Elton Ringsak, a distinguished attorney
 5 and civic leader in his hometown of Grafton, has served
 6 his State and its citizens exceedingly well in the State
 7 Senate since 1959; and

8 WHEREAS, he ranks seventh in seniority based on the
 9 number of terms served in the Senate and is currently
 10 President Pro Tem of the Senate; and

11 WHEREAS, over the years, the wit and wisdom of this
 12 "happy warrior" has added much to the debates and delibera-
 12a tions
 13 of the Senate; and

14 WHEREAS, the mild and sometimes semi-tropical climate of
 15 the Capitol City has proven too much for Senator Ringsak,
 15a who

16 is used to the hardier and more rugged clime of the 16th
 17 District, and he has been hospitalized;

18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
 18a OF THE

19 STATE OF NORTH DAKOTA:

20 That the Senate wish him a complete and speedy recovery
 21 so that he can rejoin his colleagues in the activities of
 22 the Forty-third Legislative Assembly; and

23 BE IT FURTHER RESOLVED, that a committee of three
 24 Senators be appointed to personally deliver a signed copy

Page Two

1 of this resolution to Senator Ringsak.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 6. A resolution urging Senator Elton Ringsak a speedy recovery from his illness.

Which has been read.

MOTION

Senator Iszler moved that Senate Resolution No. 6 be adopted, which motion prevailed.

Senator Lips appointed a committee of three to deliver a signed copy of Senate Resolution No. 6 to Senator Ringsak, such committee being Senators Morgan, Iszler and Erdman.

SECOND READING OF SENATE BILLS

Senate Bill No. 2005. A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

MOTION

Senator Christensen moved that Senate Bill No. 2005 be further amended as follows:

On page 2, line 15, delete the figure "9,326,680" and insert in lieu thereof the figure "10,291,680"

On page 2, line 17, delete the figure "10,611,390" and insert in lieu thereof the figure "11,576,390"

On page 2, line 19, delete the figure "3,620,390" and insert in lieu thereof the figure "4,585,390"

On page 2, line 30, delete the figure "7,010,059" and insert in lieu thereof the figure "7,975,059"

On page 2, line 32, delete the figure "20,390,730" and insert in lieu thereof the figure "21,355,730"

And renumber the lines accordingly.

ROLL CALL

The roll was called and there were ayes, 15; nays, 31; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Fritzell	Kautzmann	Shablow
Berube	Gronhovd	Lips	Wenstrom
Christensen	Hoffner	Rait	Wright
Erdman	Jones	Redlin	

Those voting in the negative were:

Butler	Lee	Nothing	Smykowski
Coughlin	Litten	Page	Solberg
Freed	Longmire	Peterson	Strand
Goldberg	Melland	Pyle	Strinden
Goodman	Morgan	Roen	Stroup
Holand	Mutch	Sandness	Thane
Iszler	Naaden	Schultz, C.	Tweten
Jacobson	Nasset	Schultz, J.	

Absent and not voting:

Anderson	Reiten	Ringsak	Sands
Larson			

Which motion failed on a roll call vote.

ROLL CALL

The question being on the final passage of the bill, as amended, page 437 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz, C.	

Absent and not voting:

Anderson	Reiten	Ringsak	Sands
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So the bill passed and the title was agreed to.

Senate Bill No. 2012. A Bill for an Act making an appropriation for defraying the expenses of the North Dakota social service board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 434 and 435 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Shablow
Barth	Jacobson	Page	Smykowski
Berube	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Roen	Thane
Goodman	Longmire	Sandness	Tweten
Gronhovd	Melland	Schultz, C.	Wenstrom
Hoffner	Morgan	Schultz, J.	Wright
Holand	Mutch		

Absent and not voting:

Butler	Jones	Nothing	Ringsak
Christensen	Nasset	Reiten	Sands
Coughlin			

So the bill passed and the title was agreed to.

MOTION

Senator Naaden moved that Senate Bill No. 2302 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsections 1 and 2 of section 37-25-02 of the North Dakota Century Code, relating to the period of service needed to be eligible for the Vietnam bonus.

Which has been read.

MOTION

Senator Naaden moved that Senate Bill No. 2302 be amended as follows,

On page 1, line 17, delete "January" and insert in lieu thereof "July"

On page 1, line 19, after the word "period" insert "and who received the Armed Forces Expeditionary Medal for Vietnam"

On page 1, line 24, delete "January" and insert in lieu thereof "July"

Renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Naaden moved that the rules be suspended, that Senate Bill No. 2302 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor the roll was called and there were ayes, 42; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Page	Smykowski
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Roen	Tweten

Goodman	Longmire	Sandness	Wenstrom
Gronhovd	Melland	Schultz, C.	Wright
Hoffner	Morgan		
Absent and not voting:			
Butler	Nasset	Reiten	Sands
Christensen	Nething	Ringsak	Solberg
Jones			

So the bill passed and the title was agreed to.

Senate Bill No. 2013. A Bill for an Act making an appropriation for defraying the expense of the state industrial commission and state agencies under the management of the state industrial commission.

Which has been read.

MOTION

Senator Goldberg moved that Senate Bill No. 2013 be further amended as follows:

On page 2, line 10, of the engrossed bill, delete the figure "2,664,875" and insert in lieu thereof the figure "2,469,439"

On line 18, delete the figure "6,258,582" and insert in lieu thereof the figure "6,063,000"

Which motion failed.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 435 and 436 of the Senate Journal, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Iszler	Page	Smykowski
Barth	Jacobson	Peterson	Solberg
Berube	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Roen	Thane
Goodman	Litten	Sandness	Tweten
Gronhovd	Longmire	Schultz, J.	Wenstrom
Hoffner	Melland	Shablow	Wright
Holand	Morgan		

Those voting in the negative were:

Coughlin	Mutch	Naaden	Schultz, C.
Goldberg			

Absent and not voting:

Butler	Jones	Nething	Ringsak
Christensen	Nasset	Reiten	Sands

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Senator Goldberg: Mr. President. I rise on a point of personal privilege to explain my vote.

Mr. President: State your privilege Senator Goldberg.

Senator Goldberg: "I voted red which means in opposition to the bill but I would like to point out to the members of the Senate that I am not in opposition to the other portions of the bill having to do with the appropriations of the other institutions, other than the mill and elevator. I am not in opposition to the appropriation for the mill and elevator but I am in opposition to the amount of money that we wound up giving them."

Senator Coughlin: Mr. President. I rise on a point of personal privilege to explain my vote.

Mr. President: State your privilege, Senator Coughlin.

Senator Coughlin: "Senator Goldberg has just expressed one of my objections to the present system of budgeting which we have

in which we include a couple of good bills, perhaps with a bill we don't like or it doesn't have particular merit, and it is my hope that the next session will see individual bills for these various agencies. It wouldn't take but a few minutes more to pass each individual bills and many of us find ourselves voting against a bill purely because there is a certain department."

Senator Naaden: Mr. President. I rise on a point of personal privilege to explain my vote.

Mr. President: State your privilege, Senator Naaden.

Senator Naaden: "I, too, agree with Senator Goldberg and Senator Coughlin on this particular point and, not necessarily against the appropriation, with the exception of the mill and their increase in salaries."

SECOND READING OF SENATE BILLS

Senate Bill No. 2020. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, relating to printing classifications and bids.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 436 of the Senate Journal, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Sandness
Barth	Holand	Morgan	Schultz, C.
Berube	Izler	Mutch	Shablow
Coughlin	Jacobson	Naaden	Smykowski
Erdman	Kautzmann	Page	Strand
Freed	Larson	Peterson	Stroup
Fritzell	Lee	Pyle	Thane
Goldberg	Lips	Rait	Tweten
Goodman	Litten	Redlin	Wright
Gronhovd	Longmire	Roen	

Those voting in the negative were:

Schultz, J.	Solberg	Strinden	Wenstrom
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Absent and not voting:

Butler	Jones	Nething	Ringsak
Christensen	Nasset	Reiten	Sands

So the bill passed and the title was agreed to.

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 61-28-03, 61-28-04, 61-28-05, subsection 2 of section 61-28-06, subsection 2 of section 61-28-07, and section 61-28-08 of the North Dakota Century Code, relating to the control, prevention and abatement of pollution of the surface waters of the state; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 439 of the Senate Journal, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Schultz, J.
Barth	Holand	Morgan	Shablow
Berube	Jacobson	Page	Strand
Erdman	Kautzmann	Peterson	Stroup
Freed	Larson	Pyle	Thane
Fritzell	Lee	Rait	Tweten
Goldberg	Lips	Redlin	Wenstrom
Goodman	Litten	Roen	Wright
Gronhovd	Longmire	Sandness	

Those voting in the negative were:

Coughlin	Mutch	Schultz, C.	Solberg
Iszler	Naaden	Smykowski	Strinden

Absent and not voting:

Butler	Jones	Nothing	Ringsak
Christensen	Nasset	Reiten	Sands

So the bill passed and the title was agreed to.

Senate Bill No. 2197. A Bill for an Act to amend and reenact subsection 3 of section 29-01-14 and section 29-01-15 of the North Dakota Century Code, relating to the definition of a magistrate, including small claims court referees as magistrates, and relating to the jurisdiction of county justices and county judges; and to repeal subsection 13 of section 12-01-04 of the North Dakota Century Code, defining magistrates.

Which has been read.

MOTION

Senator Longmire moved that Senate Bill No. 2197 be amended as follows:

On page 1, line 19, after the word "bar," insert the following: "and authorized by the county commissioners in case of an emergency"

On page 2, line 20, after the word "referee", insert the following: "authorized pursuant to subsection 3 of section 29-01-14"

And renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2197 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Nasset	Solberg
Coughlin	Jones	Page	Strand
Erdman	Kautzmann	Peterson	Strinden
Freed	Lee	Pyle	Stroup
Fritzell	Lips	Rait	Tweten
Goodman	Litten	Redlin	Wenstrom
Gronhovd	Longmire	Roen	Wright
Hoffner	Melland	Sandness	

Those voting in the negative were:

Larson	Schultz, C.	Smykowski	Thane
Mutch			

Absent and not voting:

Butler	Goldberg	Reiten	Sands
Christensen	Nothing	Ringsak	

So the bill passed and the title was agreed to.

Senate Bill No. 2328. A Bill for an Act to repeal section 25-01-01.1 of the North Dakota Century Code, relating to the coordinating committee on mental retardation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Schultz, J.
Barth	Jacobson	Naaden	Shablow
Berube	Jones	Nasset	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sandness	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand			

Absent and not voting:

Butler	Nothing	Ringsak	Sands
Christensen	Reiten		

So the bill passed and the title was agreed to.

Senate Bill No. 2333. A Bill for an Act to amend and reenact section 54-06-04.1 of the North Dakota Century Code, relating to reports to be made by state agencies charging fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz, J.
Barth	Iszler	Mutch	Shablow
Berube	Jacobson	Naaden	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sandness	Wenstrom
Gronhovd	Melland	Schultz, C.	Wright
Hoffner			

Absent and not voting:

Butler	Nothing	Ringsak	Sands
Nasset	Reiten		

So the bill passed and the title was agreed to.

Senate Bill No. 2363. A Bill for an Act to provide for a reservation on the sale of all land under the control of the board of university and school lands.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Nasset	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sandness	Wenstrom
Gronhovd	Melland	Schultz, C.	Wright
Hoffner	Morgan		

Absent and not voting:

Butler	Reiten	Ringsak	Sands
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Nothing

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS ON THE CONSENT CALENDAR

Senate Bill No 2375 A Bill for an Act to amend and reenact section 40-54-10 of the North Dakota Century Code, relating to permission to sell gravel assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

Which has been read.

Senate Bill No 2376 A Bill for an Act to amend and reenact section 40-31-09 of the North Dakota Century Code, relating to permission to sell curbing and gutter assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

Which has been read.

Senate Bill No. 2377. A Bill for an Act to amend and reenact section 40-29-15 of the North Dakota Century Code, relating to permission to sell sidewalk assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bills, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Nasset	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sandness	Wenstrom
Gronhovd	Melland	Schultz, C.	Wright
Hoffner	Morgan		

Absent and not voting:

Butler	Reiten	Ringsak	Sands
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Nothing

So the bills were passed and the titles were agreed on.

MOTION

Senator Litten moved that Senate Bill No. 2012 be reprinted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2053 refused to concur in the House amendment to Senate Bill No. 2114 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Jones
Senator Iszler
Senator Barth

LEO LEIDHOLM, Secretary of Senate

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2014
Senate Bill No. 2033

Senate Bill No. 2137
 Senate Bill No. 2155
 Senate Bill No. 2183
 Senate Bill No. 2301
 Senate Bill No. 2337
 Senate Bill No. 2413

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1048

Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGES 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:

House Bill No. 1300

House Bill No. 1323

House Bill No. 1331

House Bill No. 1333

House Bill No. 1366

House Bill No. 1401

House Bill No. 1428

House Bill No. 1441

House Bill No. 1458

House Bill No. 1500

House Bill No. 1516

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2070

Senate Bill No. 2153

Senate Concurrent Resolution No. 4032

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. 2308

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 12:30 p.m., February 13, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTIETH DAY AFTER RECESS
AND THIRTY-FIRST DAY

Bismarck, February 13, 1973

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:
House Bill No. 1025
House Bill No. 1059
House Bill No. 1082

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1025

House Bill No. 1059

House Bill No. 1082

Which the President has signed.

LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2116 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8, delete the first word "Division" and insert in lieu thereof the word "Department"; and following the word "personnel" delete the word "division" and insert in lieu thereof the word "department"

On page 2, line 11, delete the word "division" and insert in lieu thereof the word "department"

On page 3, following line 10, insert the following new subsection:
"15. "Professional" means all persons employed by the state in a position that requires the successful completion of at least four academic years of higher education and who possesses a baccalaureate degree from recognized institution of higher learning."

On page 3, line 13, after the word "public" insert the word "employee"; and after the word "composed" insert the words "of three members appointed by"

On page 3, line 14, delete the first word "of"; after the word and comma "state," insert the word "and"; and after the word "general" insert ", respectively,"

On page 3, line 15, delete the words "or their designated representatives"

On page 3, line 16, delete the words "A designated representa-

tive's" and insert in lieu thereof the following: "Each member shall serve for a term of five years, and may succeed himself, but the members first appointed by the governor, the secretary of state, and the attorney general, respectively, shall be designated to serve one, two, and three-year terms, and the members first elected by the state employees shall be designated to serve four and five-year terms."

On page 3, delete lines 17 through 22

On page 4, line 7, delete the words "compensation and", and insert in lieu thereof the words "reimbursement for"

On page 4, line 14, delete the word "a"; and delete the word "election" and insert in lieu thereof the word "elections"

On page 4, line 21, after the word "All" insert the words "meetings and"

On page 4, line 30, delete the word "rules" and insert in lieu thereof the word "rule"; and delete "modi-"

On page 4, line 31, delete "fications" and insert in lieu thereof the word "modification"

On page 4, line 32, delete the word "division" and insert in lieu thereof the word "department"; and delete the word "a"

On page 5, line 1, delete the first "the" and insert in lieu thereof the word "if"

On page 6, line 3, delete the word "DIVISION" and insert in lieu thereof the word "DEPARTMENT"

On page 6, line 5, delete the words "division within" and insert in lieu thereof the word "department"

On page 6, line 6, delete the words "the department of accounts and purchases"

On page 6, line 9, delete the word "division" and insert in lieu thereof the word "department"

On page 6, line 14, delete the words "director of accounts and" and insert in lieu thereof the word "governor"

On page 6, line 15, delete the word "purchases"

On page 6, line 18, delete the words "director of accounts and purchases" and insert in lieu thereof the word "governor"

On page 6, line 20, delete the word "director" and insert in lieu thereof the word "governor"

On page 6, line 21, delete the words "of accounts and purchases"

On page 6, line 25, delete the words "director of accounts and purchases" and insert in lieu thereof the word "governor"

On page 6, line 32, delete the words "Not later than the"

On page 7, delete lines 1 and 2

On page 7, line 3, delete the words "to the board for a hearing."

On page 7, line 8, delete the word "division" and insert in lieu thereof the word "department"

On page 7, line 17, delete the word "division" and insert in lieu thereof the word "department"

On page 7, line 19, delete the word "division" and insert in lieu thereof the word "department"

On page 7, line 22, delete the word "division" and insert in lieu thereof the word "department"

On page 8, line 13, delete the word "division" and insert in lieu thereof the word "department"

On page 8, line 18, delete the word "division" and insert in lieu thereof the word "department"

On page 9, line 9, delete the word "division" and insert in lieu thereof the word "department"

On page 9, line 11, delete the word "DIVISION" and insert in lieu thereof the word "DEPARTMENT"

On page 9, line 17, after the word "the" insert the word "personnel"; and delete the word "of" and insert in lieu thereof the words "for the purpose of establishing and implementing the provisions of this chapter,"

On page 9, delete lines 18 and 19

On page 9, line 22, delete the word "division" and insert in lieu thereof the word "department"

On page 9, line 25, delete the word "division" and insert in lieu thereof the word "department"

On page 9, line 31, delete the word "division" and insert in lieu thereof the word "department"

On page 10, line 30, delete the word "division" and insert in lieu thereof the word "department"

On page 11, line 1, delete the word "division" and insert in lieu thereof the word "department"

On page 11, line 10, delete the word "division" and insert in lieu thereof the word "department"

On page 11, line 20, delete the word "division" and insert in lieu thereof the word "department"

On page 12, line 11, delete the comma after the word "governor"

On page 12, line 13, after the word "each" insert "such board or commission"

On page 12, line 25, delete the word "Officers" and insert in lieu thereof the words "Administrative officers, professionals,"; and after the word "and" insert the word "any"

On page 13, line 2, delete the word "division" and insert in lieu thereof the word "department"

On page 13, following line 2, insert the following new subsections:

- "10. All professionals shall be excluded from the classified service at the request of their appointing authority.
11. All uniform personnel of the North Dakota state highway patrol.
12. Notwithstanding any other provisions of this section, any classes of employees shall be brought into the classified service upon the request of the appointing authority."

On page 13, line 5, delete the word "division" and insert in lieu thereof the word "department"; and after the word "plan" insert the words "after consultation with the appointing authority"

On page 13, line 27, delete the word "division" and insert in lieu thereof the word "department"

On page 13, line 28, before the period insert a comma and the following words ", which change shall be adopted by the department"

On page 13, line 29, before the period insert a comma and the following words ", which shall be empowered to affirm, reverse, or modify, in whole or in part, the proposed change"

On page 14, line 11, delete the word "division" and insert in lieu thereof the word "department"

On page 14, line 13, delete the word "division" and insert in lieu thereof the word "department"

On page 14, line 21, delete the word "division" and insert in lieu thereof the word "department"

On page 14, line 26, delete the word "division" and insert in lieu thereof the word "department"

On page 14, line 28, delete the words "and a minimum"

On page 15, line 1, delete the word "division" and insert in lieu thereof the word "department"

On page 15, line 11, after the word "employed" insert a comma and the following words " , except that nothing in this section shall preclude payment of an employee at a "Y" rate. "Y" rates shall be used to compensate an employee at the same level of compensation he was receiving prior to a downward reclassification of his position"

On page 15, line 30, delete the word "division" and insert in lieu thereof the word "department"

On page 16, line 26, delete the word "division" and insert in lieu thereof the word "department"

On page 16, line 31, delete the word "division" and insert in lieu thereof the word "department"

On page 16, line 32, delete the word "division" and insert in lieu thereof the word "department"

On page 17, line 13, delete the words "In the computation" and insert in lieu thereof the words "Veterans preference shall be given in accordance with section 37-01-40."

On page 17, delete lines 14 through 24

On page 18, line 10, delete the word "division" and insert in lieu thereof the word "department"

On page 20, line 25, delete the word "division" and insert in lieu thereof the word "department"

On page 21, line 22, delete the comma and the following words " , after giving him"

On page 21, delete line 23

On page 22, line 16, delete the word "division" and insert in lieu thereof the word "department"

On page 22, line 22, delete the word "division" and insert in lieu thereof the word "department"

On page 23, line 9, before the period after the word "hours" insert the following words " — sick leaves — vacations"

On page 23, line 10, following the comma after the word "holidays" insert the words "sick leaves, vacations,"

On page 23, line 22, after the word "in" insert the words "the number of"

On page 23, line 27, delete the word "division" and insert in lieu thereof the word "department"

On page 23, line 31, delete the word "division" and insert in lieu thereof the word "department"

On page 25, line 5, delete the word "division" and insert in lieu thereof the word "department"

On page 25, line 12, delete the word "division" and insert in lieu thereof the word "department"

On page 26, line 3, delete the word "division" and insert in lieu thereof the word "department"

On page 26, line 29, delete the word "forfeit" and insert in lieu thereof the word "forfeiture"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass and be re-referred to the Committee on Appropriations.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Govern-

ment to whom was referred Senate Bill No. 2180 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2230 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "penalty", insert the words "and to amend Section 43-02-02 of the North Dakota Century Code relating to the composition of the state board of accountancy"

On page 1, delete lines 19 through 24 and insert the following: "SECTION 2. STATE BOARD OF ACCOUNTANCY TO ADMINISTER ACT - ADDITIONAL DUTIES.) The state board of accountancy as established in Chapter 43-02 of the North Dakota Century Code shall administer this act, and for that purpose the board shall have the power:

(1) To prescribe a code of ethics and rules of professional conduct governing the practice of persons licensed under this act.

(2) To conduct written examination of applicants for a license as an accounting practitioner.

(3) To establish requirements for the continuing education of accounting practitioners along with proof of compliance with these requirements as a condition to relicensing.

(4) To charge and collect an annual fee from each licensed public accountant and accounting practitioner which fee shall be annually set by resolution of the board and shall be used to administer this act, but shall not exceed the sum of \$100 per year.

(5) To enact such rules and regulations as may be necessary to carry the purposes of this act into effect."

On page 2, delete lines 1 through 35

On page 3, delete lines 1 through 34

On page 5, line 4, delete the words "PUBLIC ACCOUNTANTS" and insert in lieu thereof "ACCOUNTING PRACTITIONERS"

On page 5, line 17, delete the words "public account" and insert in lieu thereof "accounting practitioner"

On page 5, line 18, delete the word "proscribed" and insert in lieu thereof the word "prescribed"

On page 5, line 34, delete the word "subsequent" and insert in lieu thereof the word "subsequent"

On page 6, delete lines 8 through 11 and insert in lieu thereof the following:

"SECTION 5. LICENSED PUBLIC ACCOUNTANTS AND ACCOUNTING PRACTITIONERS.) Any person licensed under Section 3 of this act shall be known as a "licensed public accountant", and shall have the right to use the initials L.P.A. Any person licensed under Section 4 of this act shall be known as an "accounting practitioner" and shall have the right to use the initials A.P."

On page 6, line 13, delete the second word "a"

On page 6, line 14, delete the words "public accountant" and insert in lieu thereof "an accounting practitioner"

On page 7, line 10, after the second comma, insert the words "accounting practitioner",

On page 7, line 11, after "L.A.," insert the letters "A.P.,"

On page 7, line 15, delete the comma and after "accountant" insert the words "or "accounting practitioner",

On page 7, line 25, after the word "condition", insert the words "or that there has been a compliance with conditions established by law or contract"

On page 7, line 35, after the word "accountant", insert the words "or accounting practitioner"

On page 8, line 3, after the word "accountant", insert the words "or accounting practitioner"

On page 9, line 5, after the quotation mark, insert the following: "or as an "accounting practitioner","

On page 9, line 34, after the word "product", insert the words: "and the sale, rental, installation and implementation of business machines and services performed incidental thereto, including data processing, computer programming and systems service"

On page 10, line 9, after the word "accountant", insert the words "or accounting practitioner"

On page 10, line 19, after the word "accountant", insert the words "or accounting practitioner"

On page 10, line 33, insert the following new section:

"SECTION 16. AMENDMENT.) Section 43-02-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-02-02. STATE BOARD OF ACCOUNTANCY — MEMBERS — APPOINTMENT - TERM OF OFFICE - VACANCIES.) The state board of accountancy shall consist of three certified public accountants, **one licensed public accountant or accounting practitioner, and one lay citizen**, appointed by the governor for a term of three years each with their terms of office and **initial appointments** so arranged that ((one term and only one)) **only two terms** shall expire on the ((thirty-)) first day of ((March)) **July** of each year. Each member of the board shall qualify by taking the oath of office required of civil officers and shall hold his office until his successor is appointed and qualified. A vacancy on the board shall be filled by appointment by the governor."

And renumber the pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2245 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2257 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4 after the word "assessor" delete "," and insert in lieu thereof ""

On page 1, delete lines 5 through 7

On page 4, delete line 16 through 24

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent is to remove funding from the State to subsidize counties in hiring equalization directors but to leave strengthened language relative to State requirements concerning county equalization effort.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2297 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 after "preserves" delete ", and making an appropriation"

On page 2, delete all of lines 24 and 25 and insert in lieu thereof the following: "5. "Board" means the state board of nature preserves consisting of the directors of the state park service, the state forest service, the state historical society and the state game and fish department."

On page 3, line 17 delete the words "as an" and insert in lieu thereof the following: "consisting of the directors of the state park service, the state forest service, the state historical society and the state game and fish department. In addition, an advisory board consisting of six private citizens shall be appointed by the governor, one person from each of the six judicial districts. Advisory board members shall not have a vote. Each advisory board member appointed must be"

On page 3, delete all of lines 18 and 19

On page 3, line 24 delete the word "three" and insert in lieu thereof "two"

On page 4, line 6 after "devise" delete ", purchase"

On page 4, line 30 after the first comma insert "and" and delete ", and gifts over"

On page 5, delete all of line 34

On page 6, delete all of lines 2 and 3

On page 6, line 16 after the first "the" insert "advisory" and after the first word "board" delete the remainder of the line and insert in lieu thereof the following: ", the travel expenses to be prorated among the four departments."

On page 6, delete all of lines 17 through 20

On page 6, delete all of lines 28 through 35

On page 7, delete all of lines 1 through 3

On page 7, line 7 delete everything after the word "services" and insert in lieu thereof a period

On page 7, delete all of line 8

On page 7, line 9 delete the following: "with the performance of their services."

On page 8, delete all of lines 31 through 35

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2330 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2344 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on State and

Federal Government to whom was referred Senate Bill No. 2346 has had the same under consideration and recommends that the same be indefinitely postponed.

For the majority:
 Senator Stroup
 Senator Sandness
 Senator Fritzell
 Senator Smykowski
 Senator Morgan

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted.

Mr. President: The minority of your Committee on State and Federal Government to whom was referred Senate Bill No. 2346 has had the same under consideration and recommends that the same do pass.

For the minority:
 Senator Christensen
 Senator Redlin

Senator Christensen moved that the report of the minority be substituted for that of the majority, which motion failed.

Senator Stroup moved that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2362 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2010 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 4, delete the numerals "9,312,459" and insert in lieu thereof the numerals "9,279,459"

On page 2, after line 4, insert the following line:

"July 1, 1973 Salaries and wages 350,000"

On page 2, line 5, delete the numerals "619,950" and insert in lieu thereof the numerals "787,950"

On page 2, line 6, delete the numerals "1,607,145" and insert in lieu thereof the numerals "1,436,145"

On page 2, after line 6, insert the following line:

"S & M obligations incurred prior to July 1, 1973 150,000"

On page 2, line 7, delete the numerals "246,520" and insert in lieu thereof the numerals "211,520"

On page 2, after line 10, insert the following line:

"Emergency generator 75,000"

On page 2, line 12, delete the numerals "12,174,074" and insert in lieu thereof the numerals "12,678,084"

On page 2, line 13, delete the numerals "4,387,400" and insert in lieu thereof the numerals "5,016,400"

On page 2, line 14, delete the numerals "7,786,674" and insert in lieu thereof the numerals "7,661,674"

On page 2, line 29, delete the numerals "10,531,561.00" and insert in lieu thereof the numerals "10,406,561.00"

On page 2, line 30, delete the numerals "10,518,699.00" and insert in lieu thereof the numerals "11,147,699.00"

On page 2, line 31, delete the numerals "21,050,260.00" and insert in lieu thereof the numerals "21,554,260.00"

On page 2, line 34, after the third comma insert the following: "and such additional funds as may become available from federal or other sources to the centers referred to in this section."

On page 3, line 2, delete everything after the word "units" and insert in lieu thereof the following: "and human service centers created in accordance with law. The amounts to be allocated to the units and centers shall not be less than the following:

Badlands human service center, Dickinson.....	\$190,000
Northwest human resource center, Williston.....	160,000
Memorial mental health and retardation center, Mandan....	200,000
North central mental health and retardation center, Minot....	200,000
Southeast mental health and retardation center, Fargo.....	200,000
Northeast mental health and retardation center, Grand Forks	200,000

The remaining \$98,483 shall be prorated among the centers and units in such manner as may be determined by the state department of health."

On page 3, delete line 3

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The changes in the appropriation to the State Hospital reflect the addition of line items to pay salaries and wages and supplies and materials, the obligations for which were incurred this biennium, from income to be collected next biennium, since a large amount of collections are being held back due to pending court cases. Estimated income is also increase because of anticipated Title XIX collections for mentally ill children. If eligibility requirements should be more restrictive than currently anticipated, collections from this program could be significantly less.

Other changes to the State Hospital appropriation include reductions in supplies in materials, salaries and wages, and equipment to reflect budget reductions recommended by the committee, the need for an appraisal of the plant, and transfers to fees and services because of the conversion to gas.

The changes to the section of the bill relating to mental health were made to clarify the support to go to each center and the fact that Human service centers resulting from the combination of mental health centers and area social service centers are to receive state support from the State Health Department.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4026 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Bill No. 2077 was indefinitely postponed, which motion failed due to the lack of a two-thirds majority.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bills Nos. 2096, 2178, 2212, 2243, 2282, 2286, 2384, 2393, and Senate Concurrent Resolution No. 4017 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2096 as recommended by the Committee on Education as printed on pages 484 and 485 of the Senate Journal be adopted, and re-referred to the Committee on Appropriations, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2178 as recommended by the Committee on State and Federal Government as printed on page 484 of the Senate Journal be adopted, which motion prevailed.

Senator Melland moved that the amendments to Senate Bill No. 2212 as recommended by the Committee on Appropriations as printed on pages 484 and 485 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to Senate Bill No. 2243 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 486 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2282 as recommended by the Committee on State and Federal Government as printed on pages 487 and 488 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Nething moved that the Senate reconsider the action by which Senate Bill No. 2077 was indefinitely postponed.

Senator Mutch requested a roll call vote, which request was granted.

ROLL CALL

The question being on the reconsideration of Senate Bill No. 2077, the roll was called, and there were ayes, 34; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sandness
Barth	Hoffner	Nasset	Schultz, J.
Berube	Holand	Nething	Shablow
Butler	Kautzmann	Peterson	Solberg
Christensen	Larson	Pyle	Stroup
Erdman	Lee	Rait	Tweten
Fritzell	Lips	Redlin	Wenstrom
Goldberg	Litten	Reiten	Wright
Goodman	Longmire		

Those voting in the negative were:

Coughlin	Jones	Page	Smykowski
Freed	Morgan	Roen	Strinden
Iszler	Mutch	Sands	Thane
Jacobson	Naaden	Schultz, C.	
Absent and not voting:			
Ringsak	Strand		

MOTION

Senator Holand moved that Senate Bill No. 2077 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2286 as recommended by the Committee on Judiciary as printed on pages 459 and 460 of the Senate Journal be adopted, which motion failed.

MOTION

Senator Holand moved that Senate Bill No. 2286 be amended as follows:

On page 1, line 15, delete the word "fourteen" and insert in lieu thereof the word "thirteen"

On page 1, line 16, delete the triple parentheses before and after the words "five hundred"

On page 1, line 18, delete the word "sixteen" and insert in lieu thereof the word "fourteen"

On page 1, line 21, delete the word "eighteen" and insert in lieu thereof the word "sixteen" and after the word "thousand" insert the words "five hundred"

On page 1, line 24, delete the word "twenty" and insert in lieu thereof the word "nineteen"

And renumber the lines accordingly.

MOTION

Senator Holand moved that the amendments to Senate Bill No. 2286 be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Nothing moved that the amendments to Senate Bill No. 2384 as recommended by the Committee on Political Subdivisions as printed on page 489 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to Senate Bill No. 2393 as recommended by the Committee on Political Subdivisions as printed on page 489 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to Senate Concurrent Resolution No. 4017 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 490 of the Senate Journal be adopted, which motion prevailed.

RECOGNITION

Senator Litten announced that United States Senator Milton R. Young was in the Senate Chambers and moved that the President appoint a committee of one to escort Senator Young to his former seat in the Assembly.

The President appointed as such committee, Senator Freed, and Senator Young was escorted to his former seat in the Assembly.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Thane, Morgan, Pyle and Naaden introduced:

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Congress of the United States to exempt farm trucks from the federal highway motor vehicle excise tax.

Was read the first time and referred to the Committee on Agriculture.

Senators Litten and Christensen introduced:

Senate Concurrent Resolution No. 4046. A Concurrent Resolution directing the Legislative Council to study and review the possibilities and prospects for various avenues of interstate cooperation with the State of South Dakota.

Was read the first time and referred to the Committee on Judiciary.

Senators Kautzmann, Naaden, Rait and Barth introduced:

Senate Concurrent Resolution No. 4047. A Concurrent Resolution urging the President of the United States and the Congress of the United States to provide a moratorium on any railroad abandonments pending a complete study of the transportation needs of this nation.

Was read the first time and referred to the Committee on Transportation.

Senator Jones introduced:

Senate Concurrent Resolution No. 4048. A concurrent Resolution directing the Legislative Council to conduct a study of co-operative vocational education programs between and among school districts, and to determine the feasibility of providing incentive payments to school districts which send students to other districts for vocational education programs.

Was read the first time and referred to the Committee on Education.

Senator Rait introduced:

Senate Concurrent Resolution No. 4049. A Concurrent Resolution urging the United States Congress to enact legislation providing for the development of a national electric power grid system.

Was read the first time and referred to the Committee on Industry, Business and Labor.

The Committee on Social Welfare and Veterans' Affairs introduced:

Senate Concurrent Resolution No. 4050. A Concurrent Resolution directing a study by the Legislative Council of the practicability of dividing the duties of the State Health Department's Mental Health and Retardation Division, and, based thereon, to also then consider the feasibility and desirability of transferring the power to manage, govern, and control the Grafton State School and San Haven State Hospital to a Mental Retardation Division.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Jones introduced:

Senate Concurrent Resolution No. 4051. A Concurrent Resolution directing the State Historical Society and the Director of Institutions to take possession of pictures of legislators, catalog them and place them in safe-keeping with the State Historical Society.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution No. 4051 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4051

Introduced by Senator Jones

1 A concurrent resolution directing the State Historical Society
2 and the Director of Institutions to take possession of pictures
3 of legislators, catalog them and place them in safe-keeping
4 with the State Historical Society.
5

6 WHEREAS, pictures have been taken of legislators of the
7 State of North Dakota since the beginning of statehood; and

8 WHEREAS, in the past, such pictures were on display in
9 the Capitol Building but, due to the need for office space,
10 were removed and put in storage; and

11 WHEREAS, such pictures constitute a part of North Dakota's
12 heritage for the benefit of its future generations;

13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
13a OF THE

14 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES

15 CONCURRING THEREIN:

16 That the pictures of legislators be removed from their
17 place of storage by the Director of Institutions and the State
18 Historical Society and catalogued and stored for safekeeping
19 by the State Historical Society; and

20 BE IT FURTHER RESOLVED; that the State Historical

20a Society

21 shall have authority to reproduce and reduce such pictures

22 and make them available for public display in the Capitol

23 Building; and

24 BE IT FURTHER RESOLVED, that copies of this resolution

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1 be forwarded by the Secretary of State to the Director of

2 Institutions and the Director of the State Historical Society.

Senate Concurrent Resolution No. 4051. A Concurrent Resolution directing the State Historical Society and the Director of Institutions to take possession of pictures of legislators, catalog them and place them in safe-keeping with the State Historical Society.

Which has been read.

MOTION

Senator Litten moved that Senate Concurrent Resolution No. 4051 be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Christensen introduced:

Senate Concurrent Resolution No. 4052. A Concurrent Resolution directed to the State Tax Commissioner requesting that income tax returns for the taxable year of 1973 contain certain questions requesting information concerning residence in the various school districts.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Redlin introduced:

Senate Concurrent Resolution No. 4053. A Concurrent Resolution urging Congress to provide funds to the appropriate agency for construction of a scenic road in the North Dakota Badlands connecting the three units of the Theodore Roosevelt National Memorial Park.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Butler introduced:

Senate Concurrent Resolution No. 4054. A Concurrent Resolution directing a study by the Legislative Council of the laws of North Dakota, including the income tax laws as provided in chapter 57-38 of the North Dakota Century Code, for the purpose of determining if any changes are necessary regarding the exemption from taxation of various organizations and individuals.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Stroup introduced:

Senate Concurrent Resolution No. 4055. A Concurrent Resolution directing the Legislative Council to study the general area of administrative hearings.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Stroup introduced:

Senate Concurrent Resolution No. 4056. A Concurrent Resolution providing for a Legislative Council study and review of the business methods, fiscal practices, financial prospects, and profit potential of the State Mill and Elevator.

Was read the first time and referred to the Committee on State and Federal Government.

The Committee on State and Federal Government introduced:

Senate Concurrent Resolution No. 4057. A Concurrent Resolution requesting a Legislative Council study to determine, analyze, and propose measures to eliminate the duplication and overlapping

of services and inspections performed by various executive agencies and political subdivisions of the State of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Litten introduced:

Senate Concurrent Resolution No. 4058. A Concurrent Resolution for the amendment of sections 82, 83, 148, 149, 150, 151, and 152 of the Constitution of the state of North Dakota, relating to public education, the board of public education, the board of higher education, and providing for open meetings of those boards; and for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Social Welfare and Veterans' Affairs introduced:

Senate Concurrent Resolution No. 4059. A Concurrent Resolution requesting a Legislative Council study of the feasibility and desirability of transferring the power to manage, govern, and control the North Dakota School for the Blind and the School for the Deaf to the Superintendent of Public Instruction.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senator Erdman introduced:

Senate Concurrent Resolution No. 4060. A Concurrent Resolution urging the United States Congress to take action to adopt a national health insurance plan.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Barth and Hoffner introduced:

Senate Concurrent Resolution No. 4061. A Concurrent Resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

Was read the first time.

MOTION

Senator Barth moved that the rules be suspended, that Senate Concurrent Resolution No. 4061 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 4061

Introduced by Senator Barth and Senator Hoffner

A concurrent resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

WHEREAS, Mary College, for the second consecutive legislative session, conducted tours of the legislative chambers during the month of January as a Legislative Seminar Project during its interim; and

WHEREAS, the sixteen Mary College students who participated in this year's project, under the direction of Professor Neal Kalberer, were Debbie Barth, Gayle Froelich, Mary Moriarty, Robert Rockstad, Darryl Rau, Jerry Ternes, Warren Freier, Jean Geinert, Don Henniger, Dwight Barth, Ronald Schumacher, Christina Oldenburg, Timothy Curns, Janice Kopp, Linda Renskers, and Mary Wakefield; and

WHEREAS, the Mary College guides helped make the legislative processes more understandable to hundreds of young people by serving them as guides during January; and

WHEREAS, these guides at all times conducted themselves very professionally, and were a credit to themselves as well as to their college and their State;

WHEREAS, the North Dakota Legislative Assembly is very cognizant of the educational and informative role these guides play in informing North Dakotans about the legislature; and

WHEREAS, the Legislative Seminar Project is equally educational and beneficial to its participants as part of their college education, and should be continued;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Forty-third Legislative Assembly commend Mary College and the Mary College students who participated in the Legislative Seminar Project for the excellent service provided the Forty-third Legislative Assembly by serving as guides during January; and

BE IT FURTHER RESOLVED, that Mary College be urged to continue the program for future legislative sessions; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to Dr. Harold Miller, President, Mary College, and Professor Neal Kalberer, Mary College.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4061. A Concurrent Resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

Was read the second time.

MOTION

Senator Barth moved that Senate Concurrent Resolution No. 4061 be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Litten introduced:

Senate Concurrent Resolution No. 4062. A Concurrent Resolution for the amendment of sections 37, 75, 90, 92, 104, 121, 124, 127, and 155 of the North Dakota Constitution, relating to legislative membership, to the Governor as commander of the State's naval forces, to the election of judges of the Supreme Court, to judicial districts, to the age qualifications for voting, to state general elections, to qualifications for voting, and to the original sale of grant lands; to repeal sections 26, 29, 30, 35, 54, 59, 88, 105, 128, 132, 163, 166, 177, 180, 181, and 214 of the North Dakota Constitution, relating to the number of State Senators, to senatorial districts to the House of Representatives, to voice votes in the Legislative Assembly, to enacting clauses of bills, to Supreme Court terms, to judicial districts, to women voting in school elections, to charters, to the general government land survey, to certain counties north of the seventh parallel belonging to North Dakota, to the tax for hail insurance, to a poll tax, to a general grant of authority to pass laws concerning the Constitution, and to congressional and legislative reapportionment; to repeal articles 19, 24, 36, 40, 59, and 65 of the amendments to the North Dakota Constitution, relating to the State Mill and Elevator, to the hail insurance tax, to the voting franchise, and to general obligation bonds for World War II and Korean Conflict adjusted compensation; and to repeal sections 1 through 26 of the schedule providing for an orderly transition from the territorial government to the State Government.

Was read the first time and referred to the Committee on Judiciary.

Senators Litten and Nasset introduced:

Senate Concurrent Resolution No. 4063. A Concurrent Resolution providing for the completion of the legislative journals of the senate and house.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution No. 4063 be not printed as a bill, not referred to a committee, but printed in the Journal and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4063

Introduced by Senators Litten, Nasset

1 A concurrent resolution providing for the completion of the
2 legislative journals of the senate and house.

3
4 WHEREAS, after termination of the Forty-third Legislative
5 Assembly a complete record with index of the senate and house
6 journals must be prepared;

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
8 OF THE STATE OF NORTH DAKOTA, THE HOUSE OF
9 REPRESENTATIVES CONCURRING THEREIN:

10 That Leo Leidholm, Secretary of the Senate, and Roy
11 Gilbreath, Chief Clerk of the House, are hereby authorized and
12 employed to compare and index the journals of the Forty-third
13 Legislative Assembly, and the said Leo Leidholm and Roy
14 Gilbreath are hereby directed to arrange for and procure
15 sufficient assistance to insure that the said work shall be
16 completed within twenty days after the adjournment of the
17 session; and

18 BE IT FURTHER RESOLVED, that for the expenses of the
19 said Leo Leidholm and Roy Gilbreath, as above set forth, there
20 shall be allowed the sum of \$1500.00 each, which shall include
21 compensation for any assistance deemed necessary by them, all
22 to be paid as other legislative expense, and paid when the
23 respective claims are verified by the affidavits of the said
24 Leo Leidholm and Roy Gilbreath showing completion of such
24a work.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Melland and Nasset introduced:

Senate Concurrent Resolution No. 4064. A Concurrent Resolution directing the Legislative Council to study the impact and ramifications of issuance of bonds by junior colleges; the impact of state aid to junior colleges; the division of vocational education services between colleges, universities, and secondary schools; the possibility of commingling vocational and special education funds and distributing them through the Foundation Program while retaining flexibility of administration; and the impact of various factors, legal and economic, on all phases of educational finance.

Was read the first time and referred to the Committee on Education.

Committee on Natural Resources introduced:

Senate Concurrent Resolution No. 4065. A Concurrent Resolution directing a study by the Legislative Council in order to determine the adequacy of present environmental laws and their enforcement.

Was read the first time and referred to the Committee on Natural Resources.

Senators Barth and Redlin introduced:

Senate Concurrent Resolution No. 4066. A Concurrent Resolution commending the North Dakota Congressional Delegation for

its opposition to President Richard M. Nixon's budget cuts affecting rural America.

Was read the first time and referred to the Committee on Agriculture.

Senator Nething introduced:

Senate Concurrent Resolution No. 4067. A Concurrent Resolution for the amendment of sections 26, 29, 32, 35, 45, and 56 of the Constitution of the State of North Dakota, relating to the composition of the legislative assembly, compensation of members of the legislative assembly, and length of sessions of the legislative assembly.

Was read the first time and referred to the Committee on Judiciary.

Senator Kautzmann introduced:

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Superintendent of Public Instruction to evaluate the contract teaching program used at Marmoth High School.

Was read the first time and referred to the Committee on Education.

Senators Lee, Kautzmann, Butler, Berube and Coughlin introduced:

Senate Concurrent Resolution No. 4069. A Concurrent Resolution requesting the Congress of the United States to adopt an amendment to the United States Constitution for ratification by the states which will guarantee the right of the unborn human to life throughout its intrauterine development subordinate only to saving the life of the mother.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

Senators Rait and Shablow introduced:

Senate Concurrent Resolution No. 4070. A Concurrent Resolution urging the Congress of the United States to further examine, study and review the Internal Revenue Code of the United States and as a matter of priority enact the necessary amendments and changes thereto inasmuch as continued progress on tax reform is of vital importance and an economic necessity for the well-being of the taxpayers of the United States.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Nething introduced:

Senate Concurrent Resolution No. 4071. A Concurrent Resolution directing the Legislative Council to study the role the profits and investments of chain banks, state banks, insurance companies, and other financial institutions play in the State's economic picture.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Hoffner introduced:

Senate Concurrent Resolution No. 4072. A Concurrent Resolution urging the Congress to ensure reinstatement of all subsidized and interest credit Farmers Home Administration and the reinstatement of Housing and Urban Development Programs for the elderly and low-to-moderate income citizens of rural America.

Was read the first time and referred to the Committee on Agriculture.

Senators Nething and Holand introduced:

Senate Concurrent Resolution No. 4073. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of establishing regional comprehensive planning commissions.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Barth introduced:

Senate Concurrent Resolution No. 4074. A Concurrent Resolution commending the Standing Rock Sioux Tribe upon the one hundredth anniversary of the establishment of the Standing Rock Agency at Fort Yates.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Nething and Pyle introduced:

Senate Concurrent Resolution No. 4075. A Concurrent Resolution providing for a study by the Legislative Council of railroad freight rates for the transportation of barley.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senators Hoffner and Jones introduced:

Senate Concurrent Resolution No. 4076. A Concurrent Resolution directing the Legislative Council to study the rationale for and the present status of kindergarten programs, and the feasibility of funding quality kindergarten programs in the public schools of North Dakota.

Was read the first time and referred to the Committee on Education.

FIRST READING OF A SENATE RESOLUTION

Senator Hoffner introduced:

Senate Resolution No. 7. A Resolution creating a select Senate investigating committee to study the impact of recent federal program and funding cuts on the North Dakota economy, and on the legislative appropriations policies.

Was read the first time and referred to the Committee on Agriculture.

FIRST READING OF HOUSE BILLS

House Bill No. 1300. A Bill for an Act to amend and reenact sections 58-04-10, 58-05-02, and 58-05-18 of the North Dakota Century Code, relating to the appointment of township assessors; and to repeal section 58-09-01 of the North Dakota Century Code, relating to the requirement that township assessors be electors and owners of property in their township.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1323. A Bill for an Act to require the state to pay the costs of statewide special elections.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1331. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to grain and seed warehouses, and regulations covering redelivery charges for all grain.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1333. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to grain and seed warehouses, and various warehouse regulations governing charges for storage.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1366. A Bill for an Act to amend and reenact section 57-19-09 of the North Dakota Century Code, relating to the

discontinuance and transfer of school district special reserve funds.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1401. A Bill for an Act to amend and reenact sections 5-01-08, 5-01-09, and 5-02-06 of the North Dakota Century Code, relating to the purchase and consumption of alcoholic beverages by persons nineteen years of age and older.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1428. A Bill for an Act to extend the jurisdiction of the public service commission to include the safety of all gas distribution systems.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1441. A Bill for an Act to amend and reenact sections 54-16-01 and 54-16-03 of the North Dakota Century Code, relating to the powers and duties of the emergency commission.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1458. A Bill for an Act to amend and reenact section 15-34.2-14 of the North Dakota Century Code, relating to the qualifications and age of school bus drivers.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1500. A Bill for an Act to amend and reenact subsection 1 of section 19-05-08 and subsection 2 of section 19-05-13 of the North Dakota Century Code, relating to the reduction and elimination of the tax imposed upon oleomargarine sold in this state, and its transportation.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1516. A Bill for an Act to amend and reenact section 12-16-05 of the North Dakota Century Code, relating to escape or attempted escape from prison, and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

MOTION

Senator Litten moved that the rules be suspended, pursuant to Joint Rule No. 18, that the Senate resolve itself into a Joint Session in the House to receive a message from the Honorable Milton R. Young, United States Senator, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2334 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, delete the triple parentheses around the word "three"; delete the word "four"; and after the word "hundred" insert the word "fifty"

On page 1, line 21, delete the remainder of the line following the period

On page 1, delete the lines 22 through 24

On page 2, delete lines 1 and 2

On page 2, line 3, delete all of the underscored material before the word "For"

On page 2, line 33, delete the following: ", excluding"

On page 2, line 34, delete the following: "summer programs,"
And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to allow an increase for Junior College aid of \$50.00 per year per student rather than the \$100.00 proposed and to remove reference to summer programs.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2397 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 6, after the word "allocated" insert the following: "**, for distribution as herein provided,**" and after the word "state" insert the following: "**and the amount allocated to each county in each calendar year shall be allocated**"

On page 2, line 7, insert beginning triple parentheses before the word "proportion" and insert in lieu thereof the following: "**the proportion that the total number of motor vehicle registrations credited to such county during the preceding calendar year bears to the total number of motor vehicle registrations credited to all counties during the preceding calendar year**"

On page 2, line 8, insert ending triple parentheses after the period

On page 2, line 29, after the word "the" insert the word "total"

On page 2, line 31, after the word "cities," insert the word "total"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

REPORTS OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2197

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2189

Senate Bill No. 2190

Senate Bill No. 2233

Senate Bill No. 2240

Senate Bill No. 2241

Senate Bill No. 2278

Senate Bill No. 2295

Senate Bill No. 2302

Senate Bill No. 2318

Senate Bill No. 2324

Senate Bill No. 2368

Senate Bill No. 2379

Senate Bill No. 2391

Senate Bill No. 2400

Senate Concurrent Resolution No. 4013
And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Litten moved that after the reading of Senate Bills Nos. 2077, 2178, 2180, 2212, 2243, 2245, 2282, 2286, 2330, 2344, 2362, 2384, 2393, Senate Concurrent Resolutions Nos. 4017, 4026, and 4063 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIRST DAY

Bismarck, February 13, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Earl Grunstead, McCabe United Methodist Church, Bismarck.

"Almighty God unto whom all hearts are open, all desires known, and from whom no secrets are hid, we bow humbly before You in deep gratitude for the many manifestations of Your goodness to all people everywhere. We thank You for Your great patience and love toward us. You have caused all the scriptures to be written for our edification. We are truly grateful for this land in which we are privileged to enjoy our temporal life, where we can worship according to our beliefs, fellowship together in Christian service and where we can live for higher purposes enriched by Your glorious presence.

"We thank You for Your rich blessings to us in so many ways. For the great fellowship of mankind. May we endeavor as Christian people, to keep in mind Your commandment of love for one another, and we pray that You will fulfill Your purposes in the hearts of us from day to day.

"We are mindful of the fact that it is a privilege of being part of this great state and of our great nation, and we do extend our deepest gratitude for Your Divine leading and the great hopes of peace unfolding in the war torn parts of this world, and along with it we pray, that it may culminate as peace on earth, and good will toward men.

"We rejoice with those who are enjoying good health and happiness and we sympathize with those who may not be so fortunate.

"God bless this Senate and the efforts they are putting forth for the betterment of our state and in their working to carry out their responsibilities as they think best. We would remember our Governor. And we do pray that you will give him strength as well as inspire him in making his decisions that have to be made, as he faces the many responsibilities of that office.

"May the spirit of the living Lord abide in the hearts of each of us from day to day as the blessings of God rest upon all of our people.

"We pray and give thanks in the name of the Triune God. Amen."

Roll Call: All Senators present except Ringsak.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-ninth day after recess and the thirtieth day and recommends that the same be corrected as follows: On page 485, in line 2 and 3 from the top of the page, correct the spelling of the word "parentheses"

On page 485, in lines 6 and 7 from the top of the page, correct the spelling of the word "parentheses"

On page 485, in line 13 from the top of the page, correct the spelling of the name "Melland"

On page 494, in line 19 from the top of the page, correct the spelling of the word "hometown"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MOTION

Senator Melland moved that Senate Bill No. 2116 be placed at the head of the Sixth Order of Business for consideration of amendments, which motion prevailed.

Senator Melland moved that the amendments not be read from the desk, which motion prevailed.

Senator Melland moved that the amendments to Senate Bill No. 2116 be adopted, and be re-referred to the Committee on Appropriations, which motion prevailed.

MOTION

Senator Lips moved that Senate Bill No. 2401 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Which has been read.

MOTION

Senator Lips moved that Senate Bill No. 2401 be further amended as follows:

"On page 2, line 5, of the engrossed bill, delete the word "Comment" and insert in lieu thereof the word "approval"

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2401 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 34; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jones	Page	Schultz, J.
Barth	Kautzmann	Rait	Shablow
Berube	Larson	Redlin	Solberg
Christensen	Lee	Reiten	Strand
Erdman	Lips	Roen	Strinden
Fritzell	Longmire	Sands	Tweten
Goodman	Melland	Sandness	Wenstrom

Hoffner	Naaden	Schultz, C.	Wright
Holand	Nasset		

Those voting in the negative were:

Butler	Gronhovd	Morgan	Pyle
Coughlin	Iszler	Mutch	Smykowski
Freed	Jacobson	Nothing	Stroup
Goldberg	Litten	Peterson	Thane

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Lips moved that the vote by which Senate Bill No. 2401 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2059. A Bill for an Act to provide for the levy of a tax on real property mineral interests, and to repeal sections 57-02-24 and 57-02-25 of the North Dakota Century Code, relating to the listing and procedure in assessing of coal and mineral reserves, and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 319, 320 and 437 of the Senate Journal, the roll was called and there were ayes, 18; nays, 30; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hoffner	Longmire	Roen
Berube	Holand	Rait	Shablow
Christensen	Jacobson	Redlin	Stroup
Erdman	Larson	Reiten	Wenstrom
Gronhovd	Lips		

Those voting in the negative were:

Anderson	Kautzmann	Page	Smykowski
Butler	Lee	Peterson	Solberg
Coughlin	Litten	Pyle	Strand
Freed	Melland	Sands	Strinden
Fritzell	Morgan	Sandness	Thane
Goldberg	Naaden	Schultz, C.	Tweten
Goodman	Nasset	Schultz, J.	Wright
Jones	Nothing		

Absent and not voting:

Iszler	Mutch	Ringsak
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So the bill was declared lost.

EXPLANATION OF VOTE

Senator Holand: "I voted for this bill knowing in my own mind that it was not a workable arrangement but thinking that if the Senate might have passed it, it would have been alright for the House to address itself to this problem."

EXPLANATION OF VOTE

Senator Roen: "I did vote for the bill. I have been involved in this proposed Legislation several times in previous sessions. I have visited with Senator Rait and encouraged him to amend his bill to provide only a filing fee on severed mineral acres which could amount to \$5.00, \$10.00, maybe \$15.00 per entry. This could be imposed as a tax in the same manner as real property tax is applied, on an annual basis. Should this tax become delinquent, it could be handled as a real property delinquent tax, and sold to perhaps, the owner or the county. Remember, this merely deals

with severed and abandoned acres. This would reduce the work load tremendously on the county level. In other words, would not be an unnecessary burden for the county auditors to absorb.

The end result would be that we could, somehow, clear the titles on parcels on land where abandoned mineral acres are involved."

Senate Bill No. 2115. A Bill for an Act to create a state occupational safety and health law administered by the workmen's compensation bureau; to amend and reenact sections 54-07-01.2, 65-02-01, 65-02-02, 65-02-05, and 65-08-02 of the North Dakota Century Code, relating to office space for the bureau, and reciprocity in extraterritorial application of compensation acts; and to repeal section 65-01-07, chapter 65-03, subdivision c of subsection 1 of section 65-04-27.1 and chapter 65-11 of the North Dakota Century Code, relating to employers' records of employee injuries, prevention of injuries, procedures for injunctive relief, the safety engineer; and providing a penalty.

Which has been read.

MOTION

Senator Nething moved that Senate Bill No. 2115 be further amended as follows:

On page 1, line 3 of the engrossed bill, delete the numerals and commas "54-07-01.2", 65-02,01, 65-02-02"

On page 1, line 4 delete the comma after "65-02-05"

On page 18 delete all of lines 26 through 35

On page 19 delete all of lines 1 through 35

On page 20 delete all of lines 1 through 35

On page 21 delete all of lines 1 through 23

And renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Nething moved that the rules be suspended, that Senate Bill No. 2115 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2115. A Bill for an Act to create a state occupational safety and health law administered by the workmen's compensation bureau; to amend and reenact sections 54-07-01.2, 65-02-01, 65-02-02, 65-02-05, and 65-08-02 of the North Dakota Century Code, relating to office space for the bureau, and reciprocity in extraterritorial application of compensation acts; and to repeal section 65-01-07, chapter 65-03, subdivision c of subsection 1 of section 65-04-27.1 and chapter 65-11 of the North Dakota Century Code, relating to employers' records of employee injuries, prevention of injuries, procedures for injunctive relief, the safety engineer; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 438 of the Senate Journal, and from the floor, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Shablow
Barth	Hoffner	Naaden	Smykowski
Berube	Holand	Nething	Solberg
Butler	Jacobson	Page	Strand
Christensen	Jones	Peterson	Strinden
Coughlin	Kautzmann	Pyle	Stroup
Erdman	Lee	Redlin	Thane
Freed	Lips	Reiten	Tweten
Fritzell	Litten	Sands	Wenstrom

Goldberg	Longmire	Sandness	Wright
Goodman	Melland	Schultz, J.	
Those voting in the negative were:			
Larson	Rait	Roen	Schultz, C.
Absent and not voting:			
Iszler	Mutch	Nasset	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2149. A Bill for an Act to create and enact paragraphs 4 and 5 of subdivision b of subsection 5 of section 65-01-02 of the North Dakota Century Code, relating to the definition of employee, and to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment, and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:			
Anderson	Goodman	Longmire	Rait
Berube	Hoffner	Melland	Redlin
Butler	Holand	Morgan	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Kautzmann	Nething	Tweten
Erdman	Larson	Peterson	Wenstrom
Freed	Lee	Pyle	Wright
Goldberg	Litten		

Those voting in the negative were:			
Barth	Mutch	Sands	Smykowski
Fritzell	Naaden	Sandness	Solberg
Gronhovd	Page	Schultz, C.	Strand
Jacobson	Reiten	Schultz, J.	Thane
Lips	Roen	Shablow	

Absent and not voting:
Iszler Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2264. A Bill for an Act to create and enact a new subsection to section 20.1-01-02, and a new section to chapter 20.1-03 of the North Dakota Century Code as contained in sections 8 and 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of waterfowl, and the time period during which nonresidents may hunt and possess waterfowl.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:			
Anderson	Gronhovd	Naaden	Schultz, C.
Barth	Hoffner	Nething	Schultz, J.
Berube	Holand	Page	Shablow
Butler	Jacobson	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Larson	Rait	Strinden
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Roen	Tweten
Goldberg	Longmire	Sands	Wenstrom
Goodman	Melland	Sandness	Wright

Those voting in the negative were:

Jones	Mutch	Nasset	Smykowski
Morgan			

Absent and not voting:

Iszler	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2288. A Bill for an Act to create and enact sections 15-53.1-19.1, 15-53.1-19.2, and 15-53.1-19.3, and to amend and reenact sections 15-47-21, subsection 2 of section 15-53.1-01, and sections 15-53.1-05, 15-53.1-06, 15-53.1-07, 15-53.1-14, 15-53.1-15, 15-53.1-16, 15-53.1-17, 15-53.1-18, 15-53.1-19, 15-53.1-20, 15-53.1-25, 15-53.1-26, 15-53.1-28, 15-53.1-29, 15-53.1-30, 15-53.1-32, 15-53.1-33, 15-53.1-37, 15-53.1-39, 15-53.1-41, and 15-53.1-42 of the North Dakota Century Code, relating to area reorganization committees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 413, 414, 415, 416, 417, 418 and 419 of the Senate Journal, the roll was called and there were ayes, 29; nays, 18; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Schultz, J.
Barth	Hoffner	Nasset	Solberg
Berube	Holand	Nothing	Strand
Christensen	Kautzmann	Peterson	Strinden
Coughlin	Lips	Pyle	Thane
Erdman	Litten	Rait	Tweten
Freed	Longmire	Redlin	Wenstrom
Fritzell			

Those voting in the negative were:

Butler	Lee	Reiten	Shablow
Gronhovd	Morgan	Sands	Smykowski
Jacobson	Mutch	Sandness	Stroup
Jones	Naaden	Schultz C.	Wright
Larson	Page		

Absent and not voting:

Goodman	Iszler	Ringsak	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2352. A Bill for an Act to create and enact section 40-58-20 of the North Dakota Century Code, relating to the computation, certification, and remittance of tax increments resulting from urban renewal for reimbursement of the cost of renewal and the interest and redemption premiums on obligations issued to pay such costs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Jacobson	Nothing	Schultz, J.
Barth	Jones	Page	Shablow
Berube	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Sands	Thane
Gronhovd	Melland	Sandness	Tweten
Hoffner	Morgan	Schultz, C.	Wenstrom
Holand	Nasset		

Those voting in the negative were:

Butler	Mutch	Naaden	Wright
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Absent and not voting:

Goldberg	Iszler	Ringsak	Roen
Goodman			

So the bill passed and the title was agreed to.

Senate Bill No. 2419. A Bill for an Act to create and enact sections 41-09-13.1 and 41-09-46.2, relating to the priority of a consignee over a secured party, to the assignment of security interests, and to the filing of assignments of financing statements; to amend and reenact subsection 2 of section 41-01-05, subsections 9 and 37 of section 41-01-11, subsections 1 and 2 of section 41-02-07, subsection 2 of section 41-05-16, subsection 1 of section 41-09-02, sections 41-09-03, 41-09-04, 41-09-05, 41-09-06, 41-09-16, 41-09-17, 41-09-18, 41-09-22, 41-09-23, 41-09-25, 41-09-26, subsections 1, 2, 3, and 4 of section 41-09-27, sections 41-09-28, 41-09-29, 41-09-33, 41-09-34, 41-09-39, 41-09-40, 41-09-41, 41-09-42, 41-09-43, 41-09-44, 41-09-45, subsection 3 of section 41-09-47, subsection 2 of section 41-09-48, subsections 1, 2, and 3 of section 41-09-50, and subsection 2 of section 41-09-51 of the North Dakota Century Code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning same, including sales, commercial paper, bank deposits, bank collections, letters of credit, bulk transfers, warehouse receipts, bills of lading and other documents of title, investment securities, and secured transactions; and providing for transition and an effective date.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goodman	Melland	Roen	Tweten
Gronhoyd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright

Absent and not voting:

Goldberg	Iszler	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2015. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, C.
Barth	Kautzmann	Nothing	Shablow
Christensen	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Stroup

Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Jacobson			

Those voting in the negative were:

Berube	Coughlin	Roen	Strinden
Butler	Mutch	Schultz, J.	
Absent and not voting:			
Goldberg	Iszler	Ringsak	

So the bill passed and the title was agreed to.

Senate Bill No. 2189. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota by the North Dakota state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 458 of the Senate Journal, the roll was called and there were ayes, 44, nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Schultz, C.
Berube	Jones	Nasset	Schultz, J.
Butler	Kautzmann	Nothing	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Roen	Thane
Gronhovd	Morgan	Sands	Tweten
Holand	Mutch	Sandness	Wright

Those voting in the negative were:

Barth	Christensen	Hoffner	Rait
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Absent and not voting:

Iszler	Ringsak	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 2190. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 458 of the Senate Journal, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Roen	Thane
Goodman	Melland	Sandness	Tweten
Gronhovd	Morgan	Schultz, C.	Wenstrom
Holand	Mutch	Schultz, J.	Wright
Jacobson	Nasset		

Those voting in the negative were:

Barth	Christensen	Naaden	Sands
Berube	Hoffner	Rait	

Absent and not voting:

Iszler	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2233. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to the exemption of self-propelled fertilizer spreaders from width limitations on vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 458 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright

Absent and not voting:

Fritzell	Iszler	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2240. A Bill for an Act to require the state and all its political subdivisions to carry liability insurance in areas of common risk, and to repeal section 39-01-08 of the North Dakota Century Code, authorizing political subdivisions to carry insurance on vehicles.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2240 be laid over one legislative day, which motion prevailed.

MOTION

Senator Litten moved that Senate Bill No. 2288 be reprinted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2241. A Bill for an Act to repeal chapter 15-66 of the North Dakota Century Code, relating to the regional medical education board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 459 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski

Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Absent and not voting:
Iszler Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2278. A Bill for an Act to create and enact section 2-07-06.4, and to amend and reenact section 2-07-06, subsections 2 and 3 of section 2-07-06.1, and sections 2-07-06.2, 2-07-06.3, 2-07-08, 2-07-09, and 2-07-10 of the North Dakota Century Code, relating to the creation of a weather modification authority, continuation of an authority, contents of the petition, powers of the authority, and liability for activities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 459 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright

Absent and not voting:

Goldberg Iszler Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2295. A Bill for an Act to create and enact a new subsection to sections 20.1-01-02, 20.1-02-05, and 20.1-03-12 of the North Dakota Century Code as contained in sections 8, 9, and 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to guides.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 460 of the Senate Journal, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Kautzmann	Page	Shablow
Butler	Larson	Peterson	Solberg
Christensen	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sandness	Wright

Those voting in the negative were:

Coughlin	Jones	Naaden	Smykowski
Freed	Mutch	Sands	

Absent and not voting:

Goldberg	Iszler	Ringsak	Tweten
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So the bill passed and the title was agreed to.

Senate Bill No. 2312. A Bill for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to salary deductions from employee.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, J.
Barth	Jacobson	Nething	Shablow
Berube	Jones	Page	Smykowski
Butler	Kautzmann	Peterson	Solberg
Christensen	Larson	Pyle	Strand
Coughlin	Lee	Rait	Strinden
Erdman	Lips	Redlin	Stroup
Freed	Litten	Reiten	Thane
Fritzell	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Naaden		

Those voting in the negative were:

Mutch	Schultz, C.
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Absent and not voting:

Goldberg	Iszler	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2318. A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for farm structures and improvements.

Which has been read.

MOTION

Senator Litten moved that Senate Bill No. 2318 be placed below Senate Bill No. 2400 on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2324. A Bill for an Act to create and enact a new section to chapter 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of jet aviation motor fuel used by aircraft.

Which has been read.

MOTION

Senator Butler moved that Senate Bill No. 2324 be further amended as follows:

On page 1, line 19, after the period insert the following:

"The proceeds of the additional tax provided for in this section shall be distributed by the aeronautics commission to the airports where the jet aviation motor fuel is sold, as determined under the provisions of section 57-56-03."

And renumber the lines accordingly.

Which motion prevailed.

Senator Butler moved that the rules be suspended, that Senate Bill No. 2324 be deemed properly re-engrossed and placed on the

calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2324. A Bill for an Act to create and enact a new section to chapter 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of jet aviation motor fuel used by aircraft.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 461 and 462 of the Senate Journal, and from the floor, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sands
Barth	Holand	Nasset	Sandness
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Strand
Erdman	Kautzmann	Peterson	Stroup
Freed	Lee	Pyle	Thane
Fritzell	Litten	Rait	Tweten
Goldberg	Longmire	Redlin	Wenstrom
Goodman	Melland	Reiten	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Christensen	Lips	Schultz, C.	Solberg
Coughlin	Mutch	Schultz, J.	Strinden
Larson	Roen	Smykowski	

Absent and not voting:

Iszler Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2368. A Bill for an Act to create trustees for commercial buildings during foreclosures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 463 and 464 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Absent and not voting:

Iszler Ringsak Solberg

So the bill passed and the title was agreed to.

Senate Bill No. 2379. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to definitions, adjustments to taxable income for corporations; and providing for an effective date.

MOTION

Senator Shablow moved that Senate Bill No. 2379 be placed at the foot of the Senate calendar, which motion failed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2379. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to definitions, adjustments to taxable income for corporations; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 465 of the Senate Journal, the roll was called and there were ayes, 33; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Kautzmann	Nasset	Schultz, J.
Butler	Lee	Netting	Solberg
Coughlin	Lips	Page	Strand
Freed	Litten	Peterson	Strinden
Goldberg	Melland	Pyle	Stroup
Goodman	Morgan	Reiten	Thane
Holand	Mutch	Roen	Tweten
Jacobson	Naaden	Schultz, C.	Wright
Jones			

Those voting in the negative were:

Barth	Fritzell	Longmire	Sandness
Berube	Gronhovd	Rait	Shablow
Christensen	Hoffner	Redlin	Smykowski
Erdman	Larson	Sands	Wenstrom

Absent and not voting:

Iszler Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2391. A Bill for an Act to amend and reenact section 40-44-06 of the North Dakota Century Code, relating to compensation and expenses of a civil service commissioner and commission members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 465 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Netting	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Absent and not voting:

Iszler Ringsak

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2005

Senate Bill No. 2012

Senate Bill No. 2013
 Senate Bill No. 2020
 Senate Bill No. 2168
 Senate Bill No. 2197
 Senate Bill No. 2302
 Senate Bill No. 2328
 Senate Bill No. 2333
 Senate Bill No. 2363
 Senate Bill No. 2375
 Senate Bill No. 2376
 Senate Bill No. 2377

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1257

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES 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:

House Bill No. 1131
 House Bill No. 1152
 House Bill No. 1175
 House Bill No. 1291
 House Bill No. 1395
 House Bill No. 1465
 House Bill No. 1483

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2246
 Senate Bill No. 2255

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1048 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Hilliboe
 Rep. Martinson
 Rep. Bassingthwaite

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2114:

Rep. Olson
 Rep. Gronneberg
 Rep. H. Christensen

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., February 14, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIRST DAY AFTER RECESS
AND THIRTY-SECOND DAY

Bismarck, February 14, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2096
Senate Bill No. 2116
Senate Bill No. 2212
Senate Bill No. 2243
Senate Bill No. 2282
Senate Bill No. 2286
Senate Bill No. 2384
Senate Bill No. 2393
Senate Concurrent Resolution 4017

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2178

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

POINT OF PERSONAL PRIVILEGE

Senator C Schultz: Mr. President. I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President: State your privilege, Senator Schultz:

Senator Schultz:

"Yesterday we passed Senate Bill 2312, Salary deductions for State Employees Insurance. I was one of two senators who voted against the bill. My reason was not that I was against this benefit for the employees. It was for the reason of not knowing what the financial impact will be. I hope that all departments that have employees covered under the State Employees Group Insurance Plan have sufficient money in their budgets to cover this \$108 per year increased cost to the state.

MOTION

Senator Litten moved that Senate Bills Nos. 2400 and 2318 be

placed below Senate Bill No 2077 on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2240. A Bill for an Act to require the state and all its political subdivisions to carry liability insurance in areas of common risk, and to repeal section 39-01-08 of the North Dakota Century Code, authorizing political subdivisions to carry insurance on vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 458 of the Senate Journal, the roll was called and there were ayes, 4; nays, 41; absent and not voting, 6.

Those voting in the affirmative were:

Hoffner	Peterson	Rait	Stroup
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Those voting in the negative were:

Anderson	Iszler	Mutch	Schultz, J.
Barth	Jacobson	Naaden	Shablow
Berube	Kautzmann	Page	Smykowski
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Redlin	Strand
Freed	Lips	Reiten	Strinden
Fritzell	Litten	Roen	Thane
Goldberg	Longmire	Sands	Tweten
Goodman	Melland	Sandness	Wenstrom
Gronhovd	Morgan	Schultz, C.	Wright
Holand			

Absent and not voting:

Butler	Jones	Nothing	Ringsak
Coughlin	Nasset		

So the bill was declared lost.

Senate Bill No. 2178. A Bill for an Act to amend and reenact section 25-04-03 of the North Dakota Century Code, relating to the qualifications of superintendent of Grafton state school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 484 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Page	Shablow
Berube	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Roen	Thane
Goodman	Melland	Sands	Tweten
Gronhovd	Morgan	Sandness	Wenstrom
Hoffner	Mutch	Schultz, C.	Wright
Holand			

Absent and not voting:

Butler	Jones	Nothing	Ringsak
Coughlin	Nasset		

So the bill passed and the title was agreed to.

Senate Bill No. 2180. A Bill for an Act to amend and reenact section 25-05-02 of the North Dakota Century Code, relating to

the qualifications of the superintendent of San Haven state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Page	Shablow
Berube	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Stroup
Goodman	Longmire	Roen	Thane
Gronhovd	Melland	Sands	Tweten
Hoffner	Morgan	Sandness	Wenstrom
Holand	Mutch	Schultz, C.	Wright

Absent and not voting:

Butler	Coughlin	Nasset	Ringsak
Christensen	Jones	Nothing	

So the bill passed and the title was agreed to.

Senate Bill No. 2212. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme court judges and district court judges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 484 and 485 of the Senate Journal, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Page	Schultz, J.
Berube	Jacobson	Peterson	Shablow
Erdman	Kautzmann	Pyle	Solberg
Freed	Lee	Redlin	Strand
Fritzell	Lips	Reiten	Strinden
Goldberg	Litten	Roen	Stroup
Goodman	Longmire	Sands	Thane
Gronhovd	Melland	Sandness	Tweten
Hoffner	Morgan		

Those voting in the negative were:

Coughlin	Mutch	Rait	Wright
Larson			

Absent and not voting:

Butler	Jones	Nothing	Smykowski
Christensen	Nasset	Ringsak	Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2243. A Bill for an Act to amend and reenact sections 11-19-18 and 23-06-03 of the North Dakota Century Code, relating to duty of burial of deceased persons and disposition of bodies by coroners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 486 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz, C.	

Absent and not voting:

Butler	Jones	Nething	Sands
Christensen	Nasset	Ringsak	Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2245. A Bill for an Act to provide for a transfer from the general fund to the Vietnam veterans' bonus adjusted compensation fund, and to provide an appropriation to the adjutant general for the purpose of administering the provisions of the Vietnam Conflict Veterans' Adjusted Compensation Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Butler	Morgan	Pyle	Smykowski
Coughlin	Mutch	Reiten	Solberg
Freed	Naaden	Roen	Strand
Iszler	Nething	Sandness	Strinden
Jacobson	Page	Schultz, C.	Thane
Lee	Peterson	Schultz, J.	Wright

Those voting in the negative were:

Anderson	Goodman	Larson	Rait
Barth	Gronhovd	Lips	Redlin
Berube	Hoffner	Litten	Shablow
Christensen	Holand	Longmire	Stroup
Erdman	Jones	Melland	Tweten
Fritzell	Kautzmann	Nasset	Wenstrom
Goldberg			

Absent and not voting:

Ringsak	Sands
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So the bill was declared lost.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2096 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 22 delete the figure "2,500,000.00" and insert in lieu thereof the figure "1,051,100.00"

And when so amended recommends the same be placed on the calendar without recommendation.

Statement of the Purpose of the Amendment:

The intent of the amendment is to reduce the appropriation to the least costly operational level.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to

who was referred Senate Bill No. 2224 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, in line 13 after the semicolon insert the word "and"

On page 1, line 14, delete the semicolon and insert in lieu thereof a period and delete the word "and"

On page 1, delete lines 15 through 18

On page 1, line 19, delete the words "VALUE ON DEED OR ATTACHED" and insert in lieu thereof the word "CONSIDERATION"

On page 1, line 20, delete the word "THERETO"

On page 1, line 21, after the word "unless" delete the remainder of the line and insert in lieu thereof the following: "there is also filed therewith"

On page 1, line 22, delete the word "thereto"; after the word "statement" insert the following: "of the consideration paid for the property conveyed,"; and delete the words "or declaration"

On page 1, delete line 23 and insert in lieu thereof the following: "or his authorized agent. Such statement shall be made upon a form prescribed by the state tax commissioner."

On page 1, line 24, delete the word "COUNTY" and insert in lieu thereof the word "STATE"

On page 2, line 2, delete everything before the word "forward" and insert in lieu thereof the words "least monthly", and delete the word "county" and insert in lieu thereof the word "state"

On page 2, line 3, after the word "equalization" delete the remainder of the line

On page 2, line 4, delete the words "county director of tax equalization", insert a period after the word "statements", and delete the word "of"

On page 2, delete line 5 and insert in lieu thereof the following: "While such statements are in the possession of the register, the"

On page 2, line 6, after the word "statements" delete the remainder of the line and insert in lieu thereof the following: "shall not be made public."

On page 2, delete line 7 and insert in lieu thereof the following: "The information contained in such statements"

On page 2, line 8, delete the words "equalization or the county auditor,"

On page 2, line 12, delete the words "or declaration"

On page 2, line 13, delete the words "value of" and insert in lieu thereof the words "consideration paid for"

On page 2, line 16, after the word "The" insert the word "disclosure"

On page 2, line 18, delete the words "of the" and insert the following: "; and the filing of a statement by the grantee designating the applicable exemption shall be sufficient."

On page 2, delete line 19

On page 2, line 22, delete the word "forms" and insert in lieu thereof the word "form"

On page 2, line 23, after the period insert the following: "The statement of consideration will contain a space for the explanation of special circumstances which may have contributed to the amount of the consideration."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2226 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2227 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2248 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted.

MOTION

Senator Christensen requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report on Senate Bill No. 2248, the roll was called and there were ayes, 32; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, C.
Butler	Kautzmann	Nething	Smykowski
Coughlin	Lips	Page	Solberg
Freed	Litten	Peterson	Strand
Goldberg	Longmire	Pyle	Strinden
Goodman	Melland	Reiten	Stroup
Holand	Morgan	Roen	Thane
Iszler	Mutch	Sandness	Tweten

Those voting in the negative were:

Barth	Hoffner	Naaden	Schultz, J.
Christensen	Jacobson	Rait	Shablow
Erdman	Larson	Redlin	Wenstrom
Fritzell	Lee	Sands	Wright
Gronhovd			

Absent and not voting:

Berube Ringsak

So the bill was indefinitely postponed.

MOTION

Senator Sands moved that the Senate reconsider the action by which Senate Bill No. 2245 was indefinitely postponed, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2245. A Bill for an Act to provide for a transfer from the general fund to the Vietnam veterans' bonus adjusted compensation fund, and to provide an appropriation to the adjutant general for the purpose of administering the provisions of the Vietnam Conflict Veterans' Adjusted Compensation Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jones	Page	Schultz C.
Butler	Lee	Pyle	Smykowski
Coughlin	Morgan	Reiten	Strand
Freed	Mutch	Roen	Strinden
Iszler	Naaden	Sands	Thane
Jacobson	Netning	Sandness	Wright

Those voting in the negative were:

Barth	Gronhovd	Longmire	Schultz, J.
Berube	Hoffner	Melland	Shablow
Christensen	Holand	Nasset	Solberg
Erdman	Kautzmann	Peterson	Stroup
Fritzell	Larson	Rait	Tweten
Goldberg	Lips	Redlin	Wenstrom
Goodman	Litten		

Absent and not voting:

Ringsak

So the bill was declared lost.

Senator Wenstrom moved that the vote by which Senate Bill No 2245 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2270 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2283 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No 2287 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Netning moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2293 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2305 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Netning moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No 2310 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2335 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL", delete the remainder of the bill, and insert the following in lieu thereof: "for an Act to provide for the salary of the clerk of the district court; and to amend and reenact subsections 1 and 2 of section 11-10-10 and section 11-15-03.1 of the North Dakota Century Code, relating to the compensation of sheriffs and other elected county officials.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. SALARY OF CLERK OF THE DISTRICT COURT.) The salary of the clerk of the district court shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication.

The clerk of the district court shall receive the following annual salary, payable monthly, for official services rendered:

1. In counties having a population not exceeding eight thousand, the sum of eight thousand dollars.
2. In counties having a population exceeding eight thousand, the sum of eight thousand two hundred dollars, plus additional compensation of one hundred dollars for each one thousand additional population or major fraction thereof, but not to exceed ten thousand dollars, and provided, however, that in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subsection.
3. In counties having a population in excess of thirty thousand, the sum of eleven thousand dollars.

Salaries paid to clerks of district courts shall be adjusted by the respective boards of county commissioners according to the national cost of living index from the last twelve months report as of June thirtieth of each year by the bureau of statistics of the United States department of labor, providing they do not go lower than the salaries paid under this section for the preceding fiscal year.

SECTION 2.. SALARY OF THE CLERK OF THE DISTRICT COURT IN COUNTIES HAVING A COUNTY COURT OF INCREASED JURISDICTION.) In counties having a county court of increased jurisdiction, the clerk of the district court shall receive an additional sum of one thousand dollars annually which shall be in addition to the salary as provided in section 1 herein, which shall be paid monthly for official services rendered.

SECTION 3. AMENDMENT.) Subsections 1 and 2 of section 11-10-10 of the 1971 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. The salary of the county auditor, county treasurer, ((sheriff,)) county superintendent of schools, register of deeds, county judge, and state's attorney ((, and clerk of district court)) shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication;
2. The county auditor, county treasurer, county superintendent of schools, register of deeds, county judge, and state's attorney

((and clerk of the district court))) each shall receive the following annual salary, payable monthly, for official services rendered:

- a. (((Six thousand six))) **Seven thousand eight** hundred dollars in counties having a population not exceeding eight thousand.
- b. (((Six thousand eight hundred))) **Eight thousand** dollars in counties having a population exceeding eight thousand population, plus additional compensation of one hundred dollars per year for each one thousand additional population or major fraction thereof, but not to exceed the total sum of nine thousand dollars, and provided, however, that in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.
- c. In counties having a population in excess of thirty thousand, the sum of (((nine thousand five hundred))) **ten thousand** dollars, except that the state's attorneys in counties having a population exceeding thirty-five thousand shall receive a salary of from fourteen thousand to twenty thousand dollars, to be determined by resolution of the board of county commissioners.

In counties having a county court of increased jurisdiction, the salaries of the judges of county courts of increased jurisdiction shall be as set out in section 27-08-08. The county superintendent of schools shall receive for any trips necessarily made within his county in the performance of school district reorganization duties the same mileage as he receives under the provisions of section 11-10-15. The board of county commissioners of any county may, by resolution, increase the salary of any full-time county official by an amount not to exceed ten percent above the salary provided in this section or section 27-08-08, if, in the judgment of such board, by reason of duties performed, the official merits the increase. Any county official performing duties on less than a full-time basis may be paid a salary set by the board of county commissioners in any amount up to ten percent less than the salary provided for that official in this section. However, no salary shall be less than it was on July 1, 1970. In event the county has a group insurance program for its employees for hospital benefits, medical benefits, or life insurance financed in part or entirely by the county, such benefits may be in addition to the above-mentioned salary. Salaries payable under this section shall be adjusted by the respective board of county commissioners according to the national cost of living index from the last twelve months report as of June thirtieth of each year by the bureau of statistics of the United States department of labor, providing they do not go lower than the salaries paid under this section for the preceding fiscal year.

SECTION 4. AMENDMENT.) Section 11-15-03.1 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-15-03.1. SALARY OF COUNTY SHERIFF.) The salary of the county sheriff shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication.

The county sheriff shall receive the following annual salary, payable monthly, for official services rendered:

1. (((Seven thousand two))) **Eight thousand seven** hundred sixty dollars minimum salary in counties having a population not exceeding eight thousand.

2. (((Seven thousand four))) **Eight thousand nine** hundred eighty dollars minimum salary in counties having a population exceeding eight thousand, plus additional compensation of one hundred dollars for each one thousand additional population or major fraction thereof (((, but not to exceed the total sum of nine thousand nine hundred dollars))).
3. (((Ten thousand four))) **Eleven thousand nine** hundred fifty dollars minimum salary in counties having a population exceeding thirty thousand.
4. The board of county commissioners of any county may, by resolution, increase the salary of the county sheriff by an amount not to exceed ten percent above the salary provided for in this section, if, in the judgment of such board, by reason of duties performed, the official merits the increase.
5. **Salaries shall be adjusted by the respective boards of county commissioners according to the national cost of living index from the last twelve months report as of June thirtieth of each year by the bureau of statistics of the United States department of labor, providing they do not go lower than the minimum salaries prescribed in this section."**

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

RECOGNITION

Senator Litten announced that Congressman and Mrs. Mark Andrews were in the Chambers, and moved that the President appoint a committee of two to escort Congressman and Mrs. Andrews to the rostrum.

The President appointed as such committee Senators Litten and Christensen, and Congressman and Mrs. Andrews were escorted to the rostrum. The President invited Congressman Andrews to address the Senate.

Congressman Andrews:

"Members of the Senate:

"I look out over this distinguished body and I see all of these flowers, I wonder whether the girls came back on Valentines Day and gave those who voted the proper way on Equal Rights Amendment, or what type of lobbying has been going on. I suppose we shouldn't mention things like lobbying in a distinguished legislative body.

I do appreciate the privilege of visiting with you for a few minutes about our state. Those of us who have the privilege of serving in the national legislature share the same problems that those of you who have the privilege of serving here in Bismarck in our state legislature. Actually, I think you do a much better job than we do in many fields. And one of the fields I would like to visit about today that has been much in the news lately, is the field of government spending. We have heard a lot lately about the need to limit spending, but I think actually that 80 to 90 percent of the people in this country are in favor of cutting back federal spending. Eliminating the excesses that have caused our government to sink deeper and deeper into deficit financing year after year. Certainly 250 billion dollars should be enough to spend to run this country if it is spent wisely. The tragic thing, of course, is when our people all of a sudden became interested in limiting spending they went at some of these programs and had a tendency to throw the baby out with the bath water and we think the changes probably can be made, and will be made undoubtedly, in some of the action that has been taken. But it's good for America and it's good

for those of us here in North Dakota that we're finally coming around to realize that we can't spend ourselves into solvency; that we have to get more value for a dollar spent. Certainly, those of us in the federal legislature, as I said, could take a page out of your book in the way you run these sessions and the way you spend only what you have in income.

"I serve on the House Appropriations Committee and, of course, we originate all appropriation bills and in originating those appropriations bills we report them out within a budget; within an income of the country. And later on, and this is by no means confined to the activities of any members of one party, it's strictly a bipartisan operation, there are a number of Democrats and a number of Republicans who seem to want to vote for every spending measure and against every taxing measure and that's where we get into trouble. What we need probably in the Rules of the House and the Rules of the Senate down there, is an Honesty in Spending Rule wherein anyone who proposes an amendment to increase spending must have in that amendment what he is going to cut to make up for the increase he is proposing or what tax he is going to raise to pay for the spending that he advocates. Then the vote can be taken clear and clean. You can't, you know, get by with some of the stuff that's been going on if you would have a deal like that and certainly it would mean a good deal because of a number of things that have been coming up lately. Not only is the interest high in limiting spending in this country, but yesterday the President had to devalue our dollar. And in devaluing the dollar our original, I guess, instinct is to say, something isn't quite right here. This isn't good. We don't like to see our dollar devalued. I think probably our pride steps in and says that we ought to be concerned about this but let's talk now as farmers from a farm state and we all are in North Dakota, whether we live on the farm or in cities.

"Ours is the most agricultural state. This dollar devaluation was brought about because of what has been happening to our balance of payments. We ran a 6.4 billion dollar deficit in trade last year. The biggest in history. Why? Simply because most of the basic American industry is no longer competitive. We no longer can sell overseas at prices that other people are willing to pay. And as a result, the value of the dollar in relationship to the German Mark or the Japanese Yen has gone down. There is one basic industry in our country that is competitive. That industry, of course, is agriculture. And it wasn't because of solely droughts in Russia or anything else, that we began these massive exports of grain. These exports began because our grain, even at the higher prices we're getting for it now, is still the greatest bargain in the world today. And that price relationship through this devaluation by 20¢ or more per bushel has just been enhanced by 20¢ or more per bushel of wheat and probably 15¢ per bushel of barley. And this is good news for North Dakota, even though we have to take a look at some other industries in this country when we see our dollar being devalued.

"There is another thing I would like to share with you that has been in the news lately, and that's the energy crisis. The Lord has been good to us in bringing the type of weather he has to North Dakota, or many of us who would have had our constituents in a pretty tough bind with a lack of fuel in our normally cold and tough North Dakota winters. Certainly, it should prove to all of us that long overdue is our national energy policy. We have to look ahead. We have to see where we are going. But again this headline item of energy crisis, just like the headline item of dollar devaluation and the limiting of spending, has greater ramifications in North Dakota than in any other state and those of you, as the leaders of this state, are going to be concerned as those of us who are privileged to serve in the Congress from this state are

and looking down the road and see what this brings for North Dakota.

"Let me share this thought with you. In terms of energy crisis, this has been growing gradually but is now going up at a large rhythmic scale. In 1960, we imported 1.5 billion dollars worth of oil. In 1970, 2.7 billion dollars. At 2.7 it has doubled in the last two years and in 1973 we'll import more than five billion dollars worth of oil. This amount of import at a time when we were already running, as I mentioned before, more than a six billion dollar deficit in our foreign trade that brought about the devaluation of our dollar. How can we keep this oil coming in? Patently, we can't. Particularly when we look down the trail to the end of this decade and you find that in 1980 they're estimating we'll have to import from 15 to 20 billion dollars worth of oil, if our consumption of energy is going to continue to rise. And this brings me, of course, to the crunch that's going to face us, as North Dakotans.

"I happen to be on the Appropriations Committee. I happen to be the ranking member of the subcommittee that funds the Environmental Protection Agency. And the Director of that Agency was in my office last week, talking about their budget and some other things. And he brought up a brief discussion that I would like to share with you, that concerns all of us. He said, 'You know, Mark, there is a big push on to find alternative energy sources. And one of the big ones we're looking at is coal gasification.' And he says, 'It's right in your backyard' I said, 'I know that, Bill. What approach are they making?' 'Well,' he said, 'there is a consortium, probably that they are thinking of locating probably in eastern Montana, a number of plants, or in western North Dakota and we're researching out the environmental impact that the plants they are projecting for just this one venture in eastern Montana will have. They are going to be located on the Yellowstone River.' And he said, 'We find they will take about half of the stream-flow in the Yellowstone River.' And I said, 'Well, Bill, what condition will they return that water to the Yellowstone River after they have accomplished gasification?' He said, 'Mark, in the gasification process, they don't return the water to the river. The water is used up.' I said, 'Bill, look, I've grown up in North Dakota; my grandparents came here in territorial days and there are times when the Yellowstone River simply doesn't run at all. In fact, the Missouri River doesn't run really that much in some tough years. How can you justify this type of an operation in a critically low rainfall area of our country?' He said, 'This is one of the things that bothers us. This is one of the concerns we have.' I share this with you, not to get you excited or to say there is something that should or could be done immediately, but to say that as we move further into the decade of the seventies we're going to find the focus of world attention brought more and more to our area of this world. I tried to express it in terms of a special order I took on the floor of the House with some of my colleagues from urban areas. We've kind of gotten the bottom of the deck from time to time in the field of agriculture. They attack the agricultural budget and they say how much we're spending for the wheat program and the feed grain program. You know we're spending a whale of a lot more for just food stamps than we are for the total wheat and feed grain program in this nation. And nobody recognizes this yet; this is in the agricultural budget. And we've mentioned the fact on the floor in the special order that we frankly don't think that peace would have come about in Vietnam if it wasn't for the contribution our farmers made by having food ready for our hungry when in Communist Russia and Communist China took a look at their own consumer revolt in their own country and began reacting to it. And I think it's those of us from our agricultural area recognize that the rest of the world is focused

more towards us from the standpoint of their new found need for food for consumers that are hungry as before but demanding more than they were able to demand in the past. And as we recognize that our country is in a crunch because of the faulty balance of payments and the only exports that can rectify that are agricultural exports. When we take a look at the dollar devaluation and realize that this makes those very thin exports worth more to us in terms of dollars and cents for our wheat, feed grains and beef, and when we take a look at a growing energy crisis and the fact that we in North Dakota again have vast reserves that will be used and hopefully to the benefit of the people of North Dakota, we can see that these next few years in the seventies are indeed going to be exciting and most worthwhile ones for North Dakota.

"Let me say, it's been a privilege to be able to visit with you on some of these matters of intense interest to all of us briefly today. I appreciate the ability to intrude on your busy schedule from your signing and clearing of bills between the two Houses, but I just wanted to say that I'm looking forward to continuing working with those of you who I have campaigned with and my own political ticket and those of you who happen to be on the other side of the political aisle but who we have always been able to campaign with in the most honorable and decent way. Which is a great tradition of North Dakota.

"We've got a great state; a great people. We've got a great decade ahead of us. It's going to be a privilege to work together with you to make that a better decade for our state. Thanks so much"

Senator Litten moved that the remarks of Congressman Andrews be printed in the Journal, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2001 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, delete the numerals "8,277,416" and insert in lieu thereof the numerals "8,376,776"

On page 2, line 4, delete the numerals "18,221,986" and insert in lieu thereof the numerals "18,122,626"

On page 2, line 7, delete the numerals "19,346,986" and insert in lieu thereof the numerals "19,247,626"

On page 2, line 9, delete the numerals "2,618,562" and insert in lieu thereof the numerals "3,068,384"

On page 2, line 10, delete the numerals "73,691" and insert in lieu thereof the numerals "704,846"

On page 2, line 11, delete the numerals "203,118" and insert in lieu thereof the numerals "213,118"

On page 2, line 12, delete the numerals "30,000" and insert in lieu thereof the numerals "104,210"

On page 2, line 13, delete the numerals "2,925,371" and insert in lieu thereof the numerals "4,090,558"

On page 2, line 14, delete the numerals "1,417,000" and insert in lieu thereof the numerals "2,838,494"

On page 2, line 15, delete the numerals "1,508,371" and insert in lieu thereof the numerals "1,252,064"

On page 2, line 23, delete the numerals "6,257,096" and insert in lieu thereof the numerals "6,337,256"

On page 2, line 24, delete the numerals "14,859,407" and insert in lieu thereof the numerals "14,779,247"

On page 2, line 27, delete the numerals "16,115,407" and insert in lieu thereof the numerals "16,035,247"

On page 2, line 35, delete the numerals: "295,934" and insert in lieu thereof the numerals "301,394"

On page 3, line 5, delete the numerals "806,621" and insert in lieu thereof the numerals "801,161"

On page 3, line 16, delete the numerals "1,040,447" and insert in lieu thereof the numerals "1,034,987"

On page 3, line 18, delete the numerals "600,049" and insert in lieu thereof the numerals "605,509"

On page 3, line 25, delete the numerals "2,460,904" and insert in lieu thereof the numerals "2,492,824"

On page 3, line 26, delete the numerals "5,664,499" and insert in lieu thereof the numerals "5,632,579"

On page 3, line 29, delete the numerals "5,982,937" and insert in lieu thereof the numerals "5,951,017"

On page 4, line 1, delete the numerals "950,908" and insert in lieu thereof the numerals "964,348"

On page 4, line 2, delete the numerals "2,682,980" and insert in lieu thereof the numerals "2,669,540"

On page 4, line 5, delete the numerals "2,832,980" and insert in lieu thereof the numerals "2,819,540"

On page 4, line 12, delete the numerals "1,914,384" and insert in lieu thereof the numerals "1,941,264"

On page 4, line 13, delete the numerals "5,032,556" and insert in lieu thereof the numerals "5,005,676"

On page 4, line 16, delete the numerals "5,224,556" and insert in lieu thereof the numerals "5,197,676"

On page 4, line 23, delete the numerals "543,976" and insert in lieu thereof the numerals "550,696"

On page 4, line 24, delete the numerals "1,659,479" and insert in lieu thereof the numerals "1,652,759"

On page 4, line 27, delete the numerals "1,755,479" and insert in lieu thereof the numerals "1,748,759"

On page 4, line 34, delete the numerals "932,192" and insert in lieu thereof the numerals "943,952"

On page 4, line 35, delete the numerals "2,559,465" and insert in lieu thereof the numerals "2,547,705"

On page 5, line 3, delete the numerals "2,808,965" and insert in lieu thereof the numerals "2,797,205"

On page 5, line 17, delete the numerals "56,616,128" and insert in lieu thereof the numerals "56,084,121"

On page 5, line 18, delete the numerals "26,925,250" and insert in lieu thereof the numerals "28,622,444"

On page 5, line 19, delete the numerals "83,541,378" and insert in lieu thereof the numerals "84,706,565"

On page 6, line 10, delete everything after the period and insert in lieu thereof the following:

"LEGISLATIVE INTENT.) The forty-third legislative assembly hereby expresses its intent that residency programs developed and established in North Dakota in support of the 2-1-1 or any other medical education plan implemented by the state board of higher education or the university of North Dakota medical school be financed in conjunction with the private sector. The legislature considers the private sector as including, but not being limited to, area health education centers, private clinics and hospitals, federal health care facilities, grants, individuals physicians and surgeons, and other health care and allied health care institutions."

On page 6, delete lines 11 through 15
And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendments is to remove funding for fee waiver at the respective institutions and add the amount to income. Further intent is to provide funding for the Medical School in the 2-1-1 concept.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2116 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2343 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2367 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill, and insert the following in lieu thereof: "for an Act to provide for continuing legislative oversight for redress of citizens' governmental grievances and complaints through a special committee of the legislative council.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE INTENT.) The legislative assembly recognizes that each of its members serves its constituency not only by representing them during legislative sessions, but by acting at all times during his term of office as a recipient of grievances with, and suggestions for improvement of, governmental operations, thereby performing some of the duties of an ombudsman. The legislative assembly also recognizes that the citizen-legislator does not have a great deal of time nor the facilities during the interim between sessions to fully pursue each meritorious citizen grievance or suggestion. It is the intent of the legislative assembly that these legislative "ombudsmen" shall receive, to the extent practicable, the assistance of a legislative council committee, created by this Act, in investigating and seeking redress of grievances, or in proposing suggestions to appropriate governmental agencies.

SECTION 2. LEGISLATIVE COUNCIL TO MAINTAIN SPECIAL COMMITTEE ON CITIZEN ASSISTANCE - DUTIES AND PROCEDURES - STAFF ASSISTANCE.)

1. The legislative council shall appoint a special committee on citizen assistance following the recess or adjournment of the legislative session commencing in January of each odd-number year. The committee shall be appointed from the membership of the legislative assembly in the same manner as are other interim legislative council committees.
2. The special committee on citizen assistance shall receive and act upon meritorious requests for citizen assistance from members of the legislative assembly. "Requests for citizen assistance" shall mean a grievance or suggestion concerning governmental action or inaction communicated by a private citizen to a legislator, and on which grievance or suggestion the legislator

has received a negative or unsatisfactory response from the state governmental agency or agencies involved. The committee may call representatives of the governmental agency or agencies involved before it to obtain such facts and information as it may deem necessary prior to acting upon a request for citizen assistance, and such persons and agencies are hereby directed to render such assistance and give such information as may be reasonably necessary. After investigation of a request for citizen assistance, the committee may make such recommendations as it deems appropriate to the agency or citizen involved, and where appropriate recommend necessary legislation to the legislative council. The committee shall reply to each legislator for whom it considered a request for citizen assistance stating what action was taken by the committee and by the governmental agency or agencies, if any.

3. The committee shall receive staff assistance, subject to the limitations of funds or personnel, on the same basis as do other interim committees of the legislative council.
4. The committee shall, subject to approval or modification by the legislative council, establish rules governing its procedures for receiving, investigating, and acting upon requests for citizen assistance, and such rules, when promulgated or following amendment, shall be distributed to all members of the legislative assembly.
5. The committee shall not meet during times when the legislative assembly is in actual session.
6. For the purposes of this Act, the phrase "governmental agency" or "governmental agencies" shall mean agencies, boards, bureaus, commissions, offices, and institutions of state government and the supreme and district courts."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Joint Committee on Reapportionment to whom was referred Senate Bill No. 2392 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Joint Committee on Reapportionment to whom was referred Senate Bill No. 2394 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Joint Committee on Reapportionment to whom was referred Senate Bill No. 2398 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2407 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2415 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: The Majority of your Committee on Natural Resources to whom was referred Senate Bill No. 2418 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Majority:

Senator Jacobson
Senator Lee
Senator Anderson
Senator Roen

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted.

Mr. President: The Minority of your Committee on Natural Resources to whom was referred Senate Bill No. 2418 has had the same under consideration and recommends that the same do pass.

For the Minority:

Senator Stroup
Senator Fritzell
Senator Christensen

Senator Christensen moved that the report of the Minority be substituted for that of the Majority, which motion prevailed and Senate Bill No. 2418 was placed on the calendar.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1364 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bills Nos. 2010, 2230, 2257, 2297, 2334 and 2397 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2010 as recommended by the Committee on Appropriations as printed on pages 510 and 511 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2230 as recommended by the Committee on Judiciary as printed on page 507 and 508 of the Senate Journal be adopted.

Senator Lips moved that the amendments to Senate Bill No. 2230 be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2257 as recommended by the Committee on Appropriations as printed on page 508 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 2297 as recommended by the Committee on Natural Resources as printed on page 509 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2334 as recommended by the Committee on Appropriations as printed on pages 521 and 522 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Butler requested the unanimous consent of the Senate to withdraw the amendments to Senate Bill No. 2397, which request was granted.

FIRST READING OF HOUSE BILLS

House Bill No. 1131. A Bill for an Act providing an appropriation to the national guard for recruiting and strength maintenance purposes.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1152. A Bill for an Act to create and enact section 16-04-01.1 of the North Dakota Century Code, providing for a presidential preference primary election; and to amend and reenact sections 16-04-01, 16-04-02, 16-04-11, 16-04-20, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1175. A Bill for an Act to amend and reenact sections 65-12-01, 65-12-02, 65-12-04, 65-12-04.1, 65-12-05, 65-12-06, 65-12-07, 65-12-08, 65-12-09, 65-12-10, and 65-12-11 of the North Dakota Century Code, relating to boiler inspector, definition of boiler, boiler inspections, data report, violations; and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1291. A Bill for an Act to create and enact section 4-08-10.1 of the North Dakota Century Code, relating to premiums for boys' and girls' clubwork at county achievement days, and providing an appropriation.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1395. A Bill for an Act to provide for an environmental impact analysis from federal agencies prior to their acquisition of land in North Dakota.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1465. A Bill for an Act to amend and reenact sections 57-02-33, 58-04-10, and 58-09-02 of the North Dakota Century Code, relating to the appointment of the township assessor by the township supervisors and the district assessor to be appointed by the board of county commissioners for a four-year term; and to repeal section 58-09-01 of the North Dakota Century Code, relating to the qualifications of a township assessor.

Which was read the first time and referred to the Committee on Political Subdivisions

House Bill No. 1483. A Bill for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code, providing for payment of mileage to a witness in a criminal action.

Which was read the first time and referred to the Committee on Political Subdivisions

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bills Nos. 2010, 2116, 2227, 2257, 2283, 2293, 2297, 2305, 2310, 2334, 2343, 2394, 2397, 2415 and 2418 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SECOND DAY

Bismarck, February 14, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain John McMullen, First United Methodist Church, Mandan.

"Our Heavenly Father, bless, we pray Thee these Senators; leaders of our State. Strengthen the courage of these here assembled — sincere men and women who want to do the right, if only they can be sure what is right. Make it plain to them, O Lord. And then wilt Thou start them out on the right way, for Thou knowest that we are hard to turn.

"Forgive them for the blunders they may have committed, the compromises they may have made. Give to them the courage to admit mistakes. Take away from us as a State and as individuals, that stubborn pride which, followed by conceit, imagines itself to be above and beyond criticism.

"Save our leaders, O God, from themselves and from their friends — even as Thou hast saved them from their enemies. Let no personal ambition blind them to their opportunities. Help them to give battle to hypocrisy wherever they find it. Give them divine common sense and a selflessness that shall make them think of service and not of gain.

"May they have the courage to lead the people of this State, considering unworthy the expediency of following the people.

"Save them from the folly of man-made schemes and plans. Give to them the faith and the courage together to seek God's inspired plan and, finding it, to propose it, knowing that when it is God-inspired, Thou wilt open the way for it through all obstacles.

"As Thou hast blessed our State, so now mould us into people more worthy of a great heritage

"Again we pray for each Senator. Grant them health, and wisdom, and guidance. Bless their families, their loved ones we pray in the strong name of Christ, our Lord, our Savior, we offer this prayer. Amen."

Roll Call: All Senators present except Ringsak, Roen and Tweten.

A quorum was declared by the President.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on:

House Bill No. 1048

Which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1048

Senator Melland

Senator Strinden

Senator Erdman

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirtieth day after recess and the thirty-first day, and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MOTION

Senator Litten moved that Senate Bills Nos. 2400 and 2318 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2400. A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for a trust fund and for the allocation of the interest from such fund to counties and for distribution to schools; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 465 of the Senate Journal, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hoffner	Nasset	Smykowski
Butler	Holand	Nething	Solberg
Christensen	Kautzmann	Page	Strand
Erdman	Lee	Peterson	Strinden
Freed	Litten	Pyle	Stroup
Fritzell	Longmire	Reiten	Tweten
Goldberg	Melland	Sands	Wenstrom
Goodman	Morgan	Shablow	Wright
Gronhovd	Naaden		

Those voting in the negative were:

Anderson	Jacobson	Rait	Schultz C.
Berube	Jones	Redlin	Schultz, J.
Coughlin	Larson	Sandness	Thane
Izler	Lips		

Absent and not voting:

Mutch	Ringsak	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2318. A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for farm structures and improvements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 460 and 461 of the Senate Journal, the roll was called and there were ayes 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Izler	Nasset	Shablow
Berube	Jacobson	Nething	Smykowski
Butler	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz C.	

Absent and not voting:

Christensen	Mutch	Ringsak	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2282. A Bill for an Act to amend and reenact section 65-05-05 of the North Dakota Century Code, relating to workmen's compensation coverage for coal miners who are disabled and to dependents of coal miners who have died as a result

of pneumoconiosis; and to provide such benefits as required by the Federal Coal Mine Health and Safety Act of 1969 and amendments thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 487 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goodman	Litten	Reiten	Wenstrom
Gronhovd	Melland	Sands	Wright
Hoffner	Morgan	Sandness	

Absent and not voting:

Butler	Longmire	Ringsak	Smykowski
Goldberg	Mutch	Roen	Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to salaries paid to judges of county courts of increased jurisdiction and raising such salaries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 512 and 513 of the Senate Journal, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sandness
Barth	Hoffner	Morgan	Schultz, J.
Berube	Holand	Naaden	Shablow
Christensen	Jacobson	Nasset	Solberg
Coughlin	Kautzmann	Nothing	Strand
Erdman	Lee	Page	Stroup
Freed	Lips	Pyle	Thane
Fritzell	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom

Those voting in the negative were:

Iszler	Peterson	Sands	Strinden
Jones	Rait	Smykowski	Wright
Larson			

Absent and not voting:

Butler	Mutch	Roen	Schultz, C.
Goldberg	Ringsak		

So the bill passed and the title was agreed to.

Senate Bill No. 2330. A Bill for an Act to provide an appropriation to the state soil conservation committee for the purpose of employing soil scientists for the completion of a soils survey of 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 ayes, 34; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Peterson	Smykowski
Christensen	Larson	Rait	Stroup
Erdman	Lee	Redlin	Thane
Goldberg	Lips	Reiten	Tweten
Goodman	Litten	Sandness	Wenstrom
Gronhovd	Longmire	Schultz C.	Wright
Hoffner	Morgan		

Those voting in the negative were:

Coughlin	Jones	Nething	Sands
Freed	Kautzmann	Page	Strand
Fritzell	Melland	Pyle	Strinden

Absent and not voting:

Butler	Ringsak	Roen	Solberg
Mutch			

So the bill passed and the title was agreed to.

Senate Bill No. 2344. A Bill for an Act to amend and reenact section 25-09-04 of the North Dakota Century Code, relating to liability of relatives for expenses of care and treatment of patients of the state hospital, state school, and San Haven state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goodman	Litten	Reiten	Tweten
Gronhovd	Longmire	Sands	Wenstrom
Hoffner	Melland	Sandness	Wright
Holand	Morgan		

Absent and not voting:

Anderson	Mutch	Ringsak	Smykowski
Butler	Page	Roen	Solberg
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2362. A Bill for an Act to amend and reenact section 24-09-08.1 of the North Dakota Century Code, relative to highway fund and increasing amount to be expended therefrom.

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, 5.

Those voting in the affirmative were:

Barth	Holand	Naaden	Schultz C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nething	Shablow
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane

Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:
 Anderson Ringsak Roen Smykowski
 Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2384. A Bill for an Act to amend and reenact subsection 5 of section 40-49-12 of the North Dakota Century Code, to increase the maximum compensation payable to a clerk of a park district.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 489 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Naaden	Schultz C.
Berube	Izler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:
 Anderson Ringsak Roen Smykowski
 Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2393. A Bill for an Act to amend and reenact Section 46-05-03 of the North Dakota Century Code relating to the fees to be paid for the publication of legal notices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 489 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Izler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand			

Absent and not voting:
 Anderson Mutch Roen Smykowski
 Goldberg Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2077. A Bill for an Act to provide protection of news sources and information from disclosure except under certain circumstances.

Which has been read.

MOTION

Senator Holand moved that Senate Bill No. 2077 be amended as follows:

On page 1, line 14, delete the words "a final" and insert in lieu thereof the word "an"

On page 1, line 15, delete the word "expressly" and delete the colon, and after the word "finds" insert the word "that"

On page 1, delete all of lines 16 through 22 inclusive

On page 1, line 23, delete the numeral and word "3. The" and insert the word "the" in lieu thereof

And renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended, that Senate Bill No. 2077 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2077. A Bill for an Act to provide protection of news sources and information from disclosure except under certain circumstances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Hoffner	Melland	Sandness
Berube	Holand	Nasset	Schultz, J.
Butler	Kautzmann	Nething	Shablow
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Wenstrom
Gronhovd	Longmire		

Those voting in the negative were:

Coughlin	Jones	Peterson	Strinden
Freed	Morgan	Sands	Stroup
Goodman	Naaden	Schultz C.	Tweten
Iszler	Page	Smykowski	Wright
Jacobson			

Absent and not voting:

Anderson	Mutch	Ringsak	Roen
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So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4012. A concurrent resolution urging that public agencies and private individuals cooperate with the North Dakota Geological Survey by furnishing data from lignite test holes.

Which has been read.

Senator Stroup moved that Senate Concurrent Resolution No. 4012 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4013. A concurrent resolution directing the Legislative Council to conduct a study to determine what progress has been made in exploring the feasibility of de-

veloping and improving certain North Dakota waterways for the purpose of utilizing these waterways for barge traffic and other navigational purposes, and to investigate any other means of transporting goods into and out of North Dakota.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4013 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senate Concurrent Resolution No. 4016. A concurrent resolution urging the North Dakota Board of Higher Education to authorize veterans attending a state college, university, or technical or vocational school on the GI Bill to pay their tuition and fees on an installment basis.

Which has been read.

Senator Peterson moved that Senate Concurrent Resolution No. 4016 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4017. A concurrent resolution urging the Board of Higher Education of the State of North Dakota to require that married veterans be given priority for openings as they occur in married housing at state colleges, universities, and technical and vocational schools.

Which has been read.

Senator Kautzmann moved that Senate Concurrent Resolution No. 4017 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4020. A concurrent resolution requesting the Office of the Executive Budget to develop a plan and to begin converting all state agency and institution budgets to a program budgeting basis, and to direct the State Departments of Health, Social Services, and Vocational Rehabilitation, and the State Industrial School to continue program budgeting.

Which has been read.

Senator Melland moved that Senate Concurrent Resolution No. 4020 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4021. A concurrent resolution providing for a study by the Legislative Council of the functions, responsibilities, and operations of the Extension Division and the Experiment Stations of the North Dakota State University of Agriculture and Applied Science.

Which has been read.

Senator Litten moved that Senate Concurrent Resolution No. 4021 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senate Concurrent Resolution No. 4025. A Concurrent Resolution urging that officials at all levels of government who have responsibilities for the construction and maintenance of public roads, as well as private citizens that occupy lands abutting public roads, exert a concentrated effort to improve safety for the traveler.

Which has been read.

Senator Solberg moved that Senate Concurrent Resolution No. 4025 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4026. A Concurrent Resolution directing the Director of Institutions to conduct a space utilization study and a facility needs and improvement study of the institutions and facilities under his control.

Which has been read.

Senator Coughlin moved that Senate Concurrent Resolution No. 4026 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4033. A Concurrent Resolution commending the rural electric and rural telephone cooperatives for their significant and long-standing contributions to the social and

economic development of North Dakota by virtue of providing dependable and low cost electric and telephone service to all areas regardless of density and load area factors, and thereby contributing an important and strategic part in the effort to stem the forced migration of rural citizens to urban areas.

Which has been read.

Senator Barth moved that Senate Concurrent Resolution No. 4033 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4063. A Concurrent Resolution providing for the completion of the legislative journals of the senate and house.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Nothing	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz C.	

Absent and not voting:

Butler	Mutch	Ringsak	Roen
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So the Resolution passed and the title was agreed to.

MOTION

Senator Litten moved that the Fuel Study Committee, appointed pursuant to Senate Resolution No. 3, be given an extension of fifteen legislative days in which to complete their study, which motion prevailed.

MOTION

Senator Litten moved that Senate Bills Nos. 2318 and 2243 be reprinted, which motion prevailed.

MESSAGE 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. 1048.

Senator Melland
Senator Strinden
Senator Erdman

LEO LEIDHOLM, Secretary of State

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Concurrent Resolution No. 4032

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4032

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2015
Senate Bill No. 2149
Senate Bill No. 2189
Senate Bill No. 2190
Senate Bill No. 2233
Senate Bill No. 2241
Senate Bill No. 2264
Senate Bill No. 2278
Senate Bill No. 2288
Senate Bill No. 2295
Senate Bill No. 2312
Senate Bill No. 2352
Senate Bill No. 2368
Senate Bill No. 2379
Senate Bill No. 2391
Senate Bill No. 2419
Senate Concurrent Resolution No. 4051
Senate Concurrent Resolution No. 4061

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES 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

House Bill No. 1074
House Bill No. 1217
House Bill No. 1295
House Bill No. 1327
House Bill No. 1344
House Bill No. 1352
House Bill No. 1363
House Bill No. 1372
House Bill No. 1386
House Bill No. 1420
House Bill No. 1430
House Bill No. 1447
House Bill No. 1492
House Bill No. 1501
House Bill No. 1503
House Bill No. 1517
House Bill No. 1529
House Bill No. 1530
House Concurrent Resolution No. 3032
House Concurrent Resolution No. 3034
House Concurrent Resolution No. 3036

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, Senate Concurrent Resolution No. 4032
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate adjourn until 1:30 P.M., February 15, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-SECOND DAY AFTER RECESS
AND THIRTY-THIRD DAY

Bismarck, February 15, 1973

The Senate convened at 1:30 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2010

Senate Bill No. 2257

Senate Bill No. 2297

Senate Bill No. 2334

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1058 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, after the word "States" insert beginning triple parentheses before the comma and after the comma delete the beginning triple parentheses.

On page 1, line 14, after the word "one" delete the ending triple parentheses, delete the word "eighteen", and after the comma insert ending triple parentheses.

On page 1, after line 15, insert the following: "b. Is not at least eighteen years old;"

On page 1, line 16, insert triple parentheses around the letter "b." and insert in lieu thereof "c."

On page 1, line 18, insert triple parentheses around the letter "c." and insert in lieu thereof "d."

On page 2, line 1, insert triple parentheses around the letter "d." and insert in lieu thereof "e."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1060 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1067 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1069 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1077 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1078 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1079 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1091 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1093 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1105 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1109 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1110 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1111 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1119 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1122 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21, after the ending triple parentheses delete the word "one" and insert in lieu thereof "three"

On page 1, line 23, after the ending triple parentheses delete the word "one" and insert in lieu thereof "three"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1125 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1230 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1265 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14, after "exceeding" insert triple parentheses around the word "ten" and insert in lieu thereof "twenty-five"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1321 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Vice Chairman

Senator Jacobson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1330 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1369 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1419 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1449 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4023 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4030 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Vice Chairman

Senator Jacobson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4035 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1074. A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, as contained in section 12 of House Bill No. 1041, as approved by the Forty-third Legislative Assembly, relating to the use of horses and mules in taking big game.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1217. A Bill for an Act to amend and reenact sections 39-16-05 and 39-16-07 of the North Dakota Century Code, relating to the suspension of the driver license of a driver of a motor vehicle involved in an accident and who has no means of financial responsibility.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1295. A Bill for an Act to amend and reenact subsection C of section 52-09-08 of the North Dakota Century Code, to provide a limitation on levies for social security.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1327. A Bill for an Act to promote the sale of North Dakota Beef products; to create a North Dakota beef commission; to prescribe its purposes, powers, and duties; to provide for the assessment of cattle sold in or from the state of North Dakota; to provide refunds of such assessments; and to provide penalties.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1344. A Bill for an Act to amend and reenact subsection A of section 11-18-05 of the North Dakota Century Code, relating to fees charged by registers of deeds.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1352. A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of section 40-51.2-07, and sections 40-51.2-16 and 57-02-27 of the North Dakota Century Code, relating to continued classification as agricultural lands for tax purposes of agriculture areas annexed to cities.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1363. A bill for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, relating to membership and composition of the state health council.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1372. A Bill for an Act to provide for an additional two-mill levy for county welfare purposes.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1386. A Bill for an Act to amend and reenact section 39-18-04 of the North Dakota Century Code, relating to safety devices and requirements for mobile homes and providing that passengers may ride in "fifth-wheel vehicles".

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1420. A Bill for an Act to amend and reenact subsection 11 of section 4-22-02, the beginning paragraphs of subsections 1, 2, and 3 of section 10-04-10, section 10-19-52, subsection 1 of section 10-28-20, sections 12-46-13, 12-46-16, 14-03-02, subsection 1 of section 14-03-17, sections 14-07-15, 14-09-22, 14-10-01, 14-10-05, 14-10-11, 14-10-16, subsection 16 of section 15-29-08, sections 15-44-04, 15-47-13, 16-16-18, 23-17-02, 23-17-03, 26-12-20, 27-11-03, 27-11-25, 27-19-02, 27-19-11, subsection 1 of section 27-20-02, subsection 5 of section 27-20-36, subsection 4 of section 27-20-53, sections 27-21-02, 28-01-14, 28-01-25, 29-01-28, 30-11-01, 32-03-39, 39-03-04, 39-06-08, 39-06-09, 39-06-10, 43-02-10, 43-04-31, 43-04-38, 43-05-11, subsection 6 of section 43-11-01, the first sentence of subsection 1 of section 43-11-27, sections 43-13-17, 43-15-15, 43-15-33, 43-17-18,

43-19.1-16, 43-25-07, 43-26-06, 43-30-05, 43-31-07, 43-33-05, 43-33-07, 43-34-03, subsections 1 and 13 of section 47-24-01, subsection 1 of section 50-02-04, section 54-52-05, and subsection 2 of section 54-52-01 of the North Dakota Century Code, relating to persons eighteen years old and over, and making them adults for all purposes.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1430. A Bill for an Act to provide that special common motor carriers of buildings shall be exempt from certain requirements of law, that a person holding a contract service permit shall be treated as a holder of a special certificate as a special common motor carrier of buildings; to create and enact a new subsection to section 49-18-01 of the North Dakota Century Code, relating to the definition of a special common motor carrier of buildings; and to amend and reenact section 49-18-06 of the North Dakota Century Code, relating to public policy affecting motor carrier transportation.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1447. A Bill for an Act to allow for the contracting of fire protection services and providing a method for the financing thereof.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1492. A Bill for an Act to amend and reenact section 40-45-02 of the North Dakota Century Code, relating to police pension fund mill levies.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1501. A Bill for an Act to amend and reenact section 40-18-01 of the North Dakota Century Code, relating to the office of municipal judge and providing that in cities of less than three thousand population he shall not be required to be either a licensed attorney or a resident of the city in which he is to serve.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1503. A Bill for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the power of the boards of county commissioners to authorize maintenance of private roads used by public school buses.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1517. A Bill for an Act to amend and reenact section 43-17-21 of the North Dakota Century Code, relating to physician licensure without examination and temporary licenses.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1529. A Bill for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of members of county welfare boards.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1530. A Bill for an Act to amend and reenact section 24-05-01 and subsection 3 of section 57-15-06 of the North Dakota Century Code, relating to the county road tax levy and county levy limitations.

Which was read the first time and referred to the Committee on Political Subdivisions.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3032. A concurrent resolution urging adequate service and reasonable freight rates for the transportation of North Dakota's agricultural products.

Which was read the first time and referred to the Committee on Transportation.

House Concurrent Resolution No. 3034. A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

Which was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution No. 3036. A Concurrent Resolution urging public transportation facilities to extend special rates to all students.

Which was read the first time and referred to the Committee on Transportation.

MOTION

Senator Jones moved that the amendments to Senate Bill No. 2230 be taken from the table, which motion prevailed.

MOTION

Senator Jones moved that Senate Bill No. 2230 be placed at the foot of the Sixth Order of Business, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bills Nos. 2001, 2096, 2224, 2335 and 2367 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2001 as recommended by the Committee on Appropriations as printed on pages 549, 550 and 551 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2096 as recommended by the Committee on Appropriations as printed on page 540 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to Senate Bill No. 2224 as recommended by the Committee on Political Subdivisions as printed on page 541 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to Senate Bill No. 2335 as recommended by the Committee on Political Subdivisions as printed on pages 544, 545, and 546 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Melland moved that Senate Bill No. 2367 be moved to the foot of the Sixth Order of Business, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2230 as recommended by the Committee on Judiciary as printed on pages 507 and 508 of the Senate Journal be adopted.

MOTION

Senator Jones requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the amendments to Senate Bill No. 2230, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Kautzmann	Peterson	Shablow
Freed	Larson	Rait	Smykowski
Hoffner	Lee	Roen	Strand
Iszler	Longmire	Sands	Strinden
Jacobson	Morgan	Schultz C.	Tweten
Jones	Page		

Those voting in the negative were:

Anderson	Goodman	Naaden	Schultz, J.
Berube	Gronhovd	Nasset	Solberg
Butler	Holand	Nething	Stroup
Christensen	Lips	Pyle	Thane
Coughlin	Litten	Redlin	Wenstrom
Erdman	Melland	Reiten	Wright
Fritzell	Mutch		

Absent and not voting:

Goldberg	Ringsak	Sandness
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So the amendments were declared lost.

MOTION

Senator Lips moved that Senate Bill No. 2230 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

MOTION

Senator Freed moved that Senate Bill No. 2230 be placed in its proper numerical position on the calendar, which motion failed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2230. A Bill for an Act to regulate and license persons offering or performing accounting services for the public, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 33; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Schultz C.
Christensen	Jones	Page	Shablow
Hoffner	Kautzmann	Rait	Smykowski
Iszler	Larson	Sands	Tweten

Those voting in the negative were:

Anderson	Gronhovd	Mutch	Schultz, J.
Berube	Holand	Nasset	Solberg
Butler	Lee	Nething	Strand
Coughlin	Lips	Peterson	Strinden
Erdman	Litten	Pyle	Stroup
Freed	Longmire	Redlin	Thane
Fritzell	Melland	Reiten	Wenstrom
Goldberg	Morgan	Roen	Wright
Goodman			

Absent and not voting:

Ringsak	Sandness
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So the bill was declared lost.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2367 as recommended by the Committee on Appropriations as printed on pages 551 and 552 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Melland moved that the rules be suspended, that Senate Bill No. 2367 be deemed properly engrossed and placed at the head

of the calendar for second reading and final passage, which motion failed.

MOTION

Senator Goodman moved that Senate Bill No. 2367 be laid over one legislative day, which motion prevailed.

RECOGNITION

The President announced that Mr. Casper Oimoen, the Theodore Roosevelt Roughrider award winner, was in the Chambers and appointed a committee of two to escort Mr. Oimoen to the rostrum for the purpose of being recognized by the North Dakota State Senate.

The President appointed as such committee, Senators Solberg and Gronhovd. Mr. Oimoen was then escorted to the rostrum.

The President invited Mr. Oimoen to address the Assembly.

Mr. Oimoen:

"All Members of the Senate, Ladies and Gentlemen:

"I can assure you that I am very glad to be here today. The last time I was here was when we started to build this building. I worked on this building from the ground up in 1931, when they started to build this building. I have worked on probably every wall here in this building. I can remember when we first started here, that was in the thirties when there wasn't any jobs to be gotten, and I was lucky enough to get a job here and there was people coming from every state in the Union. They heard about this building being built. I was a bricklayer and there was probably 75 workers sitting out there waiting for us to get fired. They were firing men right and left and I was scared to get fired at that time and I'm just as scared now when I'm up here because this is something that I'm not used to.

"All the time that I was skiing I always had my home in North Dakota. I represented different clubs all over the country but when North Dakota had a tournament, we had two or three jumping tournaments in North Dakota, I was always trying to make it so I could come back to North Dakota and take part in those tournaments. I always considered North Dakota my home no matter where I was. I think the people of North Dakota have been fine to me and I can't find any better people any place. Everybody, when I was skiing wondered why I lived in North Dakota and I said North Dakota is a fine place to be from. But I told them there is one thing about it, what is the difference between being wet and cool and dry and cool. I think I would rather be dry and cool in the winter time than to be wet and cool.

"So I think this state is one of the best states in the Union as far as I am concerned. I want to take this opportunity to give to the people of this state, let them know that I appreciate the award which has been given me, very much. Any award that I have won so far, I think this tops all of them. I want to thank you very much for everything you have done for us. Thank you."

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Bill Nos. 2001, 2096, 2224, 2235, 2367, House Bill Nos. 1060, 1067, 1105, 1119, 1230, 1321, 1330, 1369, 1419, 1449, and House Concurrent Resolution Nos. 4030 and 4035 that the Senate adjourn which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-THIRD DAY

Bismarck, February 15, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Walter Schott, Good Shepherd United Methodist Church, Mandan.

"We thank you our heavenly Father that at the beginning of a new business session we can pause to turn our minds and hearts to you. We are fully aware of our need of You and ask that strength may be imparted to mind, body, and soul.

"For these who have been elected to represent the people across this state we give our thank. Grant wisdom and directive to each one as they consider the many issues placed before them. May each matter be weighed carefully, not only because of its importance and implications, but also as it will effect the citizens of this great state.

"We are thankful for the past and its accomplishments. At the same time we are aware of new needs, new horizons, and new accomplishments that must be considered for the good of us all. May we ever be mindful Lord, that each one of us must give an account of our lives and the things we have or have not done. May we not be motivated out of selfish motives and self gains, but rather help all of us together, to work as a team for the good and well being of all concerned. Help us not to be afraid of the real issues and real problems that face us. Give us courage to do and to be what is right, even when we may be in the minority.

"Thank You for helping us to this point. We are most grateful for the assurance that we have that You will continue to be by our side, and will guide us in the moments, days, months, and years ahead.

"We ask your continued blessing and directive upon the dedicated efforts of our Governor as he leads the affairs of our state, together with all of the legislators and public officials. Help all of us as citizens to do our part, and to do it well, as we together for the common good of us all, as well as to the honor and glory of our wonderful Saviour and Lord, in whose name I pray. Amen."

Roll Call: All Senators present except Ringsak and Sandness.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-first day after recess and the thirty-second day and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

MOTION

Senator Melland moved that Senate Bill No. 2010 be further amended as follows:

On page 2 of the engrossed bill, in line 15, delete the numeral "12,-678,084" and insert in lieu thereof the numeral "12,678,074"

Which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2010 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

pages 510 and 511 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Izler	Naaden	Schultz, J.
Barth	Jacobson	Nasset	Shablow
Berube	Jones	Nething	Smykowski
Butler	Kautzmann	Page	Solberg
Christensen	Larson	Peterson	Strand
Coughlin	Lee	Pyle	Strinden
Erdman	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch	Schultz C.	

Absent and not voting:

Freed	Goldberg	Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2010 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Litten moved that Senate Bill No. 2116 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2227. A Bill for an Act relating to and defining abandoned severed mineral interests, providing methods for same to be taken into the custody of the state, for its sale, for an administrator, for a penalty, and providing 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, 45; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Izler	Mutch	Sands
Barth	Jacobson	Naaden	Schultz C.
Berube	Jones	Nasset	Schultz, J.
Butler	Kautzmann	Nething	Shablow
Christensen	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Freed	Lips	Pyle	Strinden
Fritzell	Litten	Rait	Stroup
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand			

Those voting in the negative were:

Coughlin	Smykowski
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Absent and not voting:

Goldberg	Ringsak	Sandness	Wright
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2227 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2257. A Bill for an Act to amend and reenact sections 11-10.1-01, 11-10.1-05 and 11-10.1-07 of the North Dakota

Century Code, relating to qualifications, duties and term of office of county director of tax equalization and city assessor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 508 of the Senate Journal, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Goodman	Longmire	Rait
Butler	Hoffner	Melland	Redlin
Christensen	Holand	Nasset	Schultz, J.
Erdman	Kautzmann	Nething	Tweten
Fritzell	Lips	Peterson	Wenstrom
Goldberg	Litten		

Those voting in the negative were:

Barth	Jones	Page	Shablow
Berube	Larson	Pyle	Smykowski
Coughlin	Lee	Reiten	Strand
Freed	Morgan	Roen	Strinden
Gronhovd	Mutch	Sands	Stroup
Iszler	Naaden	Schultz C.	Thane
Jacobson			

Absent and not voting:

Ringsak	Sandness	Solberg	Wright
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So the bill was declared lost.

Senator Litten moved that the vote by which Senate Bill No. 2257 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2283. A Bill for an Act to provide for the creation of a North Dakota student financial assistance program, and providing 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, 33; nays, 15; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Melland	Roen
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Erdman	Larson	Pyle	Solberg
Fritzell	Lips	Rait	Strand
Goodman	Litten	Redlin	Tweten
Gronhovd	Longmire	Reiten	Wenstrom
Hoffner			

Those voting in the negative were:

Butler	Iszler	Naaden	Strinden
Coughlin	Lee	Nasset	Stroup
Freed	Morgan	Sands	Thane
Goldberg	Mutch	Schultz C.	

Absent and not voting:

Ringsak	Sandness	Wright
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2283 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2293. A Bill for an Act to establish a state board of assessing officials, providing for the establishing, conducting, reviewing, supervising, coordinating or approving courses in assessment practices, and establishing criteria for determining qualifications of assessors and county directors of tax equalization; and providing for an appropriation.

Which has been read.

MOTION

Senator J. Schultz moved that Senate Bill No. 2293 be amended as follows:

On page 1, line 6, delete the following: “; and providing for an appropriation”

On page 4, delete all of lines 31, 32, 33 and 34

And renumber the lines accordingly.

Which motion prevailed.

Senator Butler moved that the rules be suspended, that Senate Bill No. 2293 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

Senate Bill No. 2293. A Bill for an Act to establish a state board of assessing officials, providing for the establishing, conducting, reviewing, supervising, coordinating or approving courses in assessment practices, and establishing criteria for determining qualifications of assessors and county directors of tax equalization; and providing for an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Rait
Barth	Goodman	Longmire	Redlin
Berube	Hoffner	Melland	Reiten
Butler	Holand	Morgan	Schultz, J.
Christensen	Iszler	Nasset	Solberg
Coughlin	Jacobson	Nothing	Strand
Erdman	Jones	Page	Strinden
Freed	Kautzmann	Peterson	Tweten
Fritzell	Lips	Pyle	Wenstrom

Those voting in the negative were:

Gronhovi	Mutch	Schultz C.	Stroup
Larson	Naaden	Shablow	Thane
Lee	Sands	Smykowski	

Absent and not voting:

Ringsak	Roen	Sandness	Wright
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2293 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2297. A Bill for an Act to create a state board of nature preserves, to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves.

MOTION

Senator Nothing moved that Senate Bill No. 2297 be amended as follows:

On page 2 of the engrossed bill, in line 1, delete the word "essential" and insert in lieu thereof the word "essential"

And renumber the sections and subsections accordingly.

Which motion prevailed.

Senator Nething moved that the rules be suspended, that Senate Bill No. 2297 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2297. A Bill for an Act to create a state board of nature preserves, to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 509 of the Senate Journal, and from the floor, the roll was called and there were ayes, 40; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hoffner	Melland	Sands
Berube	Holand	Morgan	Schultz, J.
Christensen	Iszler	Nasset	Shablow
Coughlin	Jacobson	Nething	Solberg
Erdman	Kautzmann	Page	Strand
Freed	Larson	Peterson	Stroup
Fritzell	Lee	Pyle	Thane
Goldberg	Lips	Redlin	Tweten
Goodman	Litten	Reiten	Wenstrom

Those voting in the negative were:

Mutch	Naaden	Schultz C.
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Absent and not voting:

Butler	Rait	Sandness	Strinden
Jones	Ringsak	Smykowski	Wright

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2297 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2305. A Bill for an Act to amend and reenact subsections 1 and 7 of section 54-52.1-01 and sections 54-52.1-02, 54-52.1-03, 54-52.1-04, 54-52.1-06, and 54-52.1-09 of the North Dakota Century Code, relating to the uniform group insurance program and membership therein for county employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Roen
Barth	Holand	Morgan	Sands
Berube	Iszler	Naaden	Schultz, J.
Christensen	Jacobson	Nasset	Shablow
Coughlin	Kautzmann	Nething	Solberg
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Stroup
Fritzell	Lips	Pyle	Thane
Goodman	Litten	Redlin	Tweten
Gronhovd	Longmire	Reiten	Wenstrom

Those voting in the negative were:

Mutch Schultz C. Strinden

Absent and not voting:

Butler Jones Ringsak Smykowski
Goldberg Rait Sandness Wright

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2305 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2310. A Bill for an Act to create the North Dakota post-secondary education commission and to repeal sections 15-10-29, 15-10-30, 15-10-31 and 15-10-32 of the North Dakota Century Code.

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, 7; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Nothing	Schultz, J.
Barth	Holand	Page	Shablow
Berube	Jacobson	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Stroup
Freed	Litten	Reiten	Thane
Fritzell	Melland	Roen	Twetten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Nasset		

Those voting in the negative were:

Butler Larson Naaden Strinden
Iszler Mutch Schultz C.

Absent and not voting:

Goldberg Longmire Sandness Wright
Jones Ringsak

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2310 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2334. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-08 of the North Dakota Century Code, relating to state aid to educational centers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 521 and 522 of the Senate Journal, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Jacobson	Naaden	Shablow
Berube	Jones	Nasset	Smykowski
Christensen	Kautzmann	Nothing	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane

Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan		

Those voting in the negative were:

Butler	Iszler	Pyle	Schultz, C.
Coughlin	Page		

Absent and not voting:

Ringsak	Sandness	Wright
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2334 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2343. A Bill for an Act to create and enact chapter 47-20.1 of the North Dakota Century Code, relating to landmarks, land surveying and corner recording; to repeal chapter 47-20 of the North Dakota Century Code; and providing an effective date; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Holand	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Netthing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Stroup
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Roen	Wright
Gronhovd	Morgan	Sands	

Absent and not voting:

Iszler	Ringsak	Sandness	Strinden
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2343 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2392. A Bill for an Act to amend and reenact subsections 17, 25, 26, 27, and 28 of section 1, and subsections 17, 25, 26, 27, and 28 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Lee	Page	Smykowski
Coughlin	Longmire	Pyle	Strand
Holand	Morgan	Reiten	Strinden
Iszler	Mutch	Roen	Thane
Jacobson	Naaden	Sands	Tweten
Jones	Nasset	Schultz, C.	Wright
Kautzmann	Netthing	Schultz, J.	

Those voting in the negative were:

Barth	Fritzell	Lips	Redlin
Berube	Goldberg	Litten	Shablow
Butler	Goodman	Melland	Solberg
Christensen	Gronhovd	Peterson	Stroup
Erdman	Hoffner	Rait	Wenstrom
Freed	Larson		

Absent and not voting:

Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2392 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Nething: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Nething."

Senator Nething:

"Senate Bill No. 2392 is an amendment to the reapportionment law of North Dakota. The history of the amendments is that during the course of hearings on the bill that we had before, individuals from the area that's covered by this map came to our committee and presented a similar program but because of some errors in computation of population in the plan, they were advised that the committee didn't feel it would fit. After the reapportionment that we now have as law was presented to the House, they then asked if it would be possible to amend the plan and it was my suggestion to them that we would put in a bill which would amend it and hold hearings, which we have done, and let the committee make a recommendation to the legislature. This bill comes to you from your Joint Committee on Reapportionment with five votes in favor and four opposed. Now, the reapportionment of the 25th, 26th, 27th, 28th and 17th Districts follows very closely the current reapportionment plan under which this legislative assembly was formed.

"There are a couple of variations and I would like to explain to you why and the reasons behind them.

"In District 27 you will note that there is a t-shaped arrangement that goes to the South Dakota border. Committee testimony brought out the fact that it was necessary in order to hold Logan and LaMoure Counties as a unit to add population and in taking this population, it was felt that the area most common to that community interest would lie to the south. Basically, much of that area is part of the Kulm school district and many of those people in that area carry a Kulm mailing address and in addition use Kulm as their trade center.

"In District 26 you will note right below the figures 530 that there are two townships that are taken from Ransom County and brought into the area consisting of Dickey and Sargent County. Those two townships belong to the Milnor school district which lies to the south of them and also the adjustment was made to arrive at a population balance in the 26th District.

"In the 25th District from the original plan the amendment removes one township and places it in the 26th District which brings more balance and population to the 25th.

"Mr. President, ladies and gentlemen of the Senate, your Committee was advised that in the 17th District that there is a strong community of interest between the portion of Dickey County re-

maining and Sargent County and that it is an area consisting of diversified cropland, livestock and cultivated acreage; that the center of that district will be the center of the Garrison Diversion Project; that there is a common school district between the Community of Oakes and about 16 miles into Sargent County; they have a common newspaper, radio station, and many of the memberships in the Oakes churches come from the Sargent County area.

"In the 28th District that is primarily the portion of McIntosh County and the portion of and all of Emmons County from their current district, we have taken one tier of unorganized townships to add to the 27th for population balance and by taking that population, the 28th District is reduced in size so that it does bring about more equal ratio or representation to population. The majority of your committee felt that this satisfied the population to representation ratio this amendment and that it satisfied communities of interest and, therefore, has recommended it to this body."

PERSONAL PRIVILEGE

Senator Thane: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Thane."

Senator Thane:

"First of all, I want to make it very clear to all concerned that I for one did not testify either for or against any plan that was presented to this special reapportionment committee. I felt that as a political figure I had no business in trying to protect my political domain. Therefore, I remained silent. I felt that the Committee, made up of both Republicans and Democrats, would fairly represent the southeast corner of the state. Going back a little bit, I did not ask for the one man, one vote rule, but realize that it affects political life. I did not ask for the endless reapportionment plans that we have seen over the last two years. But they are history and I hope they stay there. Nor did I ask for the plan that was presented a few days ago. I swallowed my pride, since nothing better was before us. I accept reapportionment as inevitable but I do ask you to consider these points.

"First of all, should trade areas be disturbed? Secondly, should school districts be divided; and, thirdly, should political districts be radically disturbed if court requirements can be met by only minor changes. Now, as I have said before, I stayed out of the deliberations leading up to the original plan because I had faith in the care and good judgment of both parties on this matter. However, I can no longer remain silent. Those in my district affected by the plan that you and I passed cannot speak on this floor, so I must and will. I am tired of the claims and counter-claims of self-interests and gerrymandering. I say that restoring the 25th District to a semblance of its former territory is not gerrymandering, but fairness and justice.

"I urge you to support this amendment."

POINT OF PERSONAL PRIVILEGE

Senator Christensen: "Mr. President, I rise on a point of personal privilege, and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Christensen."

Senator Christensen:

"The adoption of Senate Bill No. 2392 demonstrates the lengths the majority of members of the Special Joint Reapportionment Committee will go to protect incumbent legislators.

"Senate Bill No. 2392 is a blatant attempt to satisfy incumbent

Senators of the 26th District and 27th District who must oppose each other under provisions of House Bill No. 1042. In order to satisfy them, and still maintain two incumbent House members in each district, five districts are altered and eight counties are affected.

"The adverse effect of this gerrymandering is particularly visible in the proposed new District 27. The boundaries of Dickey and McIntosh would be broken, and narrow strips of these two counties would be included with Logan and LaMoire to form a four-county, T-shaped district.

"The proposed new District 26 would also be oddly drawn. The almost horseshoe-shaped district was necessitated by the desire to separate Senators of Districts 26 and 27.

"Should Senate Bill No. 2392 receive approval by the Legislature, the majority party will have succeeded in devising a plan protecting all Republican Senators and all but one House member.

"It should be noted that Senate Bill No. 2392 was introduced by the Senator from the 29th District, co-chairman of the Joint Reapportionment Committee, prior to Senate approval of House Bill No. 1042. This indicates to us that every effort was made to stave off criticism and line up support for passage of House Bill No. 1042, the main reapportionment plan.

"In conclusion, we submit that Senate Bill No. 2392 further gerrymanders a reapportionment plan that is already drawn for the exclusive benefit of the Republican Party."

SECOND READING OF SENATE BILLS

Senate Bill No. 2394. A Bill for an Act to amend and reenact subsections 35 and 37 of section 1, and subsections 35 and 37 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Lee	Page	Smykowski
Coughlin	Longmire	Pyle	Strinden
Erdman	Morgan	Reiten	Stroup
Iszler	Mutch	Roen	Thane
Jacobson	Naaden	Sands	Tweten
Jones	Nasset	Schultz, C.	Wenstrom
Kautzmann	Nething	Schultz, J.	

Those voting in the negative were:

Barth	Goldberg	Larson	Rait
Berube	Goodman	Lips	Redlin
Butler	Gronhovd	Litten	Shablow
Christensen	Hoffner	Melland	Solberg
Freed	Holand	Peterson	Wright
Fritzell			

Absent and not voting:

Ringsak	Sandness	Strand
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2394 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Nething moved that Senate Bill No. 2398 be placed at the head of the calendar, which motion prevailed.

PERSONAL PRIVILEGE

Senator Nething: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Nething."

"Mr. President, ladies and gentlemen of the Senate, Senate Bill 2398 is a minor amendment to our existing reapportionment plan. What is does is to take the township of Northfield from the 10th Legislative District and places it in the 15th Legislative District. Mr. President, gentlemen of the Senate, testimony was presented to our committee wherein it was pointed out to us that in the township of Northfield is the community of Hampden and that it has a high school with primarily its district located in Ramsey County which is most of the 15th District under the new plan and by making this shift the community of Hampden will be placed with its own county and trading areas. There are 186 people involved and the shift keeps the variation of population to representation within the standards that we have adopted in our current plan. The committee unanimously felt that this shift would be satisfactory.

SECOND READING OF SENATE BILLS

Senate Bill No. 2398. A Bill for an Act to amend and reenact subsection 10 of section 1 and subsections 10 and 15 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Longmire	Pyle	Strand
Coughlin	Morgan	Reiten	Strinden
Iszler	Mutch	Roen	Stroup
Jacobson	Naaden	Sands	Thane
Jones	Nasset	Schultz, J.	Tweten
Kautzmann	Nething	Smykowski	Wenstrom
Lee			

Those voting in the negative were:

Barth	Fritzell	Larson	Rait
Berube	Goldberg	Lips	Redlin
Butler	Goodman	Litten	Schultz, C.
Christensen	Gronhovd	Melland	Shablow
Erdman	Hoffner	Page	Solberg
Freed	Holand	Peterson	Wright

Absent and not voting:

Ringsak Sandness

So the bill was declared lost, due to the lack of a constitutional majority.

Senator Litten moved that the vote by which Senate Bill No. 2398 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Butler moved that Senate Bill No. 2397 be placed at the foot of the Senate calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2415. A Bill for an Act to amend and reenact sections 54-17.1-02 and 54-17.1-03 of the North Dakota Century Code, relating to a second issue of Vietnam veterans' bonus bonds, and providing appropriations for the expense of issuing the bonds and the administration of the bonus.

Which has been read.

MOTION

Senator Lips moved that Senate Bill No. 2415 be amended as follows:

On page 1, delete lines 1 through 24 inclusive, and delete all pages thereafter and insert the following in lieu thereof: "A BILL for an Act authorizing the issuance of additional general obligation bonds in an amount not exceeding four million dollars for the purpose of the payment of adjusted compensation to North Dakota veterans of the Vietnam conflict; to amend and reenact section 54-17.1-02 of the North Dakota Century Code, relating to the authority for issuing the Vietnam bonus bonds; providing for an appropriation for the expense of issuance of such bonds and the administration of the payment of Vietnam adjusted compensation claims; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE FINDING AND PURPOSE.)

WHEREAS, upon approval of the provisions of article 87 of the amendments to the Constitution of the state of North Dakota, a mandate was given to the legislative assembly to provide by legislation for the issuance, sale, and delivery of bonds of the state of North Dakota in such principal amounts as determined by the legislative assembly to be necessary for the payment of adjusted compensation to North Dakota veterans of the Vietnam conflict; and

WHEREAS, article 87 provided that: "Such adjusted compensation shall be paid from the proceeds of the bonds at rates equal to the rates provided by law for adjusted compensation paid by the state of North Dakota to veterans of World War II and the Korean conflict on the basis of terms of service and such other terms and conditions as the legislative assembly may provide."; and

WHEREAS, pursuant to the mandate and directive of article 87, the legislative assembly did enact chapter 37-25, providing for the payment of adjusted compensation to veterans of the Vietnam conflict, and did enact chapter 54-17.1, providing for the sale, issuance, and delivery of general obligation bonds of the state of North Dakota in the amount of fifteen million dollars for the purpose of paying the adjusted compensation to Vietnam veterans and expenses related thereto, and did enact section 57-38-30.2 directing payment of an annual surtax into a sinking fund to pay for the bonds issued under chapter 54-17.1; and

WHEREAS, at the time of the enactment of chapter 54-17.1, the Vietnam conflict was still in progress and its termination unknown, thereby making it impossible for the legislative assembly to determine the number of North Dakota veterans entitled to adjusted compensation or the amount of such compensation required to be paid under the provisions of article 87; and

WHEREAS, the president of the United States did on January 28, 1973, declare the cessation of hostilities in Vietnam, and it is now possible to determine the number of veterans entitled to adjusted compensation and the amounts thereof; and

WHEREAS, because of the continuance of the Vietnam conflict after the enactment of chapters 37-25 and 54-17.1 and section 57-38-30.2 of the North Dakota Century Code, the funds available

from the authorized Vietnam veterans' bonus bond issue in the amount of fifteen million dollars are insufficient to pay the adjusted compensation as required under the provisions of article 87 of the amendments to the North Dakota Constitution, and chapter 37-25 of the North Dakota Century Code;

NOW THEREFORE, the North Dakota legislative assembly does hereby find, determine, and declare that the fifteen million dollars of general obligation bonds authorized and issued pursuant to chapter 54-17.1 does not provide sufficient funds to carry out the mandate and directives of article 87 of the amendments to the Constitution of North Dakota and chapter 37-25 of the North Dakota Century Code, and that it is necessary to authorize and issue additional general obligation bonds of the state of North Dakota in an amount not exceeding four million dollars to carry out the provisions of article 87 and chapter 37-25.

SECTION 2. AMENDMENT.) Section 54-17.1-02 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-17.1-02. **AUTHORITY FOR ISSUING BONDS OF NORTH DAKOTA VIETNAM CONFLICT ADJUSTED COMPENSATION SERIES - PURPOSE OF ISSUE.)** An issue of not to exceed ((fifteen)) **nineteen** million dollars general obligation bonds of the state of North Dakota is hereby authorized and directed under the conditions, in the manner, and for the purpose stated in the amendment to the Constitution of North Dakota, adopted by the forty-first legislative assembly of the state of North Dakota as senate concurrent resolution no. 17 and approved by the people at the primary election held in September 1970, and the generally applicable provisions of the Constitution and statutes of the state of North Dakota. The preparation, handling, issuance, sale, and delivery of such issue of bonds shall be under the supervision and control of the industrial commission of North Dakota, which commission is hereby authorized and directed to negotiate a satisfactory sale of such issue of bonds as soon after the effective date of this chapter as may be necessary to provide funds for the payment of adjusted compensation to veterans of the Vietnam conflict. Such issue of bonds is authorized for the purpose of providing funds to be used in payment of adjusted compensation to North Dakota veterans of the Vietnam conflict and the administrative expenses resulting therefrom and such funds are hereby appropriated for such purpose.

SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the Vietnam veterans' bonus adjusted compensation fund, not otherwise appropriated, the sum of \$15,000.00, or so much thereof as may be necessary, to the industrial commission of North Dakota, for administrative and legal expenses for the second issuance of bonds authorized by this Act during the biennium beginning July 1, 1973, and ending June 30, 1975.

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the Vietnam veterans' bonus adjusted compensation fund, not otherwise appropriated, the sum of \$130,948.00, or so much thereof as may be necessary, to the office of the adjutant general, for the purpose of administering the provisions of the Vietnam Conflict Veterans' Adjusted Compensation Act, for the biennium beginning July 1, 1973, and ending June 30, 1975.

SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And renumber the lines, pages, and sections accordingly.

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2415 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2415. A Bill for an Act to amend and reenact sections 54-17.1-02 and 54-17.1-03 of the North Dakota Century Code, relating to a second issue of Vietnam veterans' bonus bonds, and providing appropriations for the expense of issuing the bonds and the administration of the bonus.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Sands
Barth	Holand	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Solberg
Erdman	Kautzmann	Peterson	Strand
Freed	Larson	Pyle	Stroup
Fritzell	Lee	Rait	Thane
Goldberg	Lips	Redlin	Tweten
Goodman	Litten	Reiten	Wenstrom
Gronhovd	Longmire	Roen	Wright

Those voting in the negative were:

Butler	Morgan	Page	Smykowski
Coughlin	Mutch	Schultz, C.	Strinden
Iszler			

Absent and not voting:

Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2415 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 2418. A Bill for an Act to create and enact chapter 54-55 and sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, establishing a department of natural resources through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee; providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies; to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission; to amend and reenact section 20.1-02-07, as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly; to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, subsection 12 of section 38-14-02, sections 38-14-03, 38-14-04, the first paragraph and subsections 7, 8, 9, 10, 11, and 12 of section 38-14-05, sections 38-14-06, 38-14-07, 38-14-09, 38-14-10, 38-14-12, 38-14-13, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee and the game and fish department, the licensing of surface mine operations, the regulation of strip mined lands, the personnel, powers and duties of the outdoor recreation agency, North Dakota park service, and water conservation commission, and placing certain agencies in the department of natural resources; and to repeal sections 38-14-11 and 61-03-14 of the North Dakota Century Code, relating to the strip mine regulation authority or the mine inspector, and relating to

modification of rules by the state water conservation commission, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Gronhovd	Nothing	Shablow
Berube	Hoffner	Page	Thane
Christensen	Iszler	Rait	Tweten
Freed	Jacobson	Redlin	Wenstrom
Fritzell	Larson	Schultz, J.	Wright
Goodman	Longmire		

Those voting in the negative were:

Anderson	Kautzmann	Mutch	Roen
Butler	Lee	Naaden	Sands
Coughlin	Lips	Nasset	Schultz, C.
Erdman	Litten	Peterson	Smykowski
Goldberg	Melland	Pyle	Strinden
Holand	Morgan	Reiten	Stroup
Jones			

Absent and not voting:

Ringsak	Sandness	Solberg	Strand
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So the bill was declared lost.

Senator Litten moved that the vote by which Senate Bill No. 2418 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2077
 Senate Bill No. 2115
 Senate Bill No. 2178
 Senate Bill No. 2180
 Senate Bill No. 2212
 Senate Bill No. 2243
 Senate Bill No. 2282
 Senate Bill No. 2286
 Senate Bill No. 2318
 Senate Bill No. 2324
 Senate Bill No. 2330
 Senate Bill No. 2344
 Senate Bill No. 2362
 Senate Bill No. 2384
 Senate Bill No. 2393
 Senate Bill No. 2400
 Senate Bill No. 2401
 Senate Concurrent Resolution No. 4012
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Resolution No. 4033
 Senate Concurrent Resolution No. 4063

Which the Senate has passed and your favorable consideration is requested

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1364

Which the Senate has indefinitely postponed.

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:

House Bill No. 1011

House Bill No. 1027

House Bill No. 1054

House Bill No. 1094

House Bill No. 1338

House Bill No. 1347

House Bill No. 1368

House Bill No. 1378

House Bill No. 1392

House Bill No. 1429

House Bill No. 1438

House Bill No. 1459

House Bill No. 1473

House Bill No. 1487

House Bill No. 1502

House Bill No. 1509

House Bill No. 1510

House Bill No. 1513

House Bill No. 1525

House Bill No. 1531

House Bill No. 1532

House Bill No. 1533

House Concurrent Resolution No. 3042

House Concurrent Resolution No. 3048

House Concurrent Resolution No. 3050

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 10:00 a.m., February 16, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**THIRTY-THIRD DAY AFTER RECESS
AND THIRTY-FOURTH DAY**

Bismarck, February 16, 1973

The Senate convened at 10:00 A.M., pursuant to recess taken the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2001

Senate Bill No. 2335

Senate Bill No. 2367

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2096

Senate Bill No. 2224

And find the same correctly re-engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

POINT OF PERSONAL PRIVILEGE

Senator Nothing: "Mr. President. I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Nothing."

Senator Nothing:

Yesterday we voted on Senate Bill No. 2394, and I would like to offer the following explanation:

Senate Bill No. 2394 is an amendment to the new reapportionment law. This amendment places the boundaries between the 35th and 37th Districts as they currently exist in the court's reapportionment plan, under which this Legislative Assembly was elected. It does not change the variation to any great extent and is made primarily to enable better travel within each district. In addition, three school districts in the 35th Legislative District are kept together. Testimony also indicated that Adams and Hettinger counties have long been a political unit for legislative consideration. The committee recommended unanimously a do pass on this bill."

MOTION

Senator Litten moved that Senate Bill No. 2397 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2397. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund and to the apportionment and distribution of such fund to the state highway department, counties and cities.

Which has been read.

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, 3.

Those voting in the negative were:

Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Anderson	Ringsak	Sandness
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So the bill was declared lost.

Senator Litten moved that the vote by which Senate Bill No. 2397 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 2116. A Bill for an Act to create a personnel division within the department of accounts and purchases to provide for the classification of employment positions and the development of a compensation plan, and providing an appropriation.

Which has been read.

MOTION

Senator Melland moved that Senate Bill No. 2116 be amended as follows:

On page 1, line 1, of the engrossed bill, after the words "A BILL" delete the remaining words, lines, sections, and pages, and insert in lieu thereof the following: "for an Act to create a personnel division within the department of accounts and purchases to provide for the classification of employment positions and the development of a compensation plan, and providing an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION OF LEGISLATIVE PURPOSE AND INTENT.) The legislative assembly, finding that the morale and efficiency of personnel employed by the state is enhanced when the principle of equal pay for equal work is substantially adhered to, and that the determinations of the budgetary requirements of the several state agencies are more readily ascertainable when employment positions and pay scales are uniformly classified, hereby declares its intention that employment positions of state agencies, departments, and institutions shall be classified.

SECTION 2. PERSONNEL DIVISION — CREATION — APPOINTMENT OF SUPERVISOR — SALARY.) A personnel division of which the director of the department of accounts and purchases shall serve as the ex-officio director, is hereby established within the department of accounts and purchases for the purpose

of continuing supervision of the classification of various employment positions throughout the state.

The director of the department of accounts and purchases shall appoint a supervisor of the personnel division who shall hold a baccalaureate degree from a recognized institution of higher education, and the appointment shall be based upon the experience and qualifications of eligible persons in the field of personnel classification and administration, without reference to partisan politics. The personnel supervisor shall serve at the pleasure of the director of the department of accounts and purchases. The director of the department of accounts and purchases shall employ such other professional, technical, and clerical personnel as he may deem necessary to carry out the duties prescribed in this Act and shall fix the salaries of all employees within the personnel division within the limits of legislative appropriations. All personnel within the personnel division shall be allowed their actual and necessary travel expenses in the same manner and at the same rate as for other employees of the state.

SECTION 3. POWERS AND DUTIES OF THE PERSONNEL DIVISION.)

The personnel division shall:

1. Supervise and aid in the creation of an employment position classification system as hereinafter provided.
2. Continually oversee the operation of the established classification system to prevent abuse and misclassification and shall report any such abuse or misclassification to the chairman of the committee on budget of the legislative council. The director of the department of accounts and purchases shall disapprove salary vouchers for positions classified under the provisions of this Act if the compensation to be paid exceeds the authorized pay scale for such position.
3. Establish and maintain a roster of all employees encompassed by the classification system, in which there shall be set forth, as to each employee, the position title, rate of pay, and other pertinent data.
4. Encourage and assist in the development of effective personnel administration within the several departments, agencies, bureaus, commissions, institutions, and other governmental units of this state, and shall make available the facilities of the office to this end.
5. Determine that employment positions covered by this Act are properly classified and encompassed within the existing classification system.
6. Report annually to the governor and the committee on budget of the legislative council regarding the status of the classification system.
7. Extend full cooperation to personnel in charge of preparing the state central payroll and to the director of the merit system council.
8. Exercise such other powers and perform such other duties as may be necessary to carry out the provisions of this Act.

SECTION 4. CLASSIFICATION SYSTEM AND PAY PLAN — ESTABLISHMENT.) All state departments, agencies, and institutions shall cooperate and provide such assistance as the personnel division shall request in the classifying of positions covered under the provisions of this Act. To the extent possible, the initial classification of positions prepared by the personnel division shall classify positions and set pay scales in accordance with reviews, studies and findings completed by or for the department of accounts and purchases, including the report by Ernst and Ernst, dated January 1973, entitled "proposed position classification system and

pay plan". To the extent possible, each employee classified shall be paid at one of the rates set forth in the compensation plan for the class of position in which he is employed, except that nothing in this section shall preclude payment of an employee at a "Y" rate. "Y" rates shall be used to compensate an employee at the same level of compensation he was receiving prior to a downward reclassification of his position.

SECTION 5. EMPLOYEES EXEMPT FROM CLASSIFICATION.) The following state employees shall not be classified:

1. Members of the legislative assembly and other officers elected by popular vote and persons appointed to fill vacancies in the elective offices.
2. Judges, referees, receivers, jurors, and notaries public.
3. Members of the teaching staff of state universities and colleges, and student employees of such institutions.
4. Patients or inmates employed in state institutions.
5. Persons employed in a professional or scientific capacity to make or conduct a temporary or special inquiry, investigation, or examination on behalf of the legislative assembly or a committee or agency thereof or by authority of the governor.
6. Employees of the legislative and judicial branches of government.
7. Persons employed for less than twenty hours per week or less than five months per year.

SECTION 6. MERIT SYSTEM COUNCIL TO COOPERATE WITH PERSONNEL DIVISION.) The merit system council and its director shall extend full cooperation to the personnel division, and shall keep it informed of changes in position classifications, work descriptions, pay scales, and additions of new position descriptions. The merit system council shall also administer such examinations of potential employees as may be necessary, and shall establish and maintain a list of eligible potential employees, which list shall be available to the division for use in aiding heads of departments, agencies, bureaus, commissions, institutions, and other governmental units in procuring personnel to fill new or existing employment positions.

SECTION 7. EMPLOYEE GRIEVANCES — APPEALS — METHOD.) Any state employee aggrieved by his classification under this Act may appeal to the merit system council in such manner as may be provided by the rules established pursuant to section 54-42-03 and the determination by the merit system council shall be final.

SECTION 8. APPROPRIATION.) There is hereby appropriated to the department of accounts and purchases, from moneys in the general fund of the state treasury, not otherwise appropriated, \$124,000.00, or so much thereof as may be necessary to carry out the provisions of this Act during the biennium beginning July 1, 1973, and ending June 30, 1975. The department of accounts and purchases is authorized to accept any federal funds which may become available relating to and available for carrying out the provisions of this Act and such funds are hereby appropriated for such purposes. To the extent that such funds are received, disbursements shall not be made pursuant to the general fund appropriation provided in this section."

An renumber the lines, sections, and pages accordingly.

Which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2116 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2116. A Bill for an Act to create a personnel division within the department of accounts and purchases to provide for the classification of employment positions and the development of a compensation plan, and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Naaden	Sands	Wenstrom
Holand			

Those voting in the negative were:

Freed	Lips	Mutch	Stroup
Fritzell	Longmire	Roen	Wright
Hoffner	Morgan	Solberg	

Absent and not voting:

Anderson	Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2116 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Senator Longmire: "Mr. President. I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Longmire."

Senator Longmire:

"We not only have a spoil system now under this bill in North Dakota, but we have frozen the political positions in the same position if we adopt this legislation, or the same salary they are getting now. You can't reduce them and we are stuck with them. That's what we have if we continue and pass this bill the way we have it at this time.

SECOND READING OF A SENATE BILL

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Which has been read.

MOTION

Senator Lips moved that Senate Bill No. 2001 be further amended as follows:

On page 3 of the engrossed bill, in line 1, delete the numeral "778,685" and insert in lieu thereof the numeral "773,225"

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2001 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 549, 550 and 551 of the Senate Journal, and from the floor, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Iszler	Nasset	Shablow
Berube	Jacobson	Nething	Smykowski
Christensen	Jones	Page	Solberg
Erdman	Kautzmann	Peterson	Strand
Freed	Larson	Pyle	Strinden
Fritzell	Lee	Rait	Stroup
Goldberg	Lips	Redlin	Thane
Goodman	Litten	Reiten	Tweten
Gronhovd	Longmire	Roen	Wenstrom
Hoffner	Melland	Sands	Wright
Holand	Morgan	Schultz, J.	

Those voting in the negative were:

Butler	Mutch	Naaden	Schultz, C.
Coughlin			

Absent and not voting:

Anderson	Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2001 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE

Senator Naaden: "It is not that I am against Higher Education, I'm for education, at the lower level."

SECOND READING OF SENATE BILLS

Senate Bill No. 2096. A Bill for an Act to create and enact subsections 10, 11, and 12 of section 15-65-03 of the North Dakota Century Code, relating to powers and duties of the North Dakota educational broadcasting council; and to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 540 of the Senate Journal, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hoffner	Longmire	Shablow
Berube	Holand	Nething	Solberg
Christensen	Jacobson	Rait	Strand
Erdman	Kautzmann	Redlin	Tweten
Fritzell	Larson	Reiten	Wenstrom
Goodman	Lee	Schultz, J.	Wright
Gronhovd	Lips		

Those voting in the negative were:

Butler	Litten	Page	Schultz, C.
Coughlin	Melland	Peterson	Smykowski
Freed	Morgan	Pyle	Strinden

Goldberg	Mutch	Roen	Stroup
Iszler	Naaden	Sands	Thane
Jones	Nasset		

Absent and not voting:

Anderson	Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2096 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 2224. A Bill for an Act to require a statement for a certificate or declaration of full consideration with certain deeds provided for record in the office of the county register of deeds; and providing for a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 541 of the Senate Journal, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 4.

Those voting in the affirmative were:

Berube	Holand	Melland	Redlin
Butler	Jones	Nasset	Reiten
Christensen	Kautzmann	Nothing	Sands
Erdman	Larson	Peterson	Solberg
Freed	Lips	Pyle	Strand
Gronhovd	Litten	Rait	Twetten
Hoffner	Longmire		

Those voting in the negative were:

Barth	Lee	Roen	Strinden
Coughlin	Morgan	Schultz, C.	Stroup
Fritzell	Mutch	Schultz, J.	Thane
Goodman	Naaden	Shablow	Wenstrom
Iszler	Page	Smykowski	Wright
Jacobson			

Absent and not voting:

Anderson	Goldberg	Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2224 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 2335. A Bill for an Act to provide for the salary of the clerk of the district court; and to amend and reenact subsections 1 and 2 of section 11-10-10 and section 11-15-03.1 of the North Dakota Century Code, relating to the compensation of sheriffs and other elected county officials.

Which has been read.

MOTION

Senator Nothing moved that Senate Bill No. 2335 be further amended as follows:

In the amendments as printed on page 545 of the Senate Journal, line 43, delete the words "above-mentioned salary" and insert the following in lieu thereof: "salaries payable to county officials under sections 1 and 2 of this Act, section 11-15-03.1, and this section"

And renumber the lines accordingly.

Which motion prevailed.

Senator Nothing moved that the rules be suspended, that Senate Bill No. 2335 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2335. A Bill for an Act to provide for the salary of the clerk of the district court; and to amend and reenact subsections 1 and 2 of section 11-10-10 and section 11-15-03.1 of the North Dakota Century Code, relating to the compensation of sheriffs and other elected county officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 544, 545 and 546 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch	Schultz, C.	

Absent and not voting:

Anderson	Christensen	Ringsak	Sandness
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2335 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 2367. A Bill for an Act to provide for continuing legislative concern for redress of citizens' governmental grievances and complaints through a special committee of the legislative council.

Which has been read.

MOTION

Senator Melland moved that Senate Bill No. 2367 be further amended as follows:

"On page 1, line 1 of the engrossed bill, after the word "legislative" delete the word "oversight" and insert in lieu thereof the word "concern"

Which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2367 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2367. A Bill for an Act to provide for continuing legislative concern for redress of citizens' governmental grievances and complaints through a special committee of the legislative council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 551 and 552 of the Senate Journal, and from the floor, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Iszler	Melland	Shablow
Berube	Jacobson	Nasset	Smykowski
Coughlin	Jones	Nething	Strand
Erdman	Kautzmann	Page	Strinden

Fritzell	Larson	Peterson	Thane
Goldberg	Lee	Rait	Tweten
Goodman	Lips	Redlin	Wenstrom
Gronhovd	Litten	Reiten	Wright
Hoffner	Longmire	Schultz, J.	

Those voting in the negative were:

Butler	Morgan	Pyle	Solberg
Freed	Mutch	Roen	Stroup
Holand	Naaden	Sands	

Absent and not voting:

Anderson	Ringsak	Sandness	Schultz, C.
Christensen			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2367 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

Senator Litten moved that Senate Bills Nos. 2116, 2224, 2335 and 2367 be reprinted, which motion prevailed.

MOTION

Senator Goldberg moved that Senate Concurrent Resolution No. 4041 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Goldberg moved that Senate Concurrent Resolution No. 4041 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2016

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Litten moved that the Senate recess until 1:00 P.M., which motion prevailed.

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4030. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility and desirability of legislation regulating clay, sand, and gravel pit and other land disturbing operations.

Which has been read.

MOTION

Senator Litten moved that Senate Concurrent Resolution No. 4030 be re-referred to the Legislative Council Resolutions Committee.

Senate Concurrent Resolution No. 4035. A Concurrent Resolution directing the Legislative Council to make a study of necessary legislation and costs to the State of North Dakota to comply with the Federal Environmental Pesticide Control Act of 1972, requiring implementation of training programs for certification of all commercial and private applicators of pesticide chemicals.

Which has been read.

MOTION

Senator Litten moved that Senate Concurrent Resolution No. 4035 be re-referred to the Legislative Council Resolutions Committee.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2114 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Jones
 Senator Iszler
 Senator Barth

For the House:

Representative Olson
 Representative Gronneberg
 Representative H. Christensen

Senator Jones moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1109. A Bill for an Act to amend and reenact section 65-05-21 of the North Dakota Century Code, changing the number of weeks of compensation paid to the widow.

Which has been read.

MOTION

Senator Goldberg moved that House Bill No. 1109 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2010
 Senate Bill No. 2227
 Senate Bill No. 2283
 Senate Bill No. 2297
 Senate Bill No. 2305
 Senate Bill No. 2310
 Senate Bill No. 2334
 Senate Bill No. 2343
 Senate Bill No. 2392
 Senate Bill No. 2394

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001
 Senate Bill No. 2096
 Senate Bill No. 2116
 Senate Bill No. 2224
 Senate Bill No. 2293
 Senate Bill No. 2335
 Senate Bill No. 2367
 Senate Bill No. 2415

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:
 Senate Bill No. 2016.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2016

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2016
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2016

Was delivered to the Governor for his approval at the hour of 1:15 o'clock p.m., February 16, 1973.

SENATOR JACOBSON, Chairman

MOTION

Senator Longmire moved that the Consent Calendar be considered in two parts, the first consisting of Senate Bills Nos. 1077, 1078 and 1079, the second part consisting of Senate Bills Nos. 1091, 1093, 1110, 1111 and 1125, which motion prevailed.

SECOND READING OF HOUSE BILLS
ON THE CONSENT CALENDAR

House Bill No. 1077. A Bill for an Act to amend and reenact sections 16-04-17, 16-10-12.1, 16-11-12, 16-18-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to arrangement of names on ballots and voting machines, voting machines and poll clerks, instructions, advertisements and ballots posted in polling places, poll registers, and permitting electors to vote only for those for whom they are entitled to vote; and to repeal section 16-18-06.1 of the North Dakota Century Code, relating to general election, primary election, and absentee voting ballots for those authorized to vote in federal elections only.

Which has been read.

House Bill No. 1078. A Bill for an Act to create and enact section 16-16-17.1 of the North Dakota Century Code, relating to allowing former North Dakota residents to vote in North Dakota.

Which has been read.

House Bill No. 1079. A Bill for an Act to amend and reenact section 16-01-03 of the North Dakota Century Code, relating to qualifications of electors.

Which has been read.

ROLL CALL

The question being on the final passage of the bills, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Barth	Holand	Morgan	Schultz, C.
Berube	Izler	Mutch	Schultz, J.
Christensen	Jacobson	Naaden	Shablow
Coughlin	Jones	Nasset	Solberg
Erdman	Kautzmann	Nothing	Strand
Freed	Larson	Page	Strinden
Fritzell	Lee	Peterson	Stroup
Goldberg	Lips	Pyle	Tweten
Goodman	Litten	Rait	Wenstrom
Gronhovd	Longmire	Reiten	Wright
Hoffner	Melland	Roen	

Absent and not voting:

Anderson	Redlin	Sands	Smykowski
Butler	Ringsak	Sandness	Thane

So the bills were passed and the titles agreed to.

SECOND READING OF HOUSE BILLS
ON THE CONSENT CALENDAR

House Bill No. 1091. A Bill for an Act to create and enact section 43-23-11.1 of the North Dakota Century Code; and to repeal section 43-23-11 of the North Dakota Century Code; all relating to grounds for refusal, revocation and suspension of licenses, hearings, appeals and investigations by the state real estate commission.

Which has been read.

House Bill No. 1093. A Bill for an Act to create and enact section 43-23-14.1 of the North Dakota Century Code and to repeal section 43-23-14 of the North Dakota Century Code; all relating to the handling of funds by real estate and mortgage brokers.

Which has been read.

House Bill No. 1110. A Bill for an Act to amend and reenact section 65-05-19 of the North Dakota Century Code, providing for nondependency payments to dependent and nondependent children.

Which has been read.

House Bill No. 1111. A Bill for an Act to amend and reenact section 65-05-27 of the North Dakota Century Code, relating to an increased amount that the bureau may pay without probate proceedings.

Which has been read.

House Bill No. 1125. A Bill for an Act to amend and reenact section 65-05-24 of the North Dakota Century Code, relating to penalty for accepting compensation after marriage.

Which has been read.

ROLL CALL

The question being on the final passage of the bills, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Christensen	Jones	Nasset	Solberg
Coughlin	Kautzmann	Nothing	Strand
Erdman	Larson	Page	Strindren
Freed	Lee	Peterson	Stroup
Fritzell	Lips	Pyle	Thane
Goldberg	Litten	Rait	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan	Schultz, C.	

Absent and not voting:

Anderson	Jacobson	Ringsak	Sandness
Butler	Redlin	Sands	Smykowski

So the bills were passed and the titles were agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1033. A Bill for an Act to amend and reenact section 6-03-59.1 of the North Dakota Century Code, relating to the term of leases of personal property from banks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Schultz, C.
Berube	Jacobson	Naaden	Schultz, J.

Christensen	Jones	Nasset	Shablow
Coughlin	Kautzmann	Nething	Solberg
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand			

Absent and not voting:
 Anderson Redlin Sandness Smykowski
 Butler Ringsak

So the bill passed and the title was agreed to.

House Bill No. 1097. A Bill for an Act to create and enact section 34-14-04.1 of the North Dakota Century Code, relating to limitations on withholdings by employers.

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, 0; absent and not voting, 8.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Schultz, C.
Berube	Jacobson	Naaden	Schultz, J.
Christensen	Jones	Nasset	Shablow
Coughlin	Kautzmann	Nething	Solberg
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan	Sands	

Absent and not voting:
 Anderson Holand Ringsak Smykowski
 Butler Redlin Sandness Thane

So the bill passed and the title was agreed to.

House Bill No. 1127. A Bill for an Act to create and enact section 4-13-10.1 of the North Dakota Century Code, relating to the bonding of poultry dealers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 466 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand	Mutch		

Absent and not voting:
 Anderson Redlin Ringsak Sandness
 Butler

So the bill passed and the title was agreed to.

House Bill No. 1146. A Bill for an Act to amend and reenact sections 21-03-02 and 57-15-06 of the North Dakota Century Code, relating to bonds and tax levies for county agriculture and training schools, and to repeal Chapter 15-42 and sections 15-53.1-09 and 57-15-14.1 of the North Dakota Century Code, relating to county agricultural and training schools, classification of elementary school districts in counties in which county agriculture and training schools are located, and levies to support county agriculture and training schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Schultz, J.
Berube	Jacobson	Naaden	Shablow
Christensen	Jones	Nasset	Smykowski
Coughlin	Kautzmann	Nething	Solberg
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Reiten	Tweten
Gronhoyd	Melland	Roen	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand			

Absent and not voting:

Anderson	Redlin	Sands	Sandness
Butler	Ringsak		

So the bill passed and the title was agreed to.

House Bill No. 1147. A Bill for an Act to repeal section 15-47-03 of the North Dakota Century Code, relating to the English language in schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Schultz, J.
Berube	Jones	Nasset	Shablow
Christensen	Kautzmann	Nething	Smykowski
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Freed	Lips	Pyle	Strinden
Fritzell	Litten	Rait	Stroup
Goodman	Longmire	Reiten	Thane
Gronhoyd	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler			

Absent and not voting:

Anderson	Goldberg	Ringsak	Sandness
Butler	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1154. A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of the school board of a public school district.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Schultz, J.
Berube	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Smykowski
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Freed	Lips	Pyle	Strinden
Fritzell	Litten	Rait	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler			

Absent and not voting:

Anderson	Goldberg	Ringsak	Sandness
Butler	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1155. A Bill for an Act to amend and reenact section 39-04-10 of the North Dakota Century Code, relating to the registration of motor vehicles owned by amateur radio station operators.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Schultz, J.
Berube	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Smykowski
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goodman	Litten	Rait	Stroup
Gronhovd	Longmire	Reiten	Thane
Hoffner	Melland	Roen	Tweten
Holand	Morgan	Sands	Wenstrom
Iszler	Mutch	Schultz, C.	Wright

Absent and not voting:

Anderson	Coughlin	Redlin	Sandness
Butler	Goldberg	Ringsak	

So the bill passed and the title was agreed to.

House Bill No. 1162. A Bill for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code, relating to the election of soil conservation district supervisors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 441 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Schultz, J.
Berube	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Smykowski
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goodman	Litten	Rait	Stroup

Gronhovd	Longmire	Reiten	Thane
Hoffner	Melland	Roen	Tweten
Holand	Morgan	Sands	Wenstrom
Iszler	Mutch	Schultz, C.	Wright

Absent and not voting:

Anderson	Coughlin	Redlin	Sandness
Butler	Goldberg	Ringsak	

So the bill passed and the title was agreed to.

House Bill No. 1169. A Bill for an Act to amend and reenact subsection 7 of section 39-12-04 of the North Dakota Century Code, to permit the use of wider vehicles on highways designated by the highway commissioner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Jones	Nasset	Schultz, J.
Berube	Kautzmann	Nothing	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Goldberg	Lips	Pyle	Strand
Goodman	Litten	Rait	Stroup
Gronhovd	Longmire	Reiten	Thane
Hoffner	Melland	Roen	Tweten
Holand	Morgan	Sands	Wenstrom
Iszler	Mutch	Schultz, C.	Wright
Jacobson	Naaden		

Those voting in the negative were:

Christensen	Freed	Fritzell	Strinden
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Absent and not voting:

Anderson	Redlin	Ringsak	Sandness
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1188. A Bill for an Act to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, and subsection 6 of section 39-05-01 of the North Dakota Century Code, relating to the registration and titling of truck tractor semi-trailers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Schultz, J.
Berube	Jacobson	Naaden	Shablow
Christensen	Jones	Nasset	Smykowski
Coughlin	Kautzmann	Nothing	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand			

Those voting in the negative were:

Page

Absent and not voting:

Anderson	Redlin	Ringsak	Sandness
Butler			

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Senator Page: "You will remember that I had a bill in here for reducing it to one license plate, and we had testimony that we had to have two for safety reasons."

SECOND READING OF HOUSE BILLS

House Bill No. 1193. A Bill for an Act to amend and reenact section 12-47-06 of the North Dakota Century Code, relating to appointment of officers at the penitentiary.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 441 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand	Mutch		

Absent and not voting:

Anderson	Redlin	Ringsak	Sandness
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1203. A Bill for an Act to repeal sections 36-15-20 and 36-15-21 of the North Dakota Century Code, relating to brucellosis vaccination of calves.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 467 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch		

Those voting in the negative were:

Thane

Absent and not voting:

Anderson	Butler	Ringsak	Sandness
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So the bill passed and the title was agreed to.

House Bill No. 1216. A Bill for an Act to permit the state of North Dakota to transfer by deed and title, tract 01-119, river bed and accretion land along the west bank of the Missouri River.

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, 5.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Schultz, C.	Wright
Iszler	Naaden		

Absent and not voting:

Anderson	Butler	Ringsak	Sandness
Berube			

So the bill passed and the title was agreed to.

House Bill No. 1222. A Bill for an Act to amend and reenact section 35-07-02 of the North Dakota Century Code, relating to the period for filing a threshing lien.

Which has been read.

MOTION

Senator Smykowski moved that House Bill No. 1222 be amended as follows:

On page 1, line 13, place triple parentheses before and after "ninety" and insert in lieu thereof "sixty"

On page 2, line 3, place triple parentheses before and after "ninety" and insert in lieu thereof "sixty", which motion prevailed.

Senator Smykowski moved that the rules be suspended, that Senate Bill No. 1222 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1222. A Bill for an Act to amend and reenact section 35-07-02 of the North Dakota Century Code, relating to the period for filing a threshing lien.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 24; nays, 21; absent and not voting, 6.

Those voting in the affirmative were:

Christensen	Jones	Morgan	Reiten
Coughlin	Kautzmann	Mutch	Sands
Gronhovd	Larson	Nothing	Schultz, C.
Hoffner	Lee	Page	Smykowski
Iszler	Longmire	Pyle	Thane
Jacobson	Melland	Redlin	Wright

Those voting in the negative were:

Barth	Holand	Peterson	Strand
Erdman	Lips	Roen	Strinden

Freed	Litten	Schultz, J.	Stroup
Fritzell	Naaden	Shablow	Tweten
Goldberg	Nasset	Solberg	Wenstrom
Goodman			
Absent and not voting:			
Anderson	Butler	Ringsak	Sandness
Berube	Rait		

So the bill was declared lost due to the lack of a constitutional majority.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to House Bills 1058, 1122 and 1265 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1058 as recommended by the Committee on Judiciary as printed on page 565 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1122 as recommended by the Committee on Judiciary as printed on page 567 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1265 as recommended by the Committee on Judiciary as printed on page 567 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of House Bills Nos. 1058, 1122 and 1265 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FOURTH DAY

Bismarck, February 16, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ardell R. Aleson, First United Methodist Church, Bismarck.

"Almighty God, Father of all, giver of every blessing, sustainer of all of life, guardian of our fundamental rights, author of life which never ends.

"Grant that we recognize Your power and feel the upward surge of love transcending. You have given life to us and endowed us with desire and forward thrust. In this age of space exploration, may we remember that we still stand upon the land and face the concerns of a changing society and a troubled world.

"You have heard us pray for peace and only a short time ago, THAT PRAYER WAS ANSWERED. You have heard us as we sent greetings of good will to people around our world. May our offer of good will be meaningful and sincere.

"May our words reflect a spirit of honesty and integrity within. May we remember that we are Senators — true representatives of our people who have trusted each of us with great responsibility. Grant, Eternal God, that the people's trust in us may be unshaken. Help each of us to use our best judgment and our mature experience as we sound out the future for all who are around us.

"We pause to remember returning P.O.W.'s from Southeast Asia. We thank You for their safe return. Continue to bless the memory of those never to return.

"Now as we turn our attention to the business at hand, we ask your blessing upon the great State of North Dakota — our newly elected officials — all members of this historic body — every department in state government — all the people — all the concerns — all the needs.

"Grant Your blessing upon our business this day and in the future. We ask these things in the Name of Your Son, our Lord and Saviour. Amen!"

Roll Call: All Senators present except Anderson, Berube, Butler, Ringsak and Sandness.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-second day after recess and the thirty-third day and recommends that the same be corrected as follows:

On page 583, in line 22 from the top of the page, delete the numerals "1942" and insert in lieu thereof the numerals "1042"

On page 583, in line 2 from the top of the page, delete the numerals "29" and insert in lieu thereof the numerals "26"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1003
 House Bill No. 1006
 House Bill No. 1009
 House Bill No. 1026
 House Bill No. 1254
 House Bill No. 1290
 House Bill No. 1350
 House Bill No. 1390
 House Bill No. 1453
 House Bill No. 1455
 House Bill No. 1460
 House Bill No. 1469
 House Bill No. 1514
 House Concurrent Resolution No. 3053
 House Concurrent Resolution No. 3055
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3060
 House Concurrent Resolution No. 3061
 House Concurrent Resolution No. 3062
 House Concurrent Resolution No. 3064
 House Concurrent Resolution No. 3073
 House Concurrent Resolution No. 3079
 House Concurrent Resolution No. 3083
 House Concurrent Resolution No. 3084
 House Concurrent Resolution No. 3085
 House Concurrent Resolution No. 3086
 House Concurrent Resolution No. 3087

ROY GILBREATH, Chief Clerk

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1023 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor

to whom was referred House Bill No. 1034 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion failed and House Bill No. 1034 was placed on the calendar.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1035 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1045 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1057 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15, after the word "education" insert " the adjutant general and the state highway department office and storage space for field engineering and maintenance crews"

On page 2, line 1, after the word "education" insert " the adjutant general and state highway department office and storage space for field engineering and maintenance crews"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1096 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1126 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1129 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1159 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1166 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 of the engrossed bill, after the number "15-50-01" insert the number and commas ", 15-50-02,"

On page 1, line 3 of the engrossed bill, after the word "schools" insert the following: "and declaring an emergency"

On page 2, after line 17 of the engrossed bill, insert the following: "SECTION 2. AMENDMENT.) Section 15-50-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-50-02. LICENSE PROCURED — FROM WHOM.) Every private trade, industrial, vocational, technical, business, or correspondence school, before offering any instruction, first shall procure a license from the executive officer of the state board for vocational education."

On page 2, line 18 of the engrossed bill, delete the number "2" and insert in lieu thereof the number "3"

On page 3, after line 28 of the engrossed bill, insert the following:

"SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1180 has had the same under consideration and recommends that the same do pass.

SENATOR STRAND, Vice Chairman

Senator Strand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1223 has had the same under consideration and recommends that the same be amended as follows:

On page 3, after line 13 of the engrossed bill insert the following new subsection.

"5. Change or modify the responsibilities of the American National Red Cross as defined by the United States Congress in Public Law 4, approved January 5, 1905 (33 St. 599), and as amended thereto."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1244 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1270 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1273 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1328 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23, after "institutions" insert "or their designated representatives"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1329 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1332 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1367 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1380 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after the word "include" insert "days actually lost," and after the words "five days" insert a comma

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1397 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1433 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1435 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution No. 3019 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Senator Litten moved that the Senate be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business the Senate stand recessed until 1:30 p.m., Monday, February 19, 1973, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1003. A Bill for an Act making an appropriation for defraying expenses of the judicial branch of the government of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1006. A Bill for an Act making an appropriation for defraying expenses of the various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1009. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1026. A Bill for an Act to amend and reenact sections 15-36-01, 15-36-08, 15-36-11, 15-38-17, 15-38-18, and 15-41-25 of the North Dakota Century Code, providing procedures for the establishment of criteria for teachers' certificates by the superintendent of public instruction and the teachers' professional practices commission, and providing for the administration of such certificates; to repeal sections 15-36-04, 15-36-05, and 15-36-06 of the North Dakota Century Code, relating to first and second grade professional certificates and special certificates; and providing an appropriation.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1027. A Bill for an Act to create a tax appeals board to hear appeals of tax abatement cases from decisions of boards of county commissioners, and to provide procedures for the administration of such appeals; to amend and reenact sections 57-20-20, 57-23-03, 57-23-04, and 57-23-08 of the North Dakota Century Code, relating to the payment of taxes under protest and to tax abatements; to repeal section 57-23-11 of the North Dakota Century Code, relating to the retroactive application of abatement actions; and providing an appropriation.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1054. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting certain days as holidays, and providing that all state and political subdivision offices shall be open on election days.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1094. A Bill for an Act to create and enact a new subsection to section 34-06-01 of the North Dakota Century Code, relating to the definition of wages for the minimum wage law.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1254. A Bill for an Act relating to the disposal and reuse of abandoned motor vehicles and other scrap metal; prescribing duties and powers of the state department of health and responsibilities of the motor vehicle registrar; providing a tax on motor vehicle registration; establishing a disposal fund; allowing storage of vehicles by collectors; to amend and reenact section 24-03-23 of the North Dakota Century Code, relating to encroachments on state highways; to repeal section 40-05-15 of the North Dakota Century Code, relating to unclaimed motor vehicles; providing a penalty; and providing an appropriation.

Which was read the first time and referred to the Committee on Transportation.

House Bill No. 1290. A Bill for an Act to provide that retired teachers may elect benefits under the teachers' fund for retirement, to provide for contributions to the fund, and to provide an alternative increase in benefits for annuitants of the teachers' insurance and retirement fund who elect not to come under the new program.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1338. A Bill for an Act to amend and reenact subsection 12 of section 57-02-08 and sections 57-35-06 and 57-35.1-02 of the North Dakota Century Code, relating to mobile homes owned by banks and savings and loan institutions; and to repeal section 57-02-26.1 of the North Dakota Century Code.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1347. A Bill for an Act to amend and reenact subsection 2 of section 27-09.1-06 of the North Dakota Century Code relating to the selection of jurors for the master jury wheel.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1350. A Bill for an Act to provide for a special education levy in school districts.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1368. A Bill for an Act to create and enact section 33-12-23.1 of the North Dakota Century Code, providing that county justices may instruct juries in criminal cases.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1378. A Bill for an Act to amend and reenact section 19-05-12 of the North Dakota Century Code, relating to the notice of the use of oleomargarine or margarine where meals are served.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1390. A Bill for an Act to provide for free college education for dependents of prisoners of war and soldiers missing in action in Vietnam.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1392. A Bill for an Act to amend and reenact subsection 1 of section 15-39.1-04 of the North Dakota Century Code, to add persons to be covered by Teacher's Fund for Retirement.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1429. A Bill for an Act to repeal section 57-46-01 of the North Dakota Century Code, relating to military income exempt from the income tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1438. A Bill for an Act to create and enact sections 35-27-02.1, 35-27-02.2, 35-27-02.3, and 35-27-07.1 of the North Dakota Century Code, relating to contractor's and subcontractor's notice of mechanic's lien to owner and vendor's notice of mechanic's lien to vendee; and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1453. A Bill for an Act calling for a legislative council study of hospital and nursing home costs and providing an appropriation.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1455. A Bill for an Act to amend and reenact subsection 1 of section 13-03-14, section 13-04-01, subsections 1 and 2 of section 51-13-03, and section 51-14-03 of the North Dakota Century Code, relating to maximum interest charges on small loans, bank installment loans, retail installment sales, and revolving charge accounts.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1459. A Bill for an Act to amend and reenact sections 48-02-15 and 48-02-17 of the North Dakota Century Code, relating to time for filing and period of limitations for filing subcontractor's claims for labor or materials furnished a contractor for improvements to a public institution; and to repeal section 48-02-16 of the North Dakota Century Code, relating to contents of notice to subcontractors.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1460. A Bill for an Act to amend and reenact sections 15-40.1-06 and 15-40.2-03 of the North Dakota Century Code, relating to the computation of the educational cost per pupil and school district tuition payments.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1469. A Bill for an Act creating the North Dakota Turkey Promotion Act, designating the state poultry improvement board to carry out the Act, levying an assessment upon each turkey producer to fund the activities necessary under the Act, designating the North Dakota turkey federation to advise the poultry improvement board in its administration of this Act, and providing a penalty.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1473. A Bill for an Act to permit public employees to enter into a deferred compensation plan and to permit the purchase of insurance and annuity contracts.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1487. A Bill for an Act to create and enact section 10-31-13.1 of the North Dakota Century Code, providing that foreign professional corporations may practice in North Dakota under certain circumstances.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1502. A Bill for an Act to amend and reenact section 57-15-44 of the North Dakota Century Code, relating to clarification of city tax levy for public buildings.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1509. A Bill for an Act to provide for the use of the doctrine of comparative negligence in civil actions; to amend and reenact section 1-01-16 of the North Dakota Century Code, relating to kinds of negligence; and to amend and reenact section 9-10-06 of the North Dakota Century Code, relating to rescinding the doctrine of contributory negligence.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1510. A Bill for an Act to amend and reenact section 54-06-16 of the North Dakota Century Code, relating to the minimum wage standards for employees of the state.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1513. A Bill for an Act to amend and reenact section 40-13-05 of the North Dakota Century Code, relating to an exception to the prohibition against officers being interested in contracts or work of municipality.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1514. A Bill for an Act to provide premarital counseling for persons under the age of eighteen as a prerequisite to marriage; and to amend and reenact section 14-03-17 of the North Dakota Century Code, relating to the requirements of an application for a marriage license.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1525. A Bill for an Act to create and enact section 6-09.2-07.1, and to amend and reenact sections 6-09.2-01, 6-09.2-02, and 6-09.2-03, subsections 1 and 6 of section 6-09.2-04, sections 6-09.2-05, 6-09.2-06, and 6-09.2-08 of the North Dakota Century Code, relating to the definition of "industrial projects" and the authority of the Bank of North Dakota to insure loans made by financial institutions under the industrial building mortgage program.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1531. A Bill for an Act to amend and reenact subsection 1 of section 54-03.2-02, and sections 54-03.2-03, 54-03.2-08, 54-03.2-09, and 54-35-02 of the North Dakota Century Code, relating to the authority of the legislative assembly and its standing, select, and interim committees to issue subpoenas, and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1532. A Bill for an Act to establish a North Dakota American revolution bicentennial commission.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1533. A Bill for an Act to provide that participation in the performance of an abortion is not mandatory, and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3042. A Concurrent Resolution honoring North Dakotans who have died or who are listed as captured or missing in action in Vietnam.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Concurrent Resolution No. 3048. A Concurrent Resolution urging that the Bureau of Reclamation and the Bureau of Sport Fisheries and Wildlife deal more equitably with persons affected by the Garrison Diversion Project, and that landowners severely damaged by the construction of an irrigation canal be allowed to draw water from such canal regardless of membership or nonmembership in an irrigation district.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3050. A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota, relating to compensation of members of the Legislative Assembly and providing an independent commission to set legislative pay and compensation.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3053. A Concurrent Resolution urging all railroads to voluntarily place reflectorized tape or numerals on their cars for safety purposes; and urging the Congress of the United States and the Federal Railroad Administration to enact laws and regulations to require such action in the event that railroads fail to voluntarily do so.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Concurrent Resolution No. 3055. A Concurrent Resolution urging the Congress of the United States to review federal statutes relative to the Aid to Families with Dependent Children Program.

Which was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution No. 3058. A Concurrent Resolution commending and honoring former Governor and Mrs. William L. Guy for their twelve years of service to the citizens of North Dakota.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3060. A Concurrent Resolution expressing support and encouragement for education of the public concerning the nature and extent of the problem of alcoholism.

Which was read the first time and referred to the Committee on Education.

House Concurrent Resolution No. 3061. A Concurrent Resolution requesting the Congress and the President of the United States to continue support for the Green Thumb Program and similar programs which benefit older Americans.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3062. A Concurrent Resolution urging Congress to limit the application of the Occupational Safety and Health Act.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3064. A Concurrent Resolution urging Congress to enact legislation which would provide reimbursement to farm owners and operators for migratory bird depredation.

Which was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution No. 3073. A Concurrent Resolution relating to absenteeism in the Congress of the United States.

Which was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution No. 3079. A Concurrent Resolution urging the Congress of the United States to retain the provision of the Internal Revenue Code on capital gains for timber.

Which was read the first time and referred to the Committee on Natural Resources.

House Concurrent Resolution No. 3083. A Concurrent Resolution urging the President and the Congress of the United States to continue the hot lunch program and the recess milk program.

Which was read the first time and referred to the Committee on Education.

House Concurrent Resolution No. 3084. A Concurrent Resolution urging coordination and cooperation among North Dakota's judiciary, state's attorneys, private attorneys, social service workers, and the clergy in an intensified effort toward elimination of abuses surrounding the support of dependent children; the establishment of paternity for children born out of wedlock; the reduction in the incidence of divorce, separation and desertion; and the preservation of family life in the State of North Dakota.

Which was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution No. 3085. A Concurrent Resolution encouraging the State Board of Equalization to establish a 19 percent level of assessment on locally assessed property in North Dakota.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Concurrent Resolution No. 3086. A Concurrent Resolution supporting the adoption of reasonable railroad freight rates for the transportation of North Dakota's small grains westbound to export markets.

Which was read the first time and referred to the Committee on Transportation.

House Concurrent Resolution No. 3087. A Concurrent Resolution urging the Congress of the United States to adopt and submit to the people of the United States an amendment to the Constitution providing for the establishment of a single six-year Presidential term.

Which was read the first time and referred to the Committee on State and Federal Government.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2114

On which the Senate has adopted the Conference Committee report.

LEO LEIDHOLM, Secretary

MESSAGES 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:

House Bill No. 1015
House Bill No. 1135
House Bill No. 1199
House Bill No. 1205
House Bill No. 1226
House Bill No. 1304
House Bill No. 1377
House Bill No. 1404
House Bill No. 1462
House Bill No. 1474
House Concurrent Resolution No. 3017
House Concurrent Resolution No. 3040
House Concurrent Resolution No. 3044

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1001
House Bill No. 1002
House Bill No. 1007
House Bill No. 1040
House Bill No. 1049
House Bill No. 1050
House Bill No. 1090
House Bill No. 1151
House Bill No. 1200
House Bill No. 1314
House Bill No. 1317
House Bill No. 1353
House Bill No. 1399
House Bill No. 1400
House Bill No. 1437
House Bill No. 1439
House Bill No. 1489
House Bill No. 1495
House Bill No. 1508
House Concurrent Resolution 3002

ROY GILBREATH, Chief Clerk

FRIDAY, FEBRUARY 16, 1973

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House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4061

ROY GILBREATH, Chief Clerk

Pursuant to Senator Litten's motion, the Senate stood recessed until 1:30 p.m., Monday, February 19, 1973.

LEO LEIDHOLM, Secretary



THIRTY-FOURTH DAY AFTER RECESS
AND THIRTY-FIFTH DAY

Bismarck, February 19, 1973

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on February 14, 1973, I signed Senate Bills:

Senate Bill No. 2021
Senate Bill No. 2024
Senate Bill No. 2064
Senate Bill No. 2084
Senate Bill No. 2094
Senate Bill No. 2166

Sincerely yours
ARTHUR A. LINK
Governor

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4028 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4029 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4034 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4036 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4046 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 24, after the word "correctional" insert ", veterinary"

On page 2, line 1, after the word "these" delete "two" and insert in lieu thereof "three"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1084 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1113 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1132 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1157 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1158 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14, of the engrossed bill, after the word "and" insert "offered"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1183 has had the same

under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, delete lines 14 through 20 and insert in lieu thereof the following:

"(3) Under the age of (((twenty-one))) **nineteen** years and a student regularly attending (((a high school,))) and making satisfactory progress (((,))) in pursuance of a course of study (((leading to a high school diploma or its equivalent, or regularly attending and making satisfactory progress in a course))) of **academic or** vocational (((or technical))) training designed to fit him for gainful employment (((;)))."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1184 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1238 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1272 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 delete the word "sections" and insert in lieu thereof the word "section" and delete the following: "and 53-05-08"

On page 1, line 3 delete "and certain other public places"

On page 1, line 8 delete the word "Sections" and insert in lieu thereof the word "Section" and delete the following: "and 53-05-08"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1276 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice-Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1320 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1324 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1325 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Vice Chairman

Senator Jacobson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1334 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1342 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1388 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1391 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1406 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1426 has had the same under consideration and recommend that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1440 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman.

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1458 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 of the engrossed bill, after the word "drivers" insert the following: "and declaring an emergency"

On page 2, line 9, insert the following new section:

"SECTION 2. EMERGENCY.) This Act is hereby declared to

be an emergency measure and shall be in full force and effect from and after its passage and approval.”

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to House Bills Nos. 1057, 1166, 1223, 1328 and 1380 be dispensed with, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1057 as recommended by the Committee on State and Federal Government as printed on page 610 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1166 as recommended by the Committee on Education as printed on page 611 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1223 as recommended by the Committee on State and Federal Government as printed on page 612 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1328 as recommended by the Committee on State and Federal Government as printed on page 612 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1380 as recommended by the Committee on Education as printed on page 613 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolutions Nos. 4029, 4036, House Bills Nos. 1023, 1034, 1045, 1057, 1084, 1113, 1126, 1129, 1132, 1157, 1159, 1166, 1180, 1184, 1223, 1238, 1244, 1270, 1273, 1276, 1320, 1324, 1328, 1329, 1332, 1334, 1367, 1380, 1388, 1391, 1397, 1406, 1426, 1433, 1435, 1440 and House Concurrent Resolution No. 3019, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIFTH DAY

Bismarck, February 19, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Al Schultz, St. Olaf Lutheran Church, Devils Lake.

“Let us Pray:

“Lord, on this day we remember all the men who have served as President of these United States. May their courage and justice inspire us to greater heights. May their errors and failures be a guide and warning to us and give us new direction to save people and to save this earth. Bless the men and women of this great Chamber that the Legislation they write and pass may serve Your will of love and justice.

“Help all Senators to turn to You in time of decision:

Help them to leave their feet and fall to their knees;

Help them to know when to be silent and to open their ears;

Help them to hear Your plea for all people instead of select constituency, select power groups, select interest groups;

Help them to be more concerned about serving You by serving others, rather than getting re-elected;

Help them to gain the courage to befriend the powerless, the poor, the people who hurt;

Help them to realize that to follow You usually means we find ourselves on the side of miserable minorities rather than comfortable majorities.

"Having listened to You, help them to stand up and speak for You in truth, justice, and love. Help them to act for You in courage, love, and justice.

"Above all, Lord, help all of us to realize that to serve You, that to worship You, means we are concerned about the survival of all of Your creation, the survival of all people — for all people, no matter what race, color, creed, religion or country are created in Your image. Lord, we pray for this group and all people, that all we do may please You and serve You.

"Forgive our errors and give glory to our sound judgment.

"In Christ's name, Amen."

Roll Call: All Senators present except Ringsak, Roen, Sands and Stroup.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-third day after recess and the thirty-fourth day and recommends that the same be corrected as follows:

On page 599, in line 23 from the top of the page, delete the word "he" and insert in lieu thereof the word "the"

On page 600, in line 18 from the top of the page, delete the word "Senate" and insert in lieu thereof the word "House"

On page 608, after line 37 from the top of the page, insert "which motion prevailed"

On page 608, in line 32 from the top of the page, delete the word "Senate" and insert in lieu thereof the word "House"

On page 619, delete all of line 4 from the bottom of the page.

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS ON THE CONSENT CALENDAR

House Bill No. 1270. A Bill for an Act to amend and reenact section 44-05-03 of the North Dakota Century Code, relating to fees for taking acknowledgement and administering oaths and raising the fee.

Which has been read.

House Bill No. 1329. A Bill for an Act to create and enact section 11-18-15 of the North Dakota Century Code, relating to the seal on notarized documents filed with a register of deeds, and to amend and reenact subsection 1 of section 44-06-04 of the North Dakota Century Code, relating to the filing of a notary's seal with the secretary of state.

Which has been read.

House Bill No. 1332. A Bill for an Act to amend and reenact section 40-08-10 of the North Dakota Century Code, relating to conduct of regular meetings which fall upon a holiday.

Which has been read.

House Bill No. 1397. A Bill for an Act to amend and reenact sections 40-05.1-03 and 40-05.1-04 of the North Dakota Century Code, relating to the publication of proposed home rule charters.

Which has been read.

House Bill No. 1435. A Bill for an Act to amend and reenact section 40-08-03 of the North Dakota Century Code, relating to the determination of the number of aldermen in cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bills, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland		

Absent and not voting:

Ringsak	Sands	Stroup	Wenstrom
Roen			

So the bills passed and the titles were agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1023. A Bill for an Act to amend and reenact section 38-09-15 of the North Dakota Century Code, relating to the North Dakota Century Code, relating to the notice of the leasing notice of the leasing of certain state mineral rights.

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, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Sandness	Wright
Gronhovd	Melland		

Absent and not voting:

Nething	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1034. A Bill for an Act to authorize the industrial commission to issue debentures through the Bank of North Dakota to provide funds to participate with other banks and lending agencies in loans for irrigation development.

Which has been read.

MOTION

Senator Goldberg moved that House Bill No. 1034 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

MOTION

Senator Goldberg moved that the Senate reconsider the action by which House Bill No. 1035 was indefinitely postponed, which motion prevailed.

Senator Goldberg moved that House Bill No. 1035 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1045. A Bill for an Act to repeal chapter 54-49 of the North Dakota Century Code, relating to the membership, powers, and duties of the natural resources and environmental management council.

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, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland		

Absent and not voting:

Ringsak	Sands	Strinden	Stroup
Roen			

So the bill passed and the title was agreed to.

House Bill No. 1058. A Bill for an Act to amend and reenact subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification of jurors and lowering the age to eighteen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 565 of the Senate Journal, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jones	Morgan	Schultz, J.
Barth	Kautzmann	Nasset	Smykowski
Berube	Larson	Nothing	Solberg
Christensen	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Thane
Goodman	Litten	Rait	Tweten
Hoffner	Longmire	Reiten	Wenstrom
Holand	Melland	Sandness	Wright
Jacobson			

Those voting in the negative were:

Butler	Goldberg	Naaden	Schultz, C.
Coughlin	Gronhovd	Page	Shablow

Erdman	Iszler	Redlin	Strinden
Freed	Mutch		
Absent and not voting:			
Ringsak	Roen	Sands	Stroup

So the bill passed and the title was agreed to.

House Bill No. 1060. A Bill for an Act to amend and reenact section 11-17-08 of the North Dakota Century Code, relating to the destruction of certain court records by clerks of court, and providing an exception.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1067. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the extension of voting hours at township elections.

Which has been read.

MOTION

Senator Jones moved that House Bill No. 1067 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1069. A Bill for an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to reopening of election ballots.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1105. A Bill for an Act to repeal section 9-07-11 of the North Dakota Century Code, relating to the law which governs the interpretation of contracts.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1119. A Bill for an Act to amend and reenact section 65-05-28 of the North Dakota Century Code, providing that no compensation be paid when claimant refuses to reasonably participate under certain conditions.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1122. A Bill for an Act to amend and reenact section 35-27-25 of the North Dakota Century Code, relating to the length of time suit can be commenced to enforce a mechanic's lien.

Which has been read.

Senator Larson moved that House Bill No. 1122 be further amended as follows:

"On page 1, line 21, delete the word "year" and insert in lieu thereof the word "years"

On page 1, line 23, delete the word "year" and insert in lieu thereof the word "years"

Which motion prevailed.

Senator Larson moved that the rules be suspended, that House Bill No. 1122 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1122. A Bill for an Act to amend and reenact section 35-27-25 of the North Dakota Century Code, relating to the length of time suit can be commenced to enforce a mechanic's lien.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 567 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1126. A Bill for an Act to amend and reenact sections 15-40.2-01, 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to payment of tuition to an accredited institution of another 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, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1129. A Bill for an Act to make public buildings and facilities accessible to, and usable by, the physically handicapped,

and to repeal section 48-02-18 of the North Dakota Century Code, relating to public buildings.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Liften	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Christensen	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1159. A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which has been read.

MOTION

Senator Naaden moved that House Bill No. 1159 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1180. A Bill for an Act to create and enact section 15-47-43 of the North Dakota Century Code, relating to areas which are public school districts, their corporate powers, and corporate name; to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to reorganization, annexation, and dissolution of school districts; and to repeal sections 15-53.1-03 and 15-53.1-04 of the North Dakota Century Code, relating to areas which are public school districts and their corporate powers and corporate name.

Which has been read.

MOTION

Senator Butler moved that House Bill No. 1180 be amended as follows:

On page 1 of the engrossed bill, in line 9, after the word "name" insert the following: "; and providing for an effective date"

On page 3, after line 5, add the following:

"SECTION 4. EFFECTIVE DATE.) The provisions of this act shall become effective on July 1, 1975."

Which motion failed.

MOTION

Senator Pyle moved that House Bill No. 1180 be amended as follows:

On page 1, line 6, delete the second word "and"

On page 1, line 9, after the word "name" and before the period insert a semicolon and the words: "; and declaring and emergency"

On page 3, after line 5, insert the following new section:

"SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly.

Which motion prevailed.

Senator Pyle moved that House Bill No. 1180 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

PERSONAL PRIVILEGE

Senator Holand: Mr. President, I rise on a point of personal privilege to explain my vote.

Mr. President: State your privilege, Senator Holand.

Senator Holand: "I wish to assign my reasons for not voting on House Bill No. 1180. This problem is not unique to me. As I view it, each must decide his position on this issue based upon his own judgment. There are several reasons for my view. I consider this to be a local problem. I am supposed to represent both parties to the issue whose interests are diametrically opposed. This is similar to a judicial situation where a judge runs into a conflict of interest and he is unable to be fair and impartial. There are reasons on both sides of this question and they are based upon history, the needs and desires of the districts, and upon personal prejudice. I could have stepped off the floor and simply had the record show me as absent, but I preferred to make this explanation. I feel that I should not be required to vote. This is my view. I don't think that it should be everyone's view, or that it is necessarily right, but it is my view."

MOTION

Senator Litten moved that Senator Holand be excused from voting, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1180. A Bill for an Act to create and enact section 15-47-43 of the North Dakota Century Code, relating to areas which are public school districts, their corporate powers, and corporate name; to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to reorganization, annexation, and dissolution of school districts; and to repeal sections 15-53.1-03 and 15-53.1-04 of the North Dakota Century Code, relating to areas which are public school districts and their corporate powers and corporate name; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 4; and 1 excused.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Izler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Westrom
Goodman	Melland	Sandness	Wright
Gronhovd	Morgan		

Absent and not voting:

Holand	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1230. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes. 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz, C.
Barth	Iszler	Mutch	Schultz, J.
Berube	Jacobson	Naaden	Shablow
Butler	Jones	Nasset	Smykowski
Christensen	Kautzmann	Nething	Solberg
Coughlin	Larson	Page	Strand
Erdman	Lee	Peterson	Strinden
Freed	Lips	Pyle	Thane
Fritzell	Litten	Rait	Tweten
Goldberg	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright
Hoffner			

Absent and not voting:

Goodman	Roen	Sandness	Stroup
Ringsak	Sands		

So the bill passed and the title was agreed to.

House Bill No. 1236. A Bill for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to court order requirement in disposition and adjudication of a child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sandness
Barth	Iszler	Mutch	Schultz, J.
Berube	Jacobson	Naaden	Shablow
Butler	Jones	Nasset	Smykowski
Christensen	Kautzmann	Nething	Solberg
Coughlin	Larson	Page	Strand
Erdman	Lee	Peterson	Strinden
Freed	Lips	Pyle	Thane
Fritzell	Litten	Rait	Tweten
Goldberg	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright
Hoffner			

Absent and not voting:

Goodman	Roen	Schultz, C.	Stroup
Ringsak	Sands		

So the bill passed and the title was agreed to.

House Bill No. 1241. A Bill for an Act to create and enact sections 24-05-21 and 24-05-22 of the North Dakota Century Code, providing for the sufficient grading of the inslope of all roads and approaches which intersect with county and township roads and exceptions to the requirement.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Goldberg	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1244. A Bill for an Act to create and enact section 15-53.1-05.1 of the North Dakota Century Code, relating to school district boundary changes.

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, 3; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Schultz, C.
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Nething	Smykowski
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goodman	Litten	Rait	Thane
Gronhovd	Longmire	Redlin	Tweten
Hoffner	Melland	Reiten	Wenstrom
Holand	Morgan	Sandness	

Those voting in the negative were:

Barth	Freed	Wright
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Absent and not voting:

Goldberg	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1265. A Bill for an Act to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to Juvenile court personnel.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 567 of the Senate Journal, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Sandness
Barth	Holand	Morgan	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Christensen	Jacobson	Nasset	Shablow
Coughlin	Jones	Nething	Solberg

Erdman	Kautzmann	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Thane
Goodman	Litten	Redlin	Tweten
Gronhovd	Longmire	Reiten	Wenstrom

Those voting in the negative were:

Larson	Rait	Smykowski	Wright
Mutch			

Absent and not voting:

Butler	Ringsak	Sands	Stroup
Goldberg	Roen		

So the bill passed and the title was agreed to.

House Bill No. 1273. A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to county fees.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Goldberg	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1283. A Bill for an Act to amend and reenact section 11-13-13 of the North Dakota Century Code, relating to the fees charged by county auditors, and providing an exemption for certificates of taxes furnished county registers of deeds.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Goldberg	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1284. A Bill for an Act to provide that county registers of deeds notify county auditors, or send copies to them, of deeds, plats, and vacations of plats, streets, or roads at the time of filing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 468 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Goldberg	Roen	Sands	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1285. A Bill for an Act to create and enact section 39-06-19.1 of the North Dakota Century Code, to provide for the extension of the term of drivers' licenses held by members of the armed forces.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Nething	Smykowski
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strinden
Freed	Lips	Pyle	Thane
Fritzell	Litten	Rait	Tweten
Goldberg	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright

Absent and not voting:

Goodman	Ringsak	Sands	Stroup
Iszler	Roen	Strand	

So the bill passed and the title was agreed to.

House Bill No. 1309. A Bill for an Act to amend and reenact section 63-01.1-10 and subsection 2 of section 63-01.1-11 of the North Dakota Century Code, relating to notice of weed cutting and providing that the board of county commissioners publish and pay for such notice.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Jacobson	Naaden	Schultz, J.
Berube	Jones	Nasset	Shablow
Butler	Kautzmann	Nothing	Smykowski
Christensen	Larson	Page	Solberg
Coughlin	Lee	Peterson	Strand
Erdman	Lips	Pyle	Strinden
Freed	Litten	Rait	Thane
Fritzell	Longmire	Redlin	Tweten
Goldberg	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner			

Absent and not voting:

Goodman	Ringsak	Sands	Stroup
Iszler	Roen		

So the bill passed and the title was agreed to.

House Bill No. 1321. A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041 of the forty-third legislative assembly, relating to the service fee received by agents who sell hunting and fishing licenses and stamps.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Ringsak	Roen	Sands	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1330. A Bill for an Act to amend and reenact section 40-23-02 of the North Dakota Century Code, relating to compensation of the special assessment commission members.

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, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg

Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland		

Absent and not voting:

Ringsak	Sands	Stroup	Tweten
Roen			

So the bill passed and the title was agreed to.

House Bill No. 1367. A Bill for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to application of a parent or guardian for payment of tuition by a school district.

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, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland		

Absent and not voting:

Ringsak	Sands	Stroup	Tweten
Roen			

So the bill passed and the title was agreed to.

House Bill No. 1369. A Bill for an Act to create and enact section 27-18-07 of the North Dakota Century Code, authorizing the board of county commissioners to appoint an alternate county justice.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sandness
Barth	Iszler	Mutch	Schultz C.
Butler	Jacobson	Naaden	Schultz, J.
Christensen	Jones	Nasset	Shablow
Coughlin	Kautzmann	Nothing	Smykowski
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright
Hoffner			

Absent and not voting:

Berube	Roen	Stroup	Tweten
Ringsak	Sands		

So the bill passed and the title was agreed to.

House Bill No. 1419. A Bill for an Act to provide an appropriation to the department of agriculture for the control and reduction of the state's coyote population, providing a statement of legislative intent, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Smykowski
Coughlin	Larson	Page	Solberg
Erdman	Lee	Peterson	Strand
Freed	Lips	Pyle	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner			

Those voting in the negative were:

Fritzell	Iszler	Longmire	Rait
Absent and not voting:			
Berube	Roen	Stroup	Tweten
Ringsak	Sands		

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1433. A Bill for an Act to regulate certain commercial activities on school premises and to provide for the accounting of proceeds to school boards; to repeal section 15-49-10 of the North Dakota Century Code, relating to solicitations and sales in schools; and to provide a penalty.

Which has been read.

MOTION

Senator Holand moved that Senate Bill No. 1433 be amended as follows:

"On page 1, line 13, after the word "service" insert "on school premises"

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended, that House Bill No. 1433 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1433. A Bill for an Act to regulate certain commercial activities on school premises and to provide for the accounting of proceeds to school boards; to repeal section 15-49-10 of the North Dakota Century Code, relating to solicitations and sales in schools; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Page	Solberg

Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Sandness	Wright
Gronhovd	Morgan		

Absent and not voting:

Berube	Nething	Roen	Smykowski
Hoffner	Ringsak	Sands	Stroup
Kautzmann			

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3018. A Concurrent Resolution expressing support of the public access program administered by the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture.

Which has been read.

MOTION

Senator Barth moved that House Concurrent Resolution No. 3018 be laid over one legislative day, which motion prevailed.

MOTION

Senator Anderson moved that House Bill No. 1102 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Anderson moved that House Bill No. 1102 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1449. A Bill for an Act to amend and reenact section 11-10.1-07 of the North Dakota Century Code, to provide that counties and cities may employ a joint county director of tax equalization and city assessor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sandness
Butler	Iszler	Mutch	Schultz, C.
Christensen	Jacobson	Naaden	Schultz, J.
Coughlin	Jones	Nasset	Solberg
Erdman	Larson	Page	Strand
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Thane
Goldberg	Litten	Rait	Tweten
Goodman	Longmire	Redlin	Wenstrom
Gronhovd	Melland	Reiten	Wright

Those voting in the negative were:

Shablow

Absent and not voting:

Barth	Kautzmann	Roen	Smykowski
Berube	Nething	Sands	Stroup
Hoffner	Ringsak		

So the bill passed and the title was agreed to.

House Bill No. 1450. A Bill for an Act to create and enact chapter 43-18.1 of the North Dakota Century Code, relating to the

regulation of the installation of water conditioning equipment; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Thane
Fritzell	Litten	Redlin	Tweten
Goldberg	Longmire	Reiten	Wenstrom
Goodman	Melland	Sandness	Wright
Gronhovd	Morgan		

Absent and not voting:

Barth	Nething	Roen	Smykowski
Hoffner	Ringsak	Sands	Stroup
Kautzmann			

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3019. A concurrent resolution urging the merger of library facilities in certain cities and counties.

Which has been read.

MOTION

Senator Reiten moved that House Concurrent Resolution No. 3019 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1033
 House Bill No. 1077
 House Bill No. 1078
 House Bill No. 1079
 House Bill No. 1091
 House Bill No. 1093
 House Bill No. 1097
 House Bill No. 1110
 House Bill No. 1111
 House Bill No. 1125
 House Bill No. 1146
 House Bill No. 1147
 House Bill No. 1154
 House Bill No. 1155
 House Bill No. 1169
 House Bill No. 1188
 House Bill No. 1216

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1127
 House Bill No. 1162

House Bill No. 1193

House Bill No. 1203

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1096

House Bill No. 1222

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 1:00' p.m.,
February 20, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-FIFTH DAY AFTER RECESS
AND THIRTY-SIXTH DAY

Bismarck, February 20, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Concurrent Resolution No. 4046 and House Bills Nos. 1158 1183, 1272 and 1458 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to Senate Concurrent Resolution No. 4046 as recommended by the Committee on Judiciary as printed on page 624 of the Senate Journal be adopted, and re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1158 as recommended by the Committee on Education as printed on page 624 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1183 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 625 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1272 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 625 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1458 as recommended by the Committee on Education as printed on pages 626 and 627 of the Senate Journal be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4057 has has the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR SANDNESS, Vice-Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4070 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4073 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10 after the third comma insert "health,"

And renumber the lines accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Legislative Council Resolutions.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4074 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1012 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1013 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete all of lines 14 through 21

On page 2, line 23 delete the figure "385,266" and insert in lieu thereof the figure "263,498"

On page 2, line 24 delete the figure "1,192,685" and insert in lieu thereof the figure "1,070,917"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to remove the funds for the Vietnam Bonus administration which is contained in another Bill.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1035 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 after "to" delete the remainder of the line

On page 1, line 16 delete "made by, and purchase notes or debentures issued by".

On page 1, line 17 after the first comma delete the beginning triple parentheses and after the second comma delete the ending triple parentheses

On page 1, line 18 delete the triple parentheses around the word "and" and after the second comma delete the remainder of the line

On page 1, line 19 delete "financial organizations," and delete the beginning triple parentheses before "in" and after the second comma delete the ending triple parentheses

On page 1, line 24 after the second comma delete the triple parentheses around "or" and delete "or"

On page 2, line 1 delete "other commercial paper"

On page 2, line 18 after "States" delete the comma and insert in lieu thereof "or" and after "agencies" delete the remainder of the line

On page 2, line 19 delete "thereof that is insured by a private insurance company"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1037 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, after the word "programs", insert the following: "or by a federally assisted building code enforcement program"

On page 1, line 14, after the word "programs", insert the following: ", by federally assisted building code enforcement programs"

On page 3, after line 12, insert the following new subsection:

"7. "Federally assisted" means receiving federal financial assistance in the form of a grant, loan, or contribution."

On page 9, line 22, after the word "BY", insert the following: "FEDERALLY ASSISTED BUILDING CODE ENFORCEMENT OR BY"

On page 9, line 25, after the word "result", insert the following: "of a federally assisted building code enforcement program, or"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1055 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1104 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1114 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1120 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was

referred House Bill No. 1131 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1176 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1201 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 18 delete the triple parentheses around the word "six" and delete "eight"

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1204 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1214 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1219 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 delete the numerals "15-53.1-04,"

On page 4, delete all of line 35

On page 5, delete all of lines 1 through 26

And renumber the lines, pages and sections accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1233 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1243 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 of the engrossed bill, delete the beginning triple parentheses at the beginning of the line and insert beginning

triple parentheses before "March" and insert in lieu thereof "**June thirtieth**"

On page 1, line 16, delete the following:

"and not later than two years from such date,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1250 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Vice Chairman

Senator Jacobson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1319 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1370 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1371 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1384 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1412 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1479 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1519 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF
SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4029. A Concurrent Resolution urging the Congress of the United States to assume full responsibility for funding and administering the Aid to Families with Dependent Children Program and the Medical Assistance Program on Federal Indian reservations.

Which has been read.

Senator Tweten moved that Senate Concurrent Resolution No. 4029 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4036. A Concurrent Resolution urging the Aviation Subcommittee of the Commerce Committee of the United States Senate to give favorable consideration to Senate Bill No. 3460, which authorizes the United States Civil Aeronautics Board to contract for experimental commuter airline service to be provided to small communities in sparsely populated states, such as North Dakota.

Which has been read.

Senator Jones moved that Senate Concurrent Resolution No. 4036 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1057. A Bill for an Act relating to the leasing of buildings or building space by state agencies, departments, offices, officers, boards, and institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 610 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sands	Wright

Absent and not voting:

Ringsak	Roen	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1067. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the extension of voting hours at township elections.

Which has been read.

MOTION

Senator Jones moved that House Bill No. 1067 be amended as follows:

On page 2, line 2, delete the triple parentheses around the word "shall" and delete the word "may"

On page 2, line 3, delete the words "but shall close the meeting no later" and insert in lieu thereof the words "unless twenty percent of the township voters petition to extend the voting hours until"

On page 2, line 4, delete the word "than" and the words "as determined by action of the"

On page 2, line 5, delete the following: "township board."

And renumber the lines accordingly.

Which motion prevailed.

Senator Jones moved that the rules be suspended, that House Bill No. 1067 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1067. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the extension of voting hours at township elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nething	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Sands	Wright
Gronhovd	Melland		

Those voting in the negative were:

Mutch Thane

Absent and not voting:

Ringsak Roen Stroup

So the bill passed and the title was agreed to.

House Bill No. 1084. A Bill for an Act authorizing the director of institutions to discontinue operation of the tuberculosis sanatorium and transfer the responsibility of the care of tuberculous patients to the state department of health.

Which has been read.

MOTION

Senator Lips moved that House Bill No. 1084 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolutions Nos. 4070, 4074, House Bills Nos. 1012, 1055, 1114, 1120, 1131, 1158, 1176, 1183, 1204, 1214, 1233, 1272, 1319, 1370, 1371, 1384, 1453, 1479 and 1519 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SIXTH DAY

Bismarck, February 20, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Harold Vold, Sharon Lutheran Church, Grand Forks.

"God our Father.

"Though I speak in psychological terms and compose beautifully worded prayers, if I don't speak in love, my words sound like an electric guitar with a faulty amplifier, or a harp incorrectly tuned.

"And though I can correctly predict the outcome of future elections and the end of the war, and understand nuclear physics and how to sustain life on other planets, and though I have faith enough in these days to say "God cares," if I speak without love, it comes to nothing.

"And though I give away everything I own and though I soak my one remaining suit in gasoline and set myself on fire, if I don't act in love, it accomplishes exactly nothing.

"Love accepts the people who bug him and doesn't bug them back. Love doesn't care if the man next door has a color TV set and a sports car; love doesn't ever sound as if he knows it all or feel he has all the answers.

"Love does not embarrass others by his behavior in public or in private; is not possessive of his money or his friends; is not irritable nor interested in gossip.

"He is not secretly pleased when others make mistakes, but is glad when someone else gets the credit.

"Love takes the responsibility for what may not be his fault, never thinks 'the other guy' is out to get him, trusts that things are going to come out all right in the end even though he has no reason to think so, and meets every crisis in the confidence that there is something to be learned from it.

"Love is the answer. Gurus, psychologists and trips to the moon will come and go.

"This is as much as we know at the moment.

"But there is coming a day in the future when we shall know God and His plan for us as surely as He now knows us and our plans.

"Until that day, remember: we need faith and hope, but love is the greatest. In the name of Jesus Christ our Lord. Amen."

Roll Call: All Senators present except Ringsak, Roen and Stroup. A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-fourth day after recess and the thirty-fifth day and recommends that the same be corrected as follows:

On page 627, in line 17 from the top of the page, correct the spelling of the name "Holand"

On page 629, in line 2 from the bottom of the page, correct the spelling of the word "irrigation"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1113. A Bill for an Act to amend and reenact sections 14-08-07, 14-08-08, and 14-08-09 of the North Dakota Century Code, making it mandatory that all support payments be ordered paid to the clerk of district court, authorizing the district courts to direct payments for child support or alimony combined with child support to the clerk of the district court of the county in which the recipient of such payments resides, empowering the court to transfer proceedings for enforcement of court ordered support duties to such other district court, omitting the requirement of consent for purposes of proceeding with enforcement of support payments, relating

to duties of the county welfare board in relation to support payments, and relating to initiation of proceedings for enforcement of support orders.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sands	Wright

Absent and not voting:

Ringsak	Roen	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1132. A Bill for an Act to amend and reenact sections 6-06-12, 6-06-14, and 6-06-26 of the North Dakota Century Code, relating to membership officer, loan officer and declaration of dividends in credit unions.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Sands	Wright

Absent and not voting:

Ringsak	Roen	Stroup
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So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 1455.

ROY GILBREATH, Chief Clerk

MOTION

Senator Goldberg moved that House Bill No. 1455 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Goldberg moved that the Senate accede to the request of the House for the return of House Bill No. 1455, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1157. A Bill for an Act to amend and reenact sections 37-03-07 and 37-03-08 of the North Dakota Century Code, relating to the purchase and disposal of military property.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Sands	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Nothing	Ringsak	Roen	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1159. A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which has been read.

MOTION

Senator Naaden moved that House Bill No. 1159 be amended as follows:

Page 1 line 14, of the engrossed bill, insert triple parentheses around the word "shall" and insert in lieu thereof the word "may"

Page 1 line 15, after the word "tuition" insert the following " , if charged,"

Page 1 delete all of lines 19 through 22.

And renumber the lines accordingly.

Which motion failed.

MOTION

Senator Holand moved that House Bill No. 1159 be amended as follows:

"On page 1, in line 19 of the engrossed Bill, place beginning triple parentheses before the word "to"

In line 20, place ending triple parentheses after the word "fails"

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended, that House Bill No. 1159 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1159. A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Hoffner	Nasset	Schultz, J.
Christensen	Holand	Nothing	Smykowski
Erdman	Jacobson	Peterson	Solberg
Freed	Kautzmann	Pyle	Strand
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire		

Those voting in the negative were:

Anderson	Jones	Naaden	Schultz, C.
Barth	Larson	Page	Shablow
Butler	Lee	Rait	Strinden
Coughlin	Melland	Sands	Thane
Gronhovd	Morgan	Sandness	Wright
Iszler	Mutch		

Absent and not voting:

Ringsak	Roen	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1166. A Bill for an Act to amend and reenact sections 15-50-01 and 15-50-03 of the North Dakota Century Code, relating to the regulation of trade and correspondence schools, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 611 of the Senate Journal, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, J.
Barth	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Fritzell	Lee	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch	Schultz, C.	

Those voting in the negative were:

Naaden

Absent and not voting:

Berube	Freed	Ringsak	Stroup
Butler	Lips	Roen	

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1184. A Bill for an Act to amend and reenact subsection 3 of section 41-08-02 of the North Dakota Century Code, relating to the definition of clearing corporation, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Smykowski

Coughlin	Lee	Pyle	Solberg
Erdman	Litten	Rait	Strand
Freed	Longmire	Redlin	Thane
Goldberg	Melland	Reiten	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Those voting in the negative were:

Fritzell	Goodman	Jones	Strinden
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Absent and not voting:

Berube	Ringsak	Roen	Stroup
Lips			

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1223. A Bill for an Act to provide for a North Dakota Disaster Act, relating to the responsibility of the governor, creating a state division of disaster emergency services, and providing for coordination of activities relating to disaster prevention, preparedness, response and recovery; and to repeal chapter 37-17 of the North Dakota Century Code, relating to civil defense.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 612 of the Senate Journal, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Melland	Sands
Barth	Iszler	Morgan	Sandness
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Erdman	Kautzmann	Page	Smykowski
Freed	Larson	Peterson	Solberg
Fritzell	Lee	Pyle	Strand
Goldberg	Lips	Rait	Tweten
Goodman	Litten	Redlin	Wenstrom
Gronhovd	Longmire	Reiten	Wright
Hoffner			

Those voting in the negative were:

Coughlin	Naaden	Strinden	Thane
Mutch	Schultz, C.		

Absent and not voting:

Berube	Ringsak	Roen	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1238. A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, providing for the issuance of process and jurisdiction of court proceedings, providing for reciprocal enforcement, and defining violations and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nething	Shablow

Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Berube	Ringsak	Roen	Stroup
Nasset			

So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that Senate Concurrent Resolution No. 4069 be returned to the Senate from the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

Senator Freed moved that Senate Concurrent Resolution No. 4069 be re-referred to the Committee on Judiciary, which motion prevailed.

MOTION

Senator Litten moved that Senate Bill No. 2096 be reprinted, which motion prevailed.

Senator Litten moved that the Senate be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business the Senate stand recessed until 12:30 P.M., Wednesday, February 21, 1973, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1001. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1002. A Bill for an Act to appropriate money for the expenses of the legislative branch of government, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1007. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1015. A Bill for an Act to appropriate money for defraying expenses of the state water conservation commission.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1040. A Bill for an Act to create and enact title 30.1 and sections 25-04-13.1, 30-26-05.1, and 30-26-26.1 of the North Dakota Century Code, embodying the Uniform Probate Code, and relating to guardianships at the Grafton state school, and appeals in probate cases; to amend and reenact sections 6-03-64, 6-03-67, subsection 4 of section 6-05-08, sections 6-05-13, 6-05-21, 11-21-05, 11-21-06, 11-21-07, 11-21-08, 11-21-13, 14-10-04, 14-10-12, 25-09-02.2, 27-07-02, 27-07-09, 27-07-16, 27-07-19, 27-07-21, 27-07-29, 27-07-30, subsection 3 of section 27-07-36, subsection 2 of section 27-20-47, sections 28-01-26, 28-03-01, 28-03-02, 28-03-04, subsection 2 of section 28-20-06, sections 28-26-21, 30-16-04, 30-16-05, 30-16-08,

31-01-05, 32-16-26, 32-16-32, 32-16-42, 32-16-43, 32-23-04, 34-01-12, 37-15-16, 37-15-18, 38-10-11, 38-10-12, 47-18-26, 47-18-28, subsections 4, 8, and 13 of section 47-24-01, subsection 4 of section 47-24-04, subsections 1, 3, 4, and 5 of section 47-24-07, sections 49-09-05, 50-24-33, 50-24-35, subsections 5 and 18 of section 54-21-13, subdivision i of subsection 2 of section 57-37-11, sections 57-37-14, 57-37-15, subsection 2 of section 57-37-16, sections 57-37-17, 57-37-18, 57-37-20, subdivisions b and c of subsection 3 of section 57-37-21, section 57-37-22, subsections 1, 2, 3, and 4 of section 57-37-23, subsections 1, 5, and 6 of section 57-37-24, sections 57-37-26, 57-37-27, 57-37-32, 59-02-10, 59-02-15, 59-04-02, 59-04-10, 59-04-11, 59-04-15, 59-04-18, 59-04-21, 59-04-22, subsection 1 of section 59-04.1-02, and sections 59-05-23 and 61-10-12 of the North Dakota Century Code, relating to the authority of trustees, personal representatives, guardians, and conservators, to estate tax filing and collection procedures, to payment of deposits by financial institutions, to the powers and duties of public administrators, to minors' rights, to the jurisdiction of county courts, to appointment of guardians or conservators for orphans, to statutes of limitations, to homestead estates, to appeals in probate proceedings, to testimony concerning transactions or conversations with the decedent, and to duties and powers of the soldiers' home commandant regarding deceased members' estates; to repeal chapters 30-01, 30-02, 30-03, 30-04, 30-05, 30-06, 30-07, 30-08, 30-09, 30-10, 30-11, 30-12, 30-13, 30-14, 30-15, 30-17, 30-18, 30-19, 30-20, 30-21, 30-21.1, 30-22, 30-23, 30-24, 30-25, 56-01, 56-02, 56-03, 56-04, 56-05, 56-06, 56-07, and sections 6-03-66, 7-04-07, 25-04-13, 27-07-06, 27-07-07, 27-07-08, 27-07-10, 27-07-38, 30-16-06, 30-16-07, 30-16-10, 30-26-05, 32-16-44, 35-03-12, 38-10-04, 49-09-06, 49-09-07, subsection 7 of section 57-37-24, section 59-02-06, 59-04-01, subsection 13 of section 59-04-04, sections 59-04-05, 59-04-06, 59-04-07, 59-04-09, 59-04-12, 59-04-13, and 59-04-14 of the North Dakota Century Code, relating to probate procedures, wills, and trusts, to the jurisdiction of county courts, to disposition of joint deposits by certain financial institutions, to guardians consenting to partition of real property, to satisfaction of real property mortgages, to mineral leasing by personal representatives, and to the acquisition of rights of way by public utilities; to provide penalties; and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1049. A Bill for an Act to provide for membership in the public employees' retirement system for supreme and district court judges; to provide for the gradual discontinuance of the present judges' retirement program; to create and enact subsection 13 of section 54-52-01 and section 54-52-06.1 of the North Dakota Century Code, relating to the public employees' retirement system and the amount of a judge's contribution and matching contribution thereto; to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme and district court judges; to amend and reenact subsection 3 of section 27-17-01, relating to judicial retirement salary; to amend and reenact subsections 2 and 12 of section 54-52-01 and sections 54-52-02, 54-52-05, 54-52-06, 54-52-10, 54-52-11, and 54-52-13 of the North Dakota Century Code, relating to the public employees' retirement system; to provide a statement of legislative intent; and providing an appropriation.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1050. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund and to the apportionment and distribution of such fund to the state highway department, counties and cities.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1090. A Bill for an Act to create and enact sections 15-59-04.1, 15-59-05.1, and 15-59-06.1 of the North Dakota Century Code, relating to recordkeeping requirements, eligibility for state and federal aid, and the duty of the superintendent of public instruction with regard to special education; and to amend and reenact sections 15-59-01, 15-59-04, 15-59-07, 15-59.1-02, 15-59.1-03, 15-59.1-06, and 15-59.1-08 of the North Dakota Century Code, relating to definitions, compulsory special education programs, enabling attendance at private schools, financing, elections to remove mill levies, and multiple county boards of special education.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1135. A Bill for an Act to amend and reenact section 37-07-05 of the North Dakota Century Code, raising the minimum pay for certain enlisted national guardsmen on state active duty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1151. A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to dispensing of alcoholic beverages on election days, and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1199. A Bill for an Act to amend and reenact section 12-47-11 of the North Dakota Century Code, relating to the powers and duties of the warden of the state penitentiary, custody and control of the penitentiary and the crime building, and providing an appropriation of state and federal funds for the remodeling and renovation of the crime building.

Which was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 1200. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings on college campuses.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1205. A Bill for an Act to create and enact section 34-06-05.1 of the North Dakota Century Code, relating to an established minimum wage, and to amend and reenact sections 34-06-02, 34-06-03, 34-06-07, and 34-06-16 of the North Dakota Century Code, relating to the authority of the commissioner of labor to determine minimum wage standards, records by employers, and recovery by underpaid employees.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1226. A Bill for an Act to amend and reenact sections 15-10-18 and 15-10-19 of the North Dakota Century Code, relating to the tuition of nonresidents at schools under the control of the state board of higher education and the definition of non-resident student for tuition purposes.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1304. A Bill for an Act to amend and reenact subsections 2 and 3 of section 57-37-24 of the North Dakota Century Code, relating to collection and distribution of estate taxes.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1314. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; providing for an appropriation; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1317. A Bill for an Act to create and enact sections 26-26-16, 26-26-17, 26-26-18, 26-26-19, 26-26-20, 26-26-21, 26-27-16, 26-27-17, 26-27-18, 26-27-19, 26-27-20, 26-27-21, 26-27-22, 26-27.1-21, 26-27.1-22, 26-27.1-23, 26-27.1-24, 26-27.1-25, 26-27.1-26, 26-27.2-20, 26-27.2-21, 26-27.2-22, 26-27.2-23, 26-27.2-24, and 26-27.2-25 of the North Dakota Century Code, relating to hospital, medical, vision, and dental service corporations and the insurance commissioner's approval of rates, rating systems, and rating formulas; to rate filing procedures; to rate filing disapproval; to information furnished subscribers and subscriber hearings; to the giving of false or misleading information, making this a misdemeanor, and providing a penalty; to hearing procedures and judicial review; and to amend and reenact sections 26-26-04, 26-27-03, 26-27-05, 26-27.1-05, and 26-27.2-05 of the North Dakota Century Code, relating to the boards of directors of medical, hospital, dental, and vision service corporations and to services by non-participating physicians; and to repeal section 26-26-10 of the North Dakota Century Code, relating to the approval by the commissioner of hospital service plan operating costs.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1353. A Bill for an Act to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to a definition of real property; and declaring an emergency.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1377. A Bill for an Act to provide for a limitation on the amount loaned for insurance premiums and providing a penalty for a violation thereof.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1399. A Bill for an Act making an appropriation for personal property tax revenue replacement if certain real property assessments and taxes are invalidated, and declaring an emergency.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1400. A Bill for an Act to require assessors to mail notices of increased assessments to property owners.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1404. A Bill for an Act to create and enact section 8-08-05.1 of the North Dakota Century Code, relating to posting of recourse open to ticketholders denied carriage by a common carrier; and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1437. A Bill for an Act to amend and reenact subsection 7 of section 54-44.1-07 of the North Dakota Century Code, relating to drafts of appropriations acts.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1439. A Bill for an Act to amend and reenact subsection 14 of section 57-36-01 of the North Dakota Century Code, relating to the definition of a cigarette for tax purposes.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1462. A Bill for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code as amended by section 3 of chapter 493 of the 1971 Session Laws of North Dakota, relating to auditing of political subdivisions.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1474. A Bill for an Act to enable the establishment of health maintenance organizations and to provide for the regulation of such organizations by the commissioner of insurance; and providing a penalty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

House Bill No. 1489. A Bill for an Act to amend and reenact sections 61-16-22 and 61-16-35 of the North Dakota Century Code, relating to financing of special improvements in water management districts; and to repeal section 61-16-23 of the North Dakota Century Code, relating to the county's authority to make a general tax levy to pay a deficiency resulting from special improvements in water management districts.

Which was read the first time and referred to the Committee on Natural Resources.

House Bill No. 1495. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to increasing the salaries of county officials.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1508. A Bill for an Act to give cities and counties authority to grant partial property tax exemptions for improvements to commercial buildings and structures.

Which was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3002. A Concurrent Resolution proposing an amendment to section 7 of the Constitution of the state of North Dakota, relating to the size of trial juries and the number of jurors required to render a decision in civil and criminal cases, and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution No. 3017. A Concurrent Resolution for the amendment of section 118 of the Constitution of the State of North Dakota, relating to the fixing of terms of court, and for reenactment thereof to provide for the retirement, discipline, and removal of supreme and district court judges.

Which was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution No. 3040. A concurrent resolution expressing concern and dissatisfaction with certain provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

Which was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution No. 3044. A Concurrent Resolution commending the North Dakota Air National Guard for its second consecutive victory in the Aerospace Defense Command's worldwide weapons and aircrew competition in 1972.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

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 Bills

House Bill No. 1127

House Bill No. 1162

House Bill No. 1180

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1193 and the Speaker has appointed as a conference committee to act with a like committee from the Senate.

Rep. Hentges

Rep. Scofield

Rep. Linderman

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1203 and the Speaker has appointed as a conference committee to act with a like committee from the Senate.

Rep. K. Johnson

Rep. Murphy

Rep. Dotzenrod

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 2114

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2092

Senate Bill No. 2100

Senate Bill No. 2102

Senate Bill No. 2103

Senate Bill No. 2104

Senate Bill No. 2112

Senate Bill No. 2118

Senate Bill No. 2124

Senate Bill No. 2128

Senate Bill No. 2154

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2036

ROY GILBREATH, Chief Clerk

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2036 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16 of the Engrossed Bill insert after the word "sub-division" the following: "except cities"

On page 3, delete line 23 and insert in lieu thereof the words: "North Dakota secretary of State."

On page 3, delete all of line 24.

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

REP. LANG, Chairman

Rep. Kloubec moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:
Senate Bill No. 2192

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1023

House Bill No. 1045

House Bill No. 1060

House Bill No. 1069

House Bill No. 1105

House Bill No. 1119

House Bill No. 1126

House Bill No. 1129

House Bill No. 1230

House Bill No. 1236

House Bill No. 1241

House Bill No. 1244

House Bill No. 1270

House Bill No. 1273

House Bill No. 1283

House Bill No. 1285

House Bill No. 1309

House Bill No. 1321

House Bill No. 1329

House Bill No. 1330

House Bill No. 1332

House Bill No. 1367

House Bill No. 1369

House Bill No. 1397

House Bill No. 1419

House Bill No. 1435

House Bill No. 1449

House Bill No. 1450

House Concurrent Resolution No. 3019

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1058

House Bill No. 1122

House Bill No. 1180

House Bill No. 1265

House Bill No. 1284

House Bill No. 1433
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1325

House Bill No. 1342

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary.

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1455

Which the House has requested.

LEO LEIDHOLM, Secretary

Pursuant to Senator Litten's motion, the Senate stood recessed
until 12:30 p.m., Wednesday, February 21, 1973.

LEO LEIDHOLM, Secretary

THIRTY-SIXTH DAY AFTER RECESS
AND THIRTY-SEVENTH DAY

Bismarck, February 21, 1973

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4046

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

PRESENTATION

Senator Litten moved that a committee of two be appointed to escort Mr. Leland Fleischer, President of the North Dakota Education Association, to the rostrum for the purpose of presenting the President with a gavel, which motion prevailed.

The President appointed as such committee Senators Holand and Hoffner.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Concurrent Resolution No. 4073, House Bills Nos. 1013, 1035, 1037, 1201, 1219 and 1243 be dispensed with, which motion prevailed.

Senator Sandness moved that the amendments to Senate Concurrent Resolution No. 4073 as recommended by the Committee on State and Federal Government as printed on page 648 of the Senate Journal be adopted, and re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1013 as recommended by the Committee on Appropriations as printed on page 648 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to House Bill No. 1035 as recommended by the Committee on Industry, Business and Labor as printed on pages 648 and 649 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1037 as recommended by the Committee on Judiciary as printed on page 649 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1201 as recommended by the Committee on Finance and Taxation as printed on page 650 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to House Bill No. 1219 as recommended by the Committee on Industry, Business and Labor as printed on page 650 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1243 as recommended by the Committee on Finance and Taxation as printed on pages 650 and 651 of the Senate Journal be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4037 has had the same under consideration and recommends that the same do pass and be rereferred to Legislative Council Resolutions Committee.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4048 has had the same under consideration and recommends that the same do pass and be rereferred to Legislative Council Resolutions Committee.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4064 has had the same under consideration and recommends that the same do pass and be rereferred to Legislative Council Resolutions Committee.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4068 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after "instruction" insert "in consultation with the University of North Dakota"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4076 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1034 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1175 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1212 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1278 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1279 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1315 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1366 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1393 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1464 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23 of the engrossed bill, insert the following new language: "Provided that in those schools which have established free kindergartens in connection with the public schools of the district, children who by reason of special talents or abilities as determined by a series of developmental and readiness screening instruments approved by the state department of public instruction and administered by the school district, may start school at an earlier age."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1504 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4070. A Concurrent Resolution urging the Congress of the United States to further examine, study and review the Internal Revenue Code of the United States and as a matter of priority enact the necessary amendments and changes thereto inasmuch as continued progress on tax reform is of vital importance and an economic necessity for the well-being of the taxpayers of the United States.

Which has been read.

Senator Redlin moved that Senate Concurrent Resolution No. 4070 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4074. A Concurrent Resolution tion commending the Standing Rock Sioux Tribe upon the one hundredth anniversary of the establishment of the Standing Rock Agency at Fort Yates.

Which has been read.

Senator Barth moved that Senate Concurrent Resolution No. 4074 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1276. A Bill for an Act to provide for the use of identifying devices and to provide for the duty owed disabled persons; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, C.
Barth	Kautzmann	Nothing	Schultz, J.
Berube	Larson	Page	Shablow
Butler	Lee	Peterson	Smykowski
Coughlin	Lips	Pyle	Solberg
Freed	Litten	Rait	Strand
Fritzell	Longmire	Redlin	Strinden
Goldberg	Melland	Reiten	Thane
Goodman	Morgan	Roen	Tweten
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Sandness	Wright
Jacobson			

Absent and not voting:

Christensen	Gronhovd	Ringsak	Stroup
Erdman	Hoffner		

So the bill passed and the title was agreed to.

House Bill No. 1320. A Bill for an Act to amend and reenact subsection 1 of section 57-57-01 and sections 57-57-02, 57-57-03, 57-57-05, 57-57-06, 57-57-07, and 57-57-08 of the North Dakota Century Code, to change the native woodland tax to a woodland tax which applies to both natural and planted forest covers.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow

Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Holand	Mutch	Sandness	

Absent and not voting:

Erdman	Hoffner	Ringsak	Stroup
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So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that the Senate reconsider the action by which House Bill No. 1159 was passed, which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1159 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1159. A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Berube	Hoffner	Longmire	Schultz, J.
Christensen	Holand	Morgan	Smykowski
Erdman	Jacobson	Nasset	Solberg
Fritzell	Kautzmann	Nething	Strand
Goldberg	Lips	Pyle	Tweten
Goodman	Litten	Redlin	Wenstrom

Those voting in the negative were:

Anderson	Jones	Page	Sandness
Barth	Larson	Peterson	Schultz, C.
Butler	Lee	Rait	Shablow
Coughlin	Melland	Reiten	Strinden
Freed	Mutch	Roen	Thane
Gronhovd	Naaden	Sands	Wright
Iszler			

Absent and not voting:

Ringsak	Stroup
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So the bill was declared lost.

House Bill No. 1324. A Bill for an Act to amend and reenact section 57-38-36 of the North Dakota Century Code, relating to the payment of income tax in quarterly installments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Reiten
Barth	Hoffner	Mutch	Schultz, C.
Berube	Holand	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Kautzmann	Nething	Smykowski
Coughlin	Larson	Page	Strand

Erdman	Lee	Peterson	Strinden
Freed	Lips	Pyle	Thane
Fritzell	Litten	Rait	Tweten
Goldberg	Longmire	Redlin	Wright
Goodman	Melland		

Those voting in the negative were:

Iszler	Roen	Sandness	Wenstrom
Jones	Sands	Solberg	

Absent and not voting:

Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1328. A Bill for an Act to amend and reenact section 12-46-04 of the North Dakota Century Code, relating to appointment and removal of officers at the state training school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 612 of the Senate Journal, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Schultz, J.
Barth	Holand	Nothing	Shablow
Berube	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lips	Pyle	Strand
Erdman	Litten	Rait	Strinden
Freed	Longmire	Redlin	Tweten
Fritzell	Melland	Reiten	Wenstrom
Goodman	Morgan	Sandness	Wright
Gronhovd			

Those voting in the negative were:

Butler	Jones	Naaden	Schultz, C.
Iszler	Lee	Roen	Thane
Jacobson	Mutch	Sands	

Absent and not voting:

Goldberg	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1334. A Bill for an Act to amend and reenact subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to alternate valuation date for estate tax purposes, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Goldberg	Ringsak	Stroup
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So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1380. A Bill for an Act to provide that days in which schools are closed because of a state of emergency declared by the governor as the result of an act of God may be counted for foundation program payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 613 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Goldberg	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1388. A Bill for an Act to amend and reenact sections 15-63-03 and 15-63-05 of the North Dakota Century Code, relating to the number and payment of scholarships awarded by the state board for Indian scholarships; and to repeal section 15-63-06 of the North Dakota Century Code, relating to the use of unused scholarship funds.

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, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Butler	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch		

Absent and not voting:

Christensen	Ringsak	Strinden	Stroup
Goldberg			

So the bill passed and the title was agreed to.

House Bill No. 1391. A Bill for an Act to amend and reenact section 15-18-03 of the North Dakota Century Code, relating to tuition and fees in junior colleges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1406. A Bill for an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to agreements between the state board of higher education and institutions of higher learning in other states.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1426. A Bill for an Act to authorize the state board of higher education to dedicate certain lands to the city of Dickinson and to appropriate funds for a street project upon that land.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski

Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:
Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1440. A Bill for an Act to amend and reenact section 57-38-30.1 of the North Dakota Century Code, relating to corporate income tax credits for new industry.

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, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan	Sands	

Those voting in the negative were:
Freed Solberg

Absent and not voting:
Ringsak Stroup

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Senator Solberg: "Mr. President. I rise on a point of personal privilege to explain my vote."

Mr. President: "State your privilege, Senator Solberg."

Senator Solberg: "When we begin to evaluate the tax structure in the American economy at all levels, we then begin to understand that government stands astride the economic system and exercises nearly complete control over it through various regulatory powers. Government, even at several levels, controls such things as utility rates, farm prices, selling securities, organization of unions and labor management practices, forms and degrees of business combinations, relationships between stockholders and boards of directors, quality and purity of commodities, minimum wage levels, hours of labor, means of communications and transportation, volume and direction of foreign trade, and amount and character of economic activity are affected by government regulation. Government is virtually a partner in most business, not only controlling them, but sharing in their profits through taxation.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3018. A Concurrent Resolution expressing support of the public access program administered by the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture.

Which has been read.

Senator Barth moved that House Concurrent Resolution No. 3018 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1012. A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd	Melland	Sands	

Absent and not voting:

Nasset	Ringsak	Smykowski	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1055. A Bill for an Act to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to the examination of the books and records of state agencies and the occupational and professional boards and commissions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Redlin	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1114. A Bill for an Act to provide civil remedies for the recovery of care and support provided children under the age of eighteen years and for judicial determination and enforcement of child support obligations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Ringsak Stroup

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Morgan moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1203, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1203

Senator Nasset
 Senator Smykowski
 Senator Barth

Senator Sandness moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1193, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1193

Senator Sandness
 Senator Smykowski
 Senator Redlin

Senator Goldberg moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of House Bills Nos. 1013, 1034, 1035, 1037, 1175, 1201, 1212, 1219, 1243, 1278, 1279, 1315, 1366 and 1504 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SEVENTH DAY

Bismarck, February 21, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Orville Meth, Baptist Home, Bismarck.

"Almighty God, the Creator and Maker of all things, who has given us this good land for our heritage; we humbly beseech Thee, that we may always be mindful of Thy favor and glad to do Thy will.

"We pray Thee, O Lord, that all those to whom Thou hast committed the government of this nation, both national and state, that Thou wilt grant to them special gifts of wisdom and understanding.

"Reveal Thy Holy Will to our President, Congress and all those who work with them in our nation's capitol. Grant the same vision to our Governor, the members of this Senate, the House of Representatives and those who work with them in this our State of North Dakota.

"Then together Lord, may that which is right be upheld and may we follow that which is true and honest. May we be sensitive to the leading of Thy Holy Spirit and thus strive to be obedient to you,

thereby fulfilling Thy divine purposes for this Senate, our state and our nation.

"We pray this in the precious Name of Jesus, who lived among us, who died on the Cross of Calvary for us, who is preparing a Home in eternity for us and who is coming again for us. Amen."

Roll Call: All Senators present except Ringsak and Stroup.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-fifth day after recess and the thirty-sixth day, and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chambers

Mr. President: I have the honor to transmit House Bill No. 1042, which the Speaker has signed the certification over the Governor's veto and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign certification over Governor's veto on:

House Bill No. 1042

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1042

Which the President has signed the certification over the Governor's veto.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1120. A Bill for an Act to provide for the use of restitution as a sentencing alternative, providing guidelines for its use, and providing for termination of the effectiveness of this Act.

Which has been read.

ROLL CALL

The question being on the passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Kautzmann	Nething	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Strinden
Goldberg	Longmire	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Berube	Ringsak	Stroup	Wenstrom
Jones	Sandness		

So the bill passed and the title was agreed to.

House Bill No. 1131. A Bill for an Act providing an appropriation to the national guard for recruiting and strength maintenance purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Jacobson	Naaden	Schultz C.
Butler	Jones	Nasset	Schultz, J.
Christensen	Kautzmann	Nething	Shablow
Coughlin	Larson	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Strinden
Goldberg	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten
Hoffner	Morgan	Roen	Wright

Those voting in the negative were:

Goodman Iszler

Absent and not voting:

Berube	Sandness	Stroup	Wenstrom
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1158. A Bill for an Act to amend and reenact section 15-38-09 of the North Dakota Century Code, relating to physical education instruction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 624 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Schultz C.
Butler	Jacobson	Naaden	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goodman	Litten	Redlin	Thane
Gronhovd	Longmire	Reiten	Tweten
Hoffner	Melland	Roen	Wright
Holand	Morgan	Sands	

Absent and not voting:

Barth	Goldberg	Ringsak	Stroup
Berube	Nasset	Sandness	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1176. A Bill for an Act to amend and reenact subsections 2 and 5 of section 57-38-38 of the North Dakota Century Code, relating to the audit of returns and assessment of tax by the tax commissioner; and providing for an effective date.

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, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
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Barth	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch		
Absent and not voting:			
Berube	Ringsak	Sandness	Stroup
Goldberg			

So the bill passed and the title was agreed to.

House Bill No. 1183. A Bill for an Act to amend and reenact paragraph (3) of subdivision a of subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to definitions of dependent children who attend academic or vocational courses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 625 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch		
Absent and not voting:			
Berube	Ringsak	Roen	Stroup
Goldberg			

So the bill passed and the title was agreed to.

House Bill No. 1204. A Bill for an Act to provide payment of expenses to certain elected state officers, providing for an appropriation, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch		

Absent and not voting:

Berube Ringsak Roen Stroup
Goldberg

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1214. A Bill for an Act to amend and reenact subsection 2 of section 27-20-26 of the North Dakota Century Code, relating to the definition of a needy person under the Uniform Juvenile Court Act, and creating a parent's duty to provide legal counsel for their children involved in proceedings under the Uniform Juvenile Court Act.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Twetrom
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Berube Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1233. A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to mechanic's lien.

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, 4

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Twetrom
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright
Holand	Mutch	Sandness	

Absent and not voting:

Berube Goodman Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1272. A Bill for an Act to repeal sections 53-02-10 and 53-05-08 of the North Dakota Century Code, relating to the admission of minors to public dances and certain other public places.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 625 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Berube	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1319. A Bill for an Act to provide for the leasing of certain state lands to the city of Dunseith for use as a golf course and for other recreational purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sands
Barth	Iszler	Mutch	Sandness
Butler	Jacobson	Nasset	Schultz C.
Christensen	Jones	Nothing	Schultz, J.
Coughlin	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wright
Hoffner			

Those voting in the negative were:

Naaden

Absent and not voting:

Berube	Smykowski	Stroup	Wenstrom
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1370. A Bill for an Act to amend and reenact section 6-03-34 of the North Dakota Century Code, relating to requirements for bank surplus fund.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz C.
Butler	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski

Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch		

Absent and not voting:
 Berube Ringsak Stroup Wenstrom
 Iszler

So the bill passed and the title was agreed to.

House Bill No. 1371. A Bill for an Act to repeal section 9-11-09 of the North Dakota Century Code, relating to assignment of accounts receivable.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:
 Berube Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1384. A Bill for an Act to amend and reenact section 57-38-61 of the North Dakota Century Code, relating to which provisions of the income tax chapter are applicable to the withholding of income tax from the wages of nonresident employees and the amount of income tax withheld that can be refunded; and providing for an effective date.

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, 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Holand	Mutch	Sandness	

Absent and not voting:
 Berube Hoffner Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1458. A Bill for an Act to amend and reenact section 15-34.2-14 of the North Dakota Century Code, relating to the qualifications and age of school bus drivers, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 626 and 627 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Berube	Ringsak	Stroup
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So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1479. A Bill for an Act to amend and reenact section 29-11-10.1 of the North Dakota Century Code, relating to charging crime in separate counts and consolidating indictments and informations.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Berube	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1519. A Bill for an Act to create and enact sections 54-35-02.1 and 54-35-02.2 of the North Dakota Century Code, establishing the legislative audit and fiscal review committee as a division of the committee on budget of the legislative council; and to repeal chapter 54-35.1 of the North Dakota Century Code, relating to the legislative audit and fiscal review committee.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Netting	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Berube	Ringsak	Stroup
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So the bill passed and the title was agreed to.

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 Bills Nos. 1193 and 1203:

Senator Sandness
 Senator Smykowski
 Senator Redlin
 To serve on House Bill No. 1193.
 Senator Nasset
 Senator Smykowski
 Senator Barth
 To serve on House Bill No. 1203.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No 1113
 House Bill No. 1132
 House Bill No. 1157
 House Bill No. 1184
 House Bill No. 1238
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1057
 House Bill No. 1067
 House Bill No. 1166
 House Bill No. 1223
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1104
 House Bill No. 1250
 House Bill No. 1412
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4036

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2086
 Senate Bill No. 2126
 Senate Bill No. 2127
 Senate Bill No. 2142
 Senate Bill No. 2162
 Senate Bill No. 2163
 Senate Bill No. 2164
 Senate Bill No. 2172
 Senate Bill No. 2194
 Senate Bill No. 2199
 Senate Bill No. 2232
 Senate Bill No. 2235
 Senate Bill No. 2280
 Senate Bill No. 2322
 Senate Bill No. 2336
 Senate Bill No. 2382
 Senate Bill No. 2406

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended

Senate Bill No. 2111
 Senate Bill No. 2182
 Senate Bill No. 2200
 Senate Bill No. 2403

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2111

On page 1, line 17 of the engrossed bill, delete the word "thirty-seven" and insert in lieu thereof the word "forty-three"

On page 1, line 17, delete the word "fifty" and insert in lieu thereof the word "five"

On page 1, line 22, delete the word "thirty-seven" and insert in lieu thereof the word "forty-three"

On page 1, line 22, delete the word "fifty" and insert in lieu thereof the word "five"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2182

On page 1, line 1, of the engrossed bill, delete the word "chasing,"

On page 1, line 1, delete the comma following the word "harassing"

On page 1, line 10, delete the word "chases,"

On page 1, line 10, delete the comma following the word "harasses"

On page 1, line 15, delete the word "cost" and insert the word "value" in lieu thereof

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2200

On page 1, line 16 delete the triple parentheses after the word "hawks," and delete the triple parentheses before the word "snowy"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2203

On page 1, line 21 after the word "wide" insert the following:
 ", district wide"

And renumber the lines and pages accordingly.

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed

Senate Bill No. 2135

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. 2136

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 P.M., February 22, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**THIRTY-SEVENTH DAY AFTER RECESS
AND THIRTY-EIGHTH DAY**

Bismarck, February 22, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4073

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

FIRST READING OF A SENATE RESOLUTION

The Committee on Photography introduced:

Senate Resolution No. 8. A Resolution to appoint an official photographer for the Senate of the Forty-third Legislative Assembly of the State of North Dakota.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Resolution No. 8 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

SENATE RESOLUTION NO. 8

Introduced by the Committee on Photography

- 1 A resolution to appoint an official photographer for the Senate of
- 2 the Forty-third Legislative Assembly of the State of North
- 2a Dakota.
- 3
- 4 WHEREAS, for historical purposes it has been the custom
- 5 of all North Dakota Legislative Assemblies to have composite
- 5a group
- 6 pictures made of all members of such assemblies; and
- 7 WHEREAS, Manda-Color Studio of Mandan, North Dakota,
- 8 offers to take six proof color photographs of each Senator, the
- 9 Lieutenant Governor, the Secretary of the Senate, the Assistant
- 10 Senate Secretary, the Senate Bill Clerk, the Senate Desk
- 10a Reporter,
- 11 and the Senate Sergeant-at-Arms, and to retouch said proofs; to
- 12 make a composite color picture, size 30 x 40 inches, framed and
- 13 ready to hang, of the photographs of the aforementioned; to
- 13a make
- 14 57 color copies of said picture, 14x11 inches in size, one for each
- 15 person pictured therein; and to make one 5 x 7 inch color, and one

16 5 x 7 inch black and white, photograph of each Senator and the
 17 Lieutenant Governor; all the foregoing at a cost of \$968.50;

18 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF**
 19 **THE STATE OF NORTH DAKOTA:**

20 That Manda-Color Studio of Mandan, North Dakota, be and
 21 is hereby appointed official photographer for the Senate of the
 22 Forty-third Legislative Assembly of the State of North Dakota;
 22a and

23 **BE IT FURTHER RESOLVED**, that the Manda-Color Studio of
 24 Mandan, North Dakota, is hereby awarded the sole privilege of
 Page No. 2

1 photographing members of the Senate and the above-mentioned
 2 Senate employees of the Forty-third Legislative Assembly, at a
 3 cost of \$968.50 to be charged as a legislative expense; and

4 **BE IT FURTHER RESOLVED**, that the photographs shall be
 5 delivered on or before June 1, 1973.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 8. A Resolution to appoint an official
 photographer for the Senate of the Forty-third Legislative Assembly of
 the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll
 was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Izler	Mutch	Sands
Berube	Jacobson	Naaden	Sandness
Butler	Jones	Nasset	Schultz C.
Christensen	Kautzmann	Nething	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Smykowski
Freed	Lips	Pyle	Solberg
Fritzell	Litten	Rait	Strinden
Goldberg	Longmire	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner			

Absent and not voting:

Barth	Ringsak	Stroup	Wright
Holand	Strand		

So the resolution passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to
 Senate Concurrent Resolution No. 4068 and House Bill No. 1464
 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Concur-
 rent Resolution No. 4068 as recommended by the Committee on
 Education as printed on page 668 of the Senate Journal be adopted,
 which motion prevailed.

Senator Holand moved that the amendments to House Bill No.
 1464 as recommended by the Committee on Education as printed
 on page 669 of the Senate Journal be adopted, which motion pre-
 vailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was
 referred Senate Concurrent Resolution No. 4024 has had the same
 consideration and recommends that the same be amended as fol-
 lows:

On page 2, line 24 delete "compulsory arbitration" and insert in
 lieu thereof "selection of final offer of settlement"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution No. 4038 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4039 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 delete the words "Ratio Study" and insert in lieu thereof "market, productivity and other studies for assessment purposes"

On page 2, line 25 delete the words "Ratio Study" and insert in lieu thereof "market, productivity and other studies for assessment purposes" and delete the word "its" and insert in lieu thereof the word "their"

On page 2, line 27 delete "study's" and insert in lieu thereof "studys"

And renumber the lines accordingly.

And when so amended recommends the same do pass, and be rereferred to the Legislative Council Resolutions Committee.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4042 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4043 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4044 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4050 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4052 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4054 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4059 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4071 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4075 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1003 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21 delete the figure "10,000" and insert in lieu thereof the figure "15,000"

On page 1, line 23 delete the figure "591,665" and insert in lieu thereof the figure "596,665"

On page 2, line 21 delete the figure "1,968,573" and insert in lieu thereof the figure "1,973,573"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment in the Supreme Court budget was to increase the Fees and Service \$5,000 to provide for publication and distribution of new rules and procedures.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1006 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 10 delete the figure "500,000" and insert in lieu thereof the figure "300,000"

On page 2, line 11 delete the figure "500,000" and insert in lieu thereof the figure "300,000"

On page 3, line 11 delete the figure "765,180" and insert in lieu thereof the figure "565,180"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Based on the present level of spending by the Emergency Commission, the Committee felt that an increase of \$50,000 to \$300,000 would be sufficient for the 1973-75 biennium.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1072 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20, of the engrossed bill, after the word "names" insert "**and address or addresses**" and delete the beginning triple parentheses before "of"

On page 1, line 21, after the word "names" insert "**and address or addresses**"

On page 1, line 22, after the word "corporations" insert "**promoting or**"

On page 1, line 23, after the word "advertisement" delete the ending triple parentheses and delete the remainder of the line

On page 1, delete all of line 24

On page 2, delete all of line 1

On page 2, line 2 delete the words "**of residence or office of the same**"

On page 2, line 4, delete the beginning triple parentheses before the word "radio"

On page 2, line 5, after the word "talk" delete the ending triple parentheses and delete the remainder of the line

On page 2, line 6, delete the words "**or television broadcast**"

On page 2, line 10, before the word "of" delete the beginning triple parentheses

On page 2, line 11, after the word "corporations" insert "**promoting or**"

On page 2, line 12, after the word "broadcast" delete the ending triple parentheses and delete the remainder of the line

On page 2, delete all of lines 13 and 14

On page 2, line 15, delete the words "**of the city and state of residence or office of the same**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1098 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the word "section", and insert in lieu thereof the word "sections", and in the same line before the comma insert the following: "and 44-08-04.2 of the North Dakota Century Code"

On page 1, line 2, after the word "status" insert the words: "and to travel advances"

On page 3, after line 17, insert the following new section:

"SECTION 3.) Section 44-08-04.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

44-08-04.2. TRAVEL ADVANCES.) 1. Any state agency may advance funds to be used by officials or employees of that agency for payment of meal and lodging expenses incurred while the official or employee is traveling on official business outside of this state, provided that such out-of-state travel must be for a period planned to be in excess of five days, and provided that the funds advanced do not exceed twenty-five dollars per day. Travel advance warrant-checks shall be issued on vouchers signed by the chief executive officer of the agency involved. Funds advanced for meals and lodging under this section shall be accounted for as required under section 44-08-04 for out-of-state travel.

2. As used in this section, and section 44-08-04.1:

- a. "Official business outside of this state" includes travel to attend training courses, where the training is necessary to satisfy federal program requirements.
- b. "State agency" means agencies, boards, commissions, bureaus, offices, departments, institutions, and any other state governmental entities, and specifically includes the legislative and judicial branches of state government."

And renumber the lines, pages, and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To provide for advanced expense allowance and to incorporate it with conflicting House Bill No. 1422.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1108 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1136 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1170 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1202 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to

whom was referred House Bill No. 1220 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1246 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 16 of the Engrossed Bill after the word "all" insert "resident"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1260 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 after the word "contain" delete the remainder of the line

On page 1, delete all of lines 13 and 14 and insert in lieu thereof the following:

"any one or more of the following:

1. A description of the property by its common name, if such common name exists;
2. The address of the property involved, if such address exists; or
3. A map detailing the property involved."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1291 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17 after the word "exceed" delete the word "four" and insert in lieu thereof the word "two"

On page 2, line 5 delete the figure "43,200.00" and insert in lieu thereof the figure "21,600.00"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to reduce the appropriation to allow for continuation at the present level.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1295 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1300 has had the same under

consideration and recommends that the same be amended as follows:

On page 2, line 18 delete the words "every two years" and insert in lieu thereof the following: "for a four year term of office, the first term commencing on January 1, 1974"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1352 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1357 has had the same under consideration and recommends that the same be amended as follows:

Page 2, line 3 after "issued" delete the remainder of the line

Page 2, delete all of lines 4 and 5

Page 2, line 6 delete "have first been filled" and after the period insert the following: "If in any year the number of mule deer permit applications exceeds the number of mule deer permits to be issued, a lottery shall be held to determine the successful applicants. Any applicant who is successful in obtaining such a permit shall not be eligible to apply for a mule deer permit for the next ensuing lottery year."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1386 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1398 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, delete the beginning triple parentheses

On page 1, line 14, after "AND" delete the ending triple parentheses and after the "hyphen" delete the triple parentheses around "APPROVAL" and an underscored hyphen

On page 1, line 15, delete the beginning triple parentheses

On page 2, line 4, delete the ending triple parentheses and the word "The" and insert in lieu thereof the following: "county superintendent of schools to serve the counties or parts thereof designated by such plan. Alternatively, and without the need of receiving petitions, the"

On page 3, line 16, after the comma insert the following: "or when directed by the joint action or by resolutions passed by a majority of each board involved,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1401 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1436 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 33 of the engrossed bill, insert triple parentheses around the word "sufficient" and insert in lieu thereof the word "insufficient"

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1441 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1501 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1503 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1517 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted.

MOTION

Senator Rait requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz, J.
Butler	Kautzmann	Nasset	Smykowski
Freed	Lee	Nething	Solberg
Fritzell	Lips	Peterson	Strinden
Goodman	Litten	Pyle	Tweten
Goldberg	Longmire	Roen	Wenstrom
Iszler	Melland	Sandness	

Those voting in the negative were:

Barth	Gronhovd	Naaden	Sands
Berube	Hoffner	Page	Schultz C.
Christensen	Jones	Rait	Shablow
Coughlin	Larson	Redlin	Thane
Erdman	Morgan	Reiten	Wright
Absent and not voting:			
Holand	Ringsak	Strand	Stroup

So the bill was declared indefinitely postponed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3025 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted.

MOTION

Senator Hoffner requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report, the roll was called and there were ayes, 29; nays, 18; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz C.
Butler	Lips	Nething	Schultz, J.
Coughlin	Litten	Page	Smykowski
Fritzell	Longmire	Pyle	Solberg
Goldberg	Morgan	Roen	Strinden
Holand	Mutch	Sands	Thane
Iszler	Naaden	Sandness	Tweten
Jacobson			

Those voting in the negative were:

Barth	Goodman	Lee	Reiten
Berube	Gronhovd	Peterson	Shablow
Christensen	Hoffner	Rait	Wenstrom
Erdman	Kautzmann	Redlin	Wright
Freed	Larson		
Absent and not voting:			
Melland	Ringsak	Strand	Stroup

So the bill was declared indefinitely postponed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3032 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 7, delete "due to efforts of the Public Service Commission," and insert in lieu thereof "is commendable and".

On line 14, after "a" insert "more"

On line 15 delete "cost"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Goldberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2111 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 2111,

Senator Goldberg
 Senator Jacobson
 Senator Gronhovd

Senator Goldberg moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolutions Nos. 4038, 4068, House Bills Nos. 1136, 1170, 1202, 1220, 1295, 1352, 1386, 1401, 1441, 1464, 1501 and 1503 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-EIGHTH DAY

Bismarck, February 22, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain John Miller, Baptist Temple Church, Mandan.

"Our Father: We call upon Your name with praise and thanksgiving for all of Your gifts to men. We praise You for life, for spiritual blessings, for physical blessings, for Your love and for Your patience. Most of all we praise and bless Your name because of Jesus Christ, Your only son, that You sent to earth to make a way for us to have abundant and eternal life.

"We thank You for Your Holy Spirit that You send to bear witness of Your presence in our lives and teach us all about Yourself. I pray that You will make Yourself aware to these men as they construct laws for us to live by on this Your land. Illuminate and lead with Your Holy Spirit so that Your complete will will be done. I thank You that when all other sources of help fail, You can help. I thank You that when all other sources of wisdom fail, Yours is all-sufficient.

Lord, would You bless these men. Some are many miles from home and their families. Would You protect their families. Would You take care of crisis and loneliness that come about because they are separated from those they love.

Help all of us realize that we must give an account to men but more important we will have to make accounting to You for every law we make, every word we say, every thought we think.

"We thank You Lord, that You have heard and will answer our prayers according to Your grace and love. AMEN"

Roll Call: All Senators present except Ringsak, Strand and Stroup. A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-sixth day after recess and the thirty-seventh day and recommends that the same be corrected as follows:

On page 668, in line 26 from the top of the page, delete the number "8" and insert in lieu thereof the number "4"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 2182, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Sen-

ate Bill No. 2182 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2182. A Bill for an Act to provide penalties for harrassing or willfully frightening domestic animals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 686 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Kautzmann	Nething	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Smykowski
Freed	Lips	Pyle	Solberg
Fritzell	Litten	Rait	Strinden
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Christensen	Jones	Strand	Tweten
Goldberg	Ringsak	Stroup	

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 2200, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 2200 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2200. A Bill for an Act to amend and reenact subsection 10 of section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of harmful wild birds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, 686 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Barth	Jacobson	Naaden	Sandness
Butler	Jones	Nasset	Schultz, C.
Coughlin	Kautzmann	Nething	Schultz, J.
Erdman	Larson	Page	Shablow
Freed	Lee	Peterson	Smykowski
Fritzell	Lips	Pyle	Solberg
Goldberg	Litten	Rait	Strinden
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Wenstrom
Hoffner	Morgan	Roen	Wright
Holand			

Absent and not voting:

Berube	Ringsak	Stroup	Tweten
Christensen	Strand		

So the bill passed and the title was agreed to.

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2403, which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2403 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2403. A Bill for an Act to amend and reenact 40-21-05 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks at municipal elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 686 and 687 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Barth	Jacobson	Naaden	Sandness
Butler	Jones	Nasset	Schultz, C.
Coughlin	Kautzmann	Nothing	Schultz, J.
Erdman	Larson	Page	Shablow
Freed	Lee	Peterson	Smykowski
Fritzell	Lips	Pyle	Solberg
Goldberg	Litten	Rait	Strinden
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Wenstrom
Hoffner	Morgan	Roen	Wright
Holand			

Absent and not voting:

Berube	Ringsak	Stroup	Tweten
Christensen	Strand		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1013. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 648 of the Senate Journal, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, C.
Barth	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strinden
Gronhovd	Litten	Redlin	Thane
Hoffner	Longmire	Reiten	Tweten
Holand	Morgan	Sandness	Wenstrom

Those voting in the negative were:

Butler	Goodman	Mutch	Sands
Coughlin	Iszler	Naaden	Wright
Goldberg			

Absent and not voting:

Berube	Ringsak	Strand	Stroup
Melland	Roen		

So the bill passed and the title was agreed to.

House Bill No. 1034. A Bill for an Act to authorize the industrial commission to issue debentures through the Bank of North Dakota to provide funds to participate with other banks and lending agencies in loans for irrigation development.

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, 14; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Holand	Page	Schultz, J.
Butler	Iszler	Pyle	Shablow
Christensen	Jacobson	Rait	Smykowski
Coughlin	Jones	Redlin	Solberg
Erdman	Larson	Reiten	Thane
Freed	Lee	Sands	Wenstrom
Goodman	Morgan	Sandness	Wright
Gronhovd			

Those voting in the negative were:

Fritzell	Litten	Nasset	Roen
Goldberg	Longmire	Nething	Strinden
Kautzmann	Melland	Peterson	Tweten
Lips	Mutch		

Absent and not voting:

Berube	Ringsak	Strand	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1035. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to loans made by the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 648 and 649 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan		

Absent and not voting:

Berube	Schultz, C.	Strand	Stroup
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1037. A Bill for an Act to enact the Model Relocation Assistance Act providing state and local governmental assistance programs for relocation of persons and businesses displaced by governmental construction programs; and to repeal sec-

tion 32-15-22.1 of the North Dakota Century Code, relating to payments for the relocation of personal property displaced by eminent domain proceedings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 649 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Sands
Barth	Holand	Morgan	Sandness
Berube	Iszler	Mutch	Schultz, J.
Butler	Jacobson	Naaden	Shablow
Christensen	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strinden
Freed	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd			

Absent and not voting:

Nasset	Ringsak	Strand	Stroup
Pyle	Schultz, C.		

So the bill passed and the title was agreed to.

House Bill No. 1175. A Bill for an Act to amend and reenact sections 65-12-01, 65-12-02, 65-12-04, 65-12-04.1, 65-12-05, 65-12-06, 65-12-07, 65-12-08, 65-12-09, 65-12-10, and 65-12-11 of the North Dakota Century Code, relating to boiler inspector, definition of boiler, boiler inspections, data report, violations; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nething	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goldberg	Litten	Roen	Wenstrom
Goodman	Longmire	Sands	Wright
Gronhovd	Melland		

Absent and not voting:

Nasset	Ringsak	Strand	Stroup
Pyle			

So the bill passed and the title was agreed to.

House Bill No. 1201. A Bill for an Act to amend and reenact section 57-38-34 and subsection 3 of section 57-38-57 of the North Dakota Century Code, relating to provisions of the income tax law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 650 of the Senate Journal, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sandness
Barth	Hoffner	Melland	Schultz C.
Berube	Holand	Morgan	Schultz, J.
Butler	Iszler	Mutch	Shablow
Christensen	Jacobson	Naaden	Smykowski
Coughlin	Jones	Nothing	Strinden
Erdman	Kautzmann	Page	Thane
Freed	Larson	Peterson	Tweten
Fritzell	Lee	Rait	Wenstrom
Goldberg	Lips	Redlin	Wright
Goodman	Litten	Reiten	

Those voting in the negative were:

Roen	Sands	Solberg
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Absent and not voting:

Nasset	Ringsak	Strand	Stroup
Pyle			

So the bill passed and the title was agreed to.

House Bill No. 1212. A Bill for an Act to amend and reenact sections 11-17-04, 27-03-05, 27-07-40, and 27-98-14 of the North Dakota Century Code, relating to filing fees and other fees required by district courts, the North Dakota supreme court, county courts, and county courts of increased jurisdiction and increasing such fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sands
Barth	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Coughlin	Jones	Page	Smykowski
Erdman	Kautzmann	Peterson	Solberg
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Larson	Schultz, C.
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Absent and not voting:

Christensen	Pyle	Strand	Tweten
Melland	Ringsak	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1219. A Bill for an Act to amend and reenact sections 6-08-26, 7-07-02, 10-07-04, 12-39-02, 15-51-07, 15-53.1-04, 21-03-21, 26-10-19, 40-01-02, 40-01-14, 40-04-04, 40-05-13, 40-14-06, subsection 2 of section 40-16-03, sections 40-16-09, 40-22-35, 40-33-18, 40-53.1-05, 43-23-10, 49-12-03, and 61-07-06 of the North Dakota Century Code, relating to deletion of references to corporate seals; and to repeal subsection 1 of section 6-03-02, subsection 2 of section 7-02-01, section 9-06-10, subsection 3 of section 10-19-04, subsection 3 of section 10-24-05, subsection 3 of section 23-11-11, and subsection 2 of section 40-61-03 of the North Dakota Century Code, relating to corporate seals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

page 650 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sands
Barth	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Coughlin	Jones	Page	Smykowski
Erdman	Kautzmann	Peterson	Solberg
Freed	Larson	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Morgan	Roen	

Absent and not voting:

Christensen	Melland	Schultz, C.	Stroup
Lee	Ringsak	Strand	Tweten

So the bill passed and the title was agreed to.

House Bill No. 1243. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claims for motor vehicle fuel tax refunds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 650 and 651 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nothing	Schultz, J.
Coughlin	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Absent and not voting:

Christensen	Ringsak	Stroup	Tweten
Melland	Strand		

So the bill passed and the title was agreed to.

House Bill No. 1278. A Bill for an Act to create and enact section 10-04-06.1 of the North Dakota Century Code, relating to suspension and revocation of exemptions; to amend and reenact subsection 12 of section 10-04-02 of the North Dakota Century Code, relating to the definition of security; to amend and reenact subsection 6 of section 10-04-05 of the 1971 Supplement to the North Dakota Century Code, relating to the exemption of certain securities from registration; to amend and reenact subsections 3, 4, 6, 8, and 9 of section 10-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to certain transactional exemptions from registration; to amend and reenact subsections 2 and 3 of section 10-04-07.1 of the 1971 Supplement to the North Dakota Century Code, relating to registration by announcement; and to repeal all of the language following subsection 12 of section 10-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to suspension and revocation of transactional exemptions.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Roen	

Absent and not voting:

Ringsak	Strand	Stroup	Tweten
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So the bill passed and the title was agreed to.

House Bill No. 1279. A Bill for an Act to amend and reenact section 10-04-16 of the North Dakota Century Code, relating to orders, injunctions, and prosecutions for violations of Securities Act.

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, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland	Roen	

Absent and not voting:

Ringsak	Strand	Stroup	Tweten
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So the bill passed and the title was agreed to.

House Bill No. 1315. A Bill for an Act to create and enact section 43-03-22 of the North Dakota Century Code, relating to the regulation of the practice of architecture; and to amend and reenact sections 43-03-01, 43-03-04, 43-03-06, 43-03-11, 43-03-13, 43-03-14, 43-03-15, 43-03-16, 43-03-18, 43-03-19, 43-03-20, and 43-03-21 of the North Dakota Century Code, relating to the membership, powers and duties of the state board of architecture, the qualifications and examination of applicants for registration and the regulation of the practice of architecture, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Roen
Barth	Holand	Mutch	Sands

Butler	Iszler	Naaden	Sandness
Christensen	Jacobson	Nasset	Schultz, J.
Coughlin	Jones	Nothing	Shablow
Erdman	Kautzmann	Page	Smykowski
Freed	Lee	Peterson	Solberg
Fritzell	Lips	Pyle	Thane
Goldberg	Litten	Rait	Wenstrom
Goodman	Longmire	Redlin	Wright
Gronhovd	Melland	Reiten	

Those voting in the negative were:

Berube	Larson	Schultz, C.	Strinden
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Absent and not voting:

Ringsak	Strand	Stroup	Tweten
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So the bill passed and the title was agreed to.

House Bill No. 1366. A Bill for an Act to amend and reenact section 57-19-09 of the North Dakota Century Code, relating to the discontinuance and transfer of school district special reserve funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	

Those voting in the negative were:

Wright

Absent and not voting:

Ringsak	Strand	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1504. A Bill for an Act to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old age and survivor insurance system.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten

Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Absent and not voting:			
Ringsak	Strand	Stroup	

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4070

Senate Concurrent Resolution 4074

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1012

House Bill No. 1055

House Bill No. 1114

House Bill No. 1120

House Bill No. 1131

House Bill No. 1176

House Bill No. 1204

House Bill No. 1214

House Bill No. 1233

House Bill No. 1276

House Bill No. 1319

House Bill No. 1320

House Bill No. 1324

House Bill No. 1334

House Bill No. 1370

House Bill No. 1371

House Bill No. 1384

House Bill No. 1388

House Bill No. 1391

House Bill No. 1406

House Bill No. 1426

House Bill No. 1440

House Bill No. 1479

House Bill No. 1519

House Concurrent Resolution No. 3018

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1158

House Bill No. 1183

House Bill No. 1272

House Bill No. 1328

House Bill No. 1380

House Bill No. 1458

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1159

House Bill No. 1393

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills:

Senate Bill No. 2182

Senate Bill No. 2200

Senate Bill No. 2403

Refused to concur in the House amendment to Senate Bill No. 2111 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Goldberg

Senator Jacobson

Senator Gronhovd

LEO LEIDHOLM, Secretary of Senate

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged

Senate Bill No. 2003

Senate Bill No. 2018

Senate Bill No. 2020

Senate Bill No. 2045

Senate Bill No. 2144

Senate Bill No. 2158

Senate Bill No. 2201

Senate Bill No. 2249

Senate Bill No. 2277

Senate Bill No. 2281

Senate Bill No. 2291

Senate Bill No. 2321

Senate Bill No. 2331

Senate Bill No. 2364

Senate Concurrent Resolution No. 4063

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, House Bill No. 1419

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF A BILL

The Secretary announced that the President was about to sign: House Bill No. 1419

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1419

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2111:

Rep. Herman

Rep. Kloubec

Rep. Gengler

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. 1058
House Bill No. 1122
House Bill No. 1265
House Bill No. 1284
House Bill No. 1433

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bills Nos. 1057 and 1067 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On House Bill No. 1057:

Rep. Hentges
Rep. Kermott
Rep. Linderman

On House Bill No. 1067:

Rep. H. Christensen
Rep. Austin
Rep. Dotzenrod

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate adjourn until 12:30 p.m., February 23, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-EIGHTH DAY AFTER RECESS
AND THIRTY-NINTH DAY

Bismarck, February 23, 1973

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

This is to inform you that on February 16, 1973, I signed Senate Bill 2016.

Sincerely yours,
ARTHUR A. LINK
Governor

AAL:km

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4068

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4053 has had the same under consideration and recommends that the same do pass.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4055 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4056 has had the same under consideration and recommends that the same

do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR SANDNESS, Vice Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4065 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 22, after the word "for" insert the following: "a Natural Resources or Conservation Department,"

Page 1, line 23, after the second comma insert "weather modification authority"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass and be re-referred to Legislative Council Resolutions Committee.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1208 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 24 delete the word "Fifty" and insert in lieu thereof "Twenty-five"

Page 2, line 5 delete the word "the" and insert in lieu thereof "a"

Page 2, line 6 delete the word "fifty" and insert in lieu thereof "seventy-five"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1227 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1252 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1363 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1447 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1465 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1530 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3036 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution No. 3079 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

MOTION

Senator Freed moved that the Senate reconsider the action by which House Bill No. 1037 was passed, which motion prevailed.

Senator Freed moved that House Bill No. 1037 be further amended as follows:

On page 1 of the engrossed bill, line 2, after the word "providing" insert the words "real property acquisition policies and"

On page 10 of the engrossed bill, after line 15 insert the following new section:

"SECTION 16. REAL PROPERTY ACQUISITION POLICIES.) Any agency engaged in a federally assisted program or project involving the acquisition of real property shall be guided, to the greatest extent practicable under state law, by the real property acquisition policies set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P. L. 91-646, 42 U.S.C.A. sections 4651 through 4654)."

And renumber the lines, sections, and pages accordingly.

Which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1037 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1037. A Bill for an Act to enact the Model Relocation Assistance Act providing state and local governmental assistance programs for relocation of persons and businesses displaced by governmental construction programs; and to repeal section 32-15-22.1 of the North Dakota Century Code, relating to payments for the relocation of personal property displaced by eminent domain proceedings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 649 of the Senate Journal, and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Redlin	Strinden
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:

Butler	Rait	Ringsak	Stroup
Melland			

So the bill passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Concurrent Resolutions Nos. 4024, 4039, House Bills Nos. 1003, 1006, 1072, 1098, 1246, 1260, 1291, 1300, 1357, 1398, 1436 and House Concurrent Resolution No. 3032 be dispensed with, which motion prevailed.

Senator Mutch moved that the amendments to Senate Concurrent Resolution No. 4024 as recommended by the Committee on Transportation as printed on page 690 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Concurrent Resolution No. 4039 as recommended by the Committee on Finance and Taxation as printed on page 691 of the Senate Journal be adopted, and be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1003 as recommended by the Committee on Appropriations as printed on page 692 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1006 as recommended by the Committee on Appropriations as printed on pages 692 and 693 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1072 as recommended by the Committee on Judiciary as printed on page 693 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1098 as recommended by the Committee on Appropriations as printed on pages 693 and 694 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1246 as recommended by the Committee on Natural Resources as printed on page 695 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to House Bill No. 1260 as recommended by the Committee on Political Subdivisions as printed on page 695 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1291 as recommended by the Committee on Appropriations as printed on page 695 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that the amendments to House Bill No. 1300 as recommended by the Committee on Political Subdivisions as printed on pages 695 and 696 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1357 as recommended by the Committee on Natural Resources as printed on page 696 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that the amendments to House Bill No. 1398 as recommended by the Committee on Political Subdivisions as printed on page 696 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1436 as recommended by the Committee Finance and Taxation as printed on page 697 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Concurrent Resolution No. 3032 as recommended by the Committee on Transportation as printed on page 698 of the Senate Journal be adopted, which motion prevailed.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Nething moved that the Senate do concur in the House amendments to Senate Bill No. 2036, which motion prevailed.

Senator Nething moved that the rules be suspended and that Senate Bill No. 2036 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2036. A Bill for an Act to provide for the filing of notices relating to buried transmission facilities and to give the owner thereof a civil cause of action in certain cases when these facilities are damaged, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 665 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Twetten
Goodman	Longmire	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Butler	Melland	Ringsak	Stroup
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So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4038. A Concurrent Resolution requesting the State Auditor to make a study of the cash flow and investment practices and policies of the several county governments.

Which has been read.

Senator Nething moved that Senate Concurrent Resolution be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Superintendent of Public Instruction to evaluate the contract teaching program used at Marmoth High School.

Which has been read.

MOTION

Senator Kautzmann moved that Senate Concurrent Resolution No. 4068 be amended as follows:

On page 1 of the engrossed resolution, in line 3, delete "Marmoth" and insert in lieu thereof "Marmot"

On page 1, in line 5, delete "Marmoth" and insert in lieu thereof "Marmot"

On page 1, in line 22, delete "Marmoth" and insert in lieu thereof "Marmot"

On page 2, in line 2, delete "Marmoth" and insert in lieu thereof "Marmot"

Which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Concurrent Resolution No. 4068 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Superintendent of Public Instruction to evaluate the contract teaching program used at Marmoth High School.

Which has been read.

Senator Kautzmann moved that Senate Concurrent Resolution No. 4068 be adopted, as amended, which motion prevailed.

MOTION

Senator Litten moved that House Bills Nos. 1202 and 1220 be laid over one legislative day, which motion prevailed.

Senator Litten moved that House Bill No. 1401 be placed at the head of the calendar, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Senator Nething:

"Mr. President, ladies and gentlemen of the Senate:

"The first thing that I would like to discuss is the bill itself. It changes three sections of the law and substitutes the age 19 where the age 21 had been in the provisions relating to purchasing, attempting to purchase, or being in possession of alcoholic beverages, delivering alcoholic beverages to an individual, and the penalty provision for disposing alcoholic beverages to an individual or letting them remain on licensed premises where alcoholic beverages are being sold or displayed.

"As the previous Senator has explained, there was excellent testimony presented to our committee. I would like to highlight to you some of the pertinent facts as I recall them. The testimony of the director of the division on alcoholism and drug abuse in the state health department was read to our committee. However, the same had been his testimony when he appeared before the House Committee on Social Welfare on Friday, February 2, 1973. His testimony presented several interesting observations. The first one is that all alcoholic beverages, be it beer, wine, or distilled spirits, contain a common ingredient — ethyl alcohol.

"His second fact was that alcoholism comes in people, not in cans or bottles. Alcohol is not the cause of alcoholism any more than gasoline is the cause of automobile accidents or that marriage is the cause of divorce. Alcohol is used by nearly 73% of all adult males and 57% of all adult females in the United States, and of

those who use these beverages, about 5½% to 6% are problem drinkers or alcoholics. I might mention at this point that these observations were challenged in testimony from the opponents of the bill by saying that you can't become an alcoholic without a first drink, nor can you become an habitual smoker without the first cigarette, and I submit to you that you cannot live without the first intake of food, nor can you learn to drive an automobile without driving your first time, nor can you become responsible without being given responsibilities. My point is that you can never progress in any stage in life, be it good or bad, without initiating some type of activity on your own. We have to determine what happens after you take that initial step and whether or not you are ready to exercise the judgment necessary to properly assume the responsibility which motivated you to your initial action.

"It was also stated that we do not have any established norms, standards, or guidelines for drinking behavior. It is an area where there are no guidelines or rules to follow. Who can say when it is appropriate or where it is appropriate to drink, or how much consumption is appropriate or inappropriate? The abuse or nonabuse of drinking is a learned behavior. The director testified that these patterns are learned during the early and middle adolescent period and are fairly fixed or constant by the age of 18 or 19.

"It is interesting to note that countless scientific and sophisticated surveys made in nearly every age in our nation indicated that most youths have experimented with alcohol by the age of 14. As age increases, so does the frequency of the use of alcoholic beverages. Forty-three percent of junior high school students use alcoholic beverages and fifty-eight percent of high school students do, also. These are based on surveys from 16 states in 1972. You might be interested in knowing that testimony revealed that there is every indication that drinking patterns had been well established and stabilized by the 19th year, as 9% of the persons involved in these studies had had their first drink between their 11th and 15th year, 47% had had their first drink between their 16th and 17th year, and 53% had their first drink at the age of 18 years.

"In addition, one thing was quite clear — that the substantial number of 18 to 20 year olds are drinking alcoholic beverages and have established drinking patterns of behavior.

"Testimony also indicated that drinking styles of adolescents in the 18- to 20-year old bracket are usually clandestine and under surreptitious conditions in the automobile, on deserted streets, or country roads, parks and at parties at homes when parents are absent.

"In view of this you might also begin to wonder, what about the physiological effects of drinking and alcohol on the adolescent human body. The testimony quoted to us from which we believe to be a valid source was as follows: 'In the large amount of scientific research that has been conducted on the effects of alcohol and the factor that influenced them, there is not one shred of evidence that in its physiological or pharmacological factions, alcohol presents a greater liability to those between 18 and 21 than it does to those over 21. Quite to the contrary, it is because at the age of 21 the biochemical and the physiological status of the individuals is at the peak of their development; sensory accuties, alertness and reflexes are sharpened. If anything, the disabilities imposed on such functions by a given amount of alcohol can reasonably be expected to be least. From a physiological, pharmacological point of view, there is indeed no basis for drawing the drinking line at 21.

"It was the director's conclusion that from his experience as a pastor, teacher and counselor of these particular age groups, that we would do well to treat them as adults and they, in turn, would behave as adults.

"Now let's talk a little bit about 19-year olds themselves. Testimony revealed that their drinking pattern is not established by law but is established by family's attitudes and their own attitudes.

"Secondly, keep in mind that our 19-year olds today are attending college or are gainfully employed or are serving in the military. At any rate, they are emancipated from their parents. The difference between the 18-year old and the 19-year old is that the 19-year old is associating with a different group of people than the 18-year old is. All persons born in North Dakota with a few exceptions during the months other than June, July or August, are seniors in high school when they attain the age of 18 and they relate to these high school peers. They are also under closer supervision at home, we assume, and basically have different friends and different attitudes than those who have been away from high school for a year.

"We must also keep in mind that we cannot consider this as a moral issue for 19 and 20-year olds because if it's bad for these people to use alcoholic beverages, it's bad for all of us to use them.

"We must then consider what is the attitude insofar as the law is concerned. We had testimony during the committee hearing that indicated to us that we now force these individuals of age 19 and 20 to find means to violate the law because society accepts it. What I'm talking about is the fact that we permit them to use fake ID's and we permit them to enter places when they are under age when nobody will check them and we will permit them to let somebody else buy the alcoholic beverage for them and to take it into an automobile some place or to someone's home when supervision isn't there and, incidentally, the only reason supervision should be there is because of the laws we have; yet we turn our cheeks to it and kind of say, 'Well, that's something we all did at one time or another in some way or another.' Personally, I don't subscribe to the fact that because it was done by us, it should be done by these people. I would rather subscribe to the position that we are objective in our thinking and we will analyze what is being done and then make our judgment.

"While there was not direct testimony to this fact, in my experience as a lawyer, and I have represented individuals in this same age bracket that we are talking about for violation of our drug abuse statutes, that they seem to have little concern as to the reasons they use controlled substances knowing that they are breaking the law, because if they use alcoholic beverages, they're also breaking the law. Now I ask you, Mr. President, ladies and gentlemen of the Senate, in your personal observations of the individuals that are charged with violating controlled substances statutes, which we commonly refer to as drug abuse, don't you recognize that these individuals that are involved are primarily from the age group we are talking about? I asked one of the witnesses about this and he indicated, yes, that basically it involves the people from the 18-year old to the 25-year old insofar as this particular law is broken. What would you do? If you could not have alcoholic beverages or if you were going to be in violation of drug abuse statutes, which would you choose? Chances are it wouldn't make any difference. I don't think it does with this age group. However, I do believe that if we give them an opportunity, this age group that we're considering letting use alcoholic beverages as adults do, I honestly think that we would find less abuse with our marijuana, pills, etc., problems.

"Another matter regarding the law is the question of automobile accidents. There was no evidence presented to us, other than conjecture on the part of some of the witnesses, that this bill would increase automobile accidents involving this age group. On the contrary, there was sound testimony that indicated that in all probability, many of these individuals that are now driving to South

Dakota, Montana, or Canada because they have a different age than North Dakota has, would well be staying home and off highways instead of making these trips. You might also be interested in knowing that the state of Minnesota is now considering similar legislation which will reduce their age to 18 and to which age I disagree with because I think this is the proper legislation.

"Earlier you will recall that I talked about the 19-year old emancipation and I would like to just comment further that under current law we permit persons in this age group to enter into contractual obligations, may enter into marriage obligations, they become involved with military obligations, they enter into the choice of future obligations in careers, and basically include the age group that has left their homes and parents and are either in the working force or in college. At any rate, the apron strings have been cut.

"There was testimony as to what would happen with the 17 and 18-year olds and I believe I touched on that earlier when I pointed out that because of the individual's habits and new interests, high school days are left behind and new friends are found that they either are in college with or work with, and I don't really think that you can say because somebody is 21 and has purchased alcoholic beverages for someone who is 20; that someone 19 will purchase it for someone who is 18 or someone 18 for someone 17 and on down the line that some of the opponents of this bill tried to confuse the committee with.

"Now, Mr. President and ladies and gentlemen of the Senate, you've been very patient with me in listening to my explanation of this and I'd like to offer to you my observation that alcohol use is a matter of judgment and as far as this age group is concerned, should not be controlled by law. I think I've given you reasons why those under 19 should be controlled by law and those over 19 should not. You might be interested in knowing that testimony from one of the opponents was that while he is now 22, he said he never used alcohol at 19 or 20 and when asked the question as to whether or not it was because of the law or because of his judgment, he indicated in response and in all honesty, it was because of his judgment. I submit to you, ladies and gentlemen of the Senate, that we will not be pressuring these people between the ages of 19 and 20 to use alcoholic beverages but that they will respond by exercising good judgment as to whether or not they want to, and I think that these people will honestly and objectively make that determination and will assume the responsibility that we give them along with the responsibilities that we have previously given them. As a matter of fact, I think that we, as adults in this body, probably perform better and act in a more responsible capacity when we are given more responsibilities as opposed to when someone else assumes them for us.

"In conclusion, ladies and gentlemen of the Senate, Mr. President, I would like to just caution you that if you have any real qualms about voting on this, keep in mind that if, within two years, it is the feeling of this Legislature that the 19 and 20-year olds have not responded to the responsibility that we have given them, that we can change the law back to what it is now or to whatever age you might think is the proper one. I think it's worthwhile believing in these young people and I think that, in turn, when they see that the Legislature of North Dakota believes in them, they will also believe in North Dakota. This is going to be vital to any future accomplishments our state will have because if our young people do not believe in us and in our state, then we don't have much to look forward to. I urge a 'yes' vote on this bill."

Senator Litten moved that Senator Nething's remarks be printed in the Journal, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1401. A Bill for an Act to amend and reenact sections 5-01-08, 5-01-09, and 5-02-06 of the North Dakota Century Code, relating to the purchase and consumption of alcoholic beverages by persons nineteen years of age and older.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Fritzell	Litten	Roen
Barth	Goldberg	Longmire	Schultz, J.
Berube	Goodman	Melland	Shablow
Christensen	Hoffner	Nasset	Smykowski
Coughlin	Jones	Nothing	Solberg
Erdman	Kautzmann	Page	Strinden
Freed	Lips	Rait	Wenstrom

Those voting in the negative were:

Gronhovd	Lee	Pyle	Schultz, C.
Holand	Morgan	Redlin	Strand
Iszler	Mutch	Reiten	Thane
Jacobson	Naaden	Sands	Tweten
Larson	Peterson	Sandness	Wright

Absent and not voting:

Butler	Ringsak	Stroup
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1401 was passed be reconsidered and the motion to reconsider be laid on the table.

MOTION

Senator Wenstrom moved that the Senate reconsider the action by which House Bill No. 1517 was indefinitely postponed, which motion prevailed.

MOTION

Senator Litten moved that House Bill No. 1517 be placed at the head of the calendar, which motion failed.

MOTION

Senator Wenstrom moved that House Bill No. 1517 be laid over one legislative day, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Sandness moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1057, which motion prevailed. The President appointed as a Conference Committee on House Bill No. 1057:

Senator Sandness
 Senator Smykowski
 Senator Redlin

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1067, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1067.

Senator Jones
 Senator Iszler
 Senator Barth

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolutions Nos. 4024, 4053, House Bills 1003, 1006, 1072, 1098, 1246, 1252, 1260, 1291, 1300, 1357, 1363, 1398, 1436, 1447, 1465, 1517, 1530, and House Concurrent Resolutions Nos. 3032 and 3079 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-NINTH DAY

Bismarck, February 23, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ronald Norman, First Baptist Church, Bismarck.

"Almighty God,

"You have granted unto this nation the democratic ideal by which our destiny may be fashioned. We thank You that You have blessed our land to survive the infectious climate of confusion and uncertainty, helplessness and irresponsibility, by preserving among us enlightened and concerned citizens who cherished their heritage and who have purposed in their hearts to extend it.

"We thank You for like-minded leaders who You have raised up to guide our state and our nation. We would pray that You would grant those whom we have entrusted with the authority of government to be responsible and wise, courageous and strong. And guide us, the people, to expect of them and to support them in all wise legislation and a faithful administration that we may all prosper under an equal law.

"Defend our liberties and grant us a sense of our responsibility. Achieve unity of purpose among us, and grant unto us the victory of faith in the ideals to which we are committed as a nation. Strengthen us with honor and grant us peace.

"Provide us, O God, with the strength and spiritual sustenance for performing with might the tasks with which our common life yet confronts us; this is our common prayer, as we pray it in Your name.

"Amen."

Roll Call: All Senators present except Butler, Ringsak and Stroup.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-seventh day after recess and thirty-eighth day and recommends that the same be corrected as follows: On page 689, in line 19 from the bottom of the page, delete the words "Delayed Bills" and insert in lieu thereof the word "Photography"

On page 702, in line 9 from the top of the page, correct the spelling of the word "irrigation"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1136. A Bill for an Act to amend and reenact sections 39-08-01 and 40-18-12 of the North Dakota Century Code to provide for the diagnosis, prior to sentencing, and later treatment of persons convicted of driving while under the influence of intoxicating liquor or narcotic drugs.

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, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nething	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Pyle	Solberg
Erdman	Larson	Rait	Strand
Freed	Lee	Redlin	Strinden
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Roen	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan		

Absent and not voting:

Butler	Peterson	Ringsak	Stroup
Nasset			

So the bill passed and the title was agreed to.

House Bill No. 1170. A Bill for an Act to create and enact sections 39-12-05.1 and 39-12-05.2 of the North Dakota Century Code, relating to weight limitations for vehicles on interstate highways and highways other than the interstate designated by the commissioner or local authorities; and to amend and reenact subparagraph b. of subsection 2. of section 39-04-19 and section 39-12-05 of the North Dakota Century Code, relating to weight limitations for vehicles and motor vehicle registration fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Kautzmann	Nasset	Schultz, C.
Christensen	Larson	Nething	Schultz, J.
Coughlin	Lee	Page	Shablow
Erdman	Lips	Peterson	Smykowski
Goldberg	Litten	Pyle	Solberg
Goodman	Longmire	Rait	Strinden
Gronhovd	Melland	Redlin	Thane
Hoffner	Morgan	Reiten	Tweten
Holand	Mutch	Sands	Wenstrom
Jacobson	Naaden	Sandness	Wright
Jones			

Those voting in the negative were:

Freed	Fritzell	Roen
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Absent and not voting:

Barth	Butler	Ringsak	Stroup
Berube	Iszler	Strand	

So the bill passed and the title was agreed to.

House Bill No. 1295. A Bill for an Act to amend and reenact subsection C of section 52-09-08 of the North Dakota Century Code, to provide a limitation on levies for social security.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Sands
Barth	Jones	Nasset	Sandness
Christensen	Kautzmann	Nething	Schultz, C.
Coughlin	Larson	Page	Schultz, J.

Erdman	Lee	Peterson	Shablow
Freed	Lips	Pyle	Smykowski
Fritzell	Litten	Rait	Solberg
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand	Mutch		

Those voting in the negative were:

Strinden	Wright		
Absent and not voting:			
Berube	Goldberg	Ringsak	Stroup
Butler	Iszler	Strand	

So the bill passed and the title was agreed to.

House Bill No. 1352. A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of section 40-51.2-07, and sections 40-51.2-16 and 57-02-27 of the North Dakota Century Code, relating to continued classification as agricultural lands for tax purposes of agriculture areas annexed to cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sands
Barth	Jacobson	Naaden	Sandness
Christensen	Jones	Nasset	Schultz, C.
Coughlin	Kautzmann	Nething	Schultz, J.
Erdman	Larson	Page	Smykowski
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Thane
Goodman	Litten	Rait	Tweten
Gronhovd	Longmire	Redlin	Wenstrom
Hoffner	Melland	Reiten	Wright
Holand	Morgan		

Those voting in the negative were:

Shablow

Absent and not voting:

Berube	Goldberg	Roen	Strand
Butler	Ringsak	Solberg	Stroup

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Mr. Shablow: "Mr. President, I rise on a point of personal privilege to explain my vote.

Mr. President: "Go ahead Mr. Shablow."

Mr. Shablow: "A little bit ago I was the lone dissenting vote on House Bill 1352 and I've been sitting here contemplating whether or not I have been derelict in my duty, in not rising to oppose the bill. I will admit I was more or less overwhelmed in committee and decided that possibly the bill could stand on its merits without my particular opposition. The bill, I would like to explain why I voted no, the bill relates as the title says to the classification of agriculture lands for tax purposes. But I think some of the members should take a second look at this bill and realize that it has a lot to do with annexation to cities. And it opens this field wide open and I think it could be subjected to many abuses. I would hope that someone would possibly, if they saw fit, reconsider action sometime. I am not on the prevailing side in this issue. Thank you."

House Bill No. 1336. A Bill for an Act to amend and reenact section 39-18-04 of the North Dakota Century Code, relating to

safety devices and requirements for mobile homes and providing that passengers may ride in "fifth-wheel vehicles".

Which has been read.

MOTION

* Senator Mutch moved that House Bill No. 1386 be laid over one legislative day, which motion prevailed.

MOTION

Senator Naaden moved that Senate Concurrent Resolution No. 4040 be returned to the Senate from the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

Senator Naaden requested the unanimous consent of the Senate to withdraw Senate Concurrent Resolution No. 4040, which request was granted.

SECOND READING OF A HOUSE BILL

House Bill No. 1441. A Bill for an Act to amend and reenact sections 54-16-01 and 54-16-03 of the North Dakota Century Code, relating to the powers and duties of the emergency commission.

Which has been read.

MOTION

Senator Lips moved that House Bill No. 1441 be amended as follows:

"On page 2, line 28, after the period, delete "The Emergency Comm-"

Delete all of lines 29, 30, 31 and 32

Which motion failed.

SECOND READING OF HOUSE BILLS

House Bill No. 1441. A Bill for an Act to amend and reenact sections 54-16-01 and 54-16-03 of the North Dakota Century Code, relating to the powers and duties of the emergency commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sands
Coughlin	Kautzmann	Nething	Schultz, C.
Freed	Lee	Page	Schultz, J.
Goldberg	Litten	Peterson	Smykowski
Goodman	Melland	Pyle	Strinden
Holand	Mutch	Reiten	Thane
Iszler	Naaden	Roen	Wright
Jacobson			

Those voting in the negative were:

Barth	Gronhovd	Longmire	Sandness
Berube	Hoffner	Morgan	Shablow
Christensen	Larson	Rait	Solberg
Erdman	Lips	Redlin	Tweten
Fritzell			

Absent and not voting:

Butler	Strand	Stroup	Wenstrom
Ringsak			

So the bill passed and the title was agreed to.

House Bill No. 1464. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school starting age of a child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 669 of the Senate Journal, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 4.

Those voting in the affirmative were:

Berube	Hoffner	Longmire	Roen
Christensen	Holand	Nasset	Schultz, J.
Coughlin	Kautzmann	Nething	Solberg
Fritzell	Lee	Pyle	Tweten
Goodman	Lips	Redlin	Wenstrom
Gronhovd	Litten	Reiten	Wright

Those voting in the negative were:

Anderson	Jacobson	Naaden	Schultz, C.
Barth	Jones	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Melland	Rait	Strinden
Goldberg	Morgan	Sands	Thane
Iszler	Mutch	Sandness	

Absent and not voting:

Butler	Ringsak	Strand	Stroup
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So the bill was lost due to the lack of a Constitutional majority.

House Bill No. 1501. A Bill for an Act to amend and reenact section 40-18-01 of the North Dakota Century Code, relating to the office of municipal judge and providing that in cities of less than three thousand population he shall not be required to be either a licensed attorney or a resident of the city in which he is to serve.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Thane
Goldberg	Litten	Redlin	Tweten
Goodman	Longmire	Reiten	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan	Sands	

Absent and not voting:

Butler	Ringsak	Strand	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1503. A Bill for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the power of the boards of county commissioners to authorize maintenance of private roads used by public school buses.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Melland	Roen
Barth	Iszler	Nasset	Sands
Berube	Jacobson	Nething	Sandness
Christensen	Jones	Page	Shablow
Erdman	Kautzmann	Peterson	Smykowski
Fritzell	Larson	Pyle	Solberg
Goldberg	Lee	Rait	Twetten
Goodman	Lips	Redlin	Wenstrom
Gronhovd	Litten	Reiten	Wright
Hoffner	Longmire		

Those voting in the negative were:

Coughlin	Mutch	Schultz, C.	Strinden
Freed	Naaden	Schultz, J.	Thane
Morgan			

Absent and not voting:

Butler	Ringsak	Strand	Stroup
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So the bill passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2053

And find the same correctly enrolled and engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2066

Senate Bill No. 2070

Senate Bill No. 2079

Senate Bill No. 2088

Senate Bill No. 2187

Senate Bill No. 2206

Senate Bill No. 2221

Senate Resolution No. 3

Senate Resolution No. 5

Senate Resolution No. 6

Senate Concurrent Resolution No. 4009

Senate Concurrent Resolution No. 4018

Senate Concurrent Resolution No. 4032

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

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 Bills Nos. 1057 and 1067:

Senator Sandness

Senator Smykowski

Senator Redlin

To serve on House Bill No. 1057.

Senator Jones

Senator Iszler

Senator Barth

To serve on House Bill No. 1067.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:
Senate Bill No. 2036

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1034
House Bill No. 1175
House Bill No. 1212
House Bill No. 1278
House Bill No. 1279
House Bill No. 1315
House Bill No. 1366
House Bill No. 1504

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1013
House Bill No. 1035
House Bill No. 1037
House Bill No. 1201
House Bill No. 1219
House Bill No. 1243

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1108
House Concurrent Resolution No. 3025

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2083
Senate Bill No. 2171
Senate Bill No. 2174
Senate Bill No. 2244
Senate Bill No. 2261
Senate Bill No. 2307
Senate Bill No. 2360
Senate Bill No. 2387
Senate Concurrent Resolution No. 4026
Senate Concurrent Resolution No. 4051

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2089
Senate Bill No. 2095

ROY GILBREATH, Chief Clerk

PROPOSED AMENDMENTS TO
SENATE BILL No. 2089

On page 1, line 15 of the engrossed bill, insert beginning triple parentheses before the word "not", and delete the triple parentheses before and after "five" and also delete the word "eight"

On page 1, line 16, insert ending triple parentheses after the word "claim"

And renumber the lines and pages accordingly.

PROPOSED AMENDMENTS TO
SENATE BILL No. 2095

On page 1, line 11 of the engrossed bill, after the word "appointment" add the following: "by election as provided by law"

And renumber the lines accordingly.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2053
Senate Bill No. 2066
Senate Bill No. 2070
Senate Bill No. 2079
Senate Bill No. 2088
Senate Bill No. 2187
Senate Bill No. 2206
Senate Bill No. 2221
Senate Concurrent Resolution No. 4009
Senate Concurrent Resolution No. 4018
Senate Concurrent Resolution No. 4032
Senate Resolution No. 3
Senate Resolution No. 5
Senate Resolution No. 6

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2053
Senate Bill No. 2066
Senate Bill No. 2070
Senate Bill No. 2079
Senate Bill No. 2088
Senate Bill No. 2187
Senate Bill No. 2206
Senate Bill No. 2221
Senate Concurrent Resolution No. 4009
Senate Concurrent Resolution No. 4018
Senate Concurrent Resolution No. 4032

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1328

and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Rep. Hentges
Rep. Scofield
Rep. Linderman

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2053
 Senate Bill No. 2066
 Senate Bill No. 2070
 Senate Bill No. 2079
 Senate Bill No. 2088
 Senate Bill No. 2187
 Senate Bill No. 2206
 Senate Bill No. 2221
 Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4018
 Senate Concurrent Resolution No. 4032
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORTS OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 3
 Senate Resolution No. 5
 Senate Resolution No. 6

Were delivered to the Secretary of State at the hour of 3:00 o'clock P.M., February 23, 1973.

SENATOR JACOBSON, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4018
 Senate Concurrent Resolution No. 4032

Were delivered to the Secretary of State at the hour of 4:00 o'clock P.M., February 23, 1973.

SENATOR JACOBSON, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2053
 Senate Bill No. 2066
 Senate Bill No. 2070
 Senate Bill No. 2079
 Senate Bill No. 2088
 Senate Bill No. 2187
 Senate Bill No. 2206
 Senate Bill No. 2221

Were delivered to the Governor for his approval at the hour of 3:55 o'clock P.M., February 23, 1973.

SENATOR JACOBSON, Chairman

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1023
 House Bill No. 1069
 House Bill No. 1080
 House Bill No. 1105
 House Bill No. 1126
 House Bill No. 1150
 House Bill No. 1168
 House Bill No. 1174
 House Bill No. 1178
 House Bill No. 1179
 House Bill No. 1187

House Bill No. 1230
 House Bill No. 1236
 House Bill No. 1241
 House Bill No. 1244
 House Bill No. 1270
 House Bill No. 1273
 House Bill No. 1283
 House Bill No. 1285
 House Bill No. 1309
 House Bill No. 1329
 House Bill No. 1330
 House Concurrent Resolution No. 1332
 House Concurrent Resolution No. 1369
 House Concurrent Resolution No. 1397
 House Concurrent Resolution No. 1435
 House Concurrent Resolution No. 3007
 House Concurrent Resolution No. 3008
 House Concurrent Resolution No. 3026
 House Concurrent Resolution No. 3031

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1023
 House Bill No. 1069
 House Bill No. 1080
 House Bill No. 1105
 House Bill No. 1126
 House Bill No. 1150
 House Bill No. 1168
 House Bill No. 1174
 House Bill No. 1178
 House Bill No. 1179
 House Bill No. 1187
 House Bill No. 1230
 House Bill No. 1236
 House Bill No. 1241
 House Bill No. 1244
 House Bill No. 1270
 House Bill No. 1273
 House Bill No. 1283
 House Bill No. 1285
 House Bill No. 1309
 House Bill No. 1329
 House Bill No. 1330
 House Bill No. 1332
 House Bill No. 1369
 House Bill No. 1397
 House Bill No. 1435
 House Concurrent Resolution No. 3007
 House Concurrent Resolution No. 3008
 House Concurrent Resolution No. 3026
 House Concurrent Resolution No. 3031

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1023
 House Bill No. 1069
 House Bill No. 1080
 House Bill No. 1105

House Bill No. 1126
House Bill No. 1150
House Bill No. 1168
House Bill No. 1174
House Bill No. 1178
House Bill No. 1179
House Bill No. 1187
House Bill No. 1230
House Bill No. 1236
House Bill No. 1241
House Bill No. 1244
House Bill No. 1270
House Bill No. 1273
House Bill No. 1283
House Bill No. 1285
House Bill No. 1309
House Bill No. 1329
House Bill No. 1330
House Bill No. 1332
House Bill No. 1369
House Bill No. 1397
House Bill No. 1435
House Concurrent Resolution No. 3007
House Concurrent Resolution No. 3008
House Concurrent Resolution No. 3026
House Concurrent Resolution No. 3031
Which the President has signed.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 1:00 P.M., February 26, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-NINTH DAY AFTER RECESS
AND FORTIETH DAY

Bismarck, February 26, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution No. 4039
Senate Concurrent Resolution No. 4024
And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1010 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1028 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14, after the first "or" insert ending triple parentheses and after "knowingly" delete the ending triple parentheses

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1084 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1094 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1151 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18 of the engrossed bill delete the triple parentheses around the word "six" and delete the word "three"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1226 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1240 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1254 has had the same under consideration and recommends that the same be amended as follows:

On page 7, line 24 of the engrossed bill delete the number "14" and insert in lieu thereof the number "16"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1275 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1304 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 of the engrossed bill, delete ", after deducting fifty"

On page 1, line 14, delete "dollars for county administrative costs,"

On page 2, line 1, delete the beginning triple parentheses

On page 2, line 7, delete the ending triple parentheses

On page 2, line 23, delete the beginning triple parentheses

On page 2, line 30, delete the ending triple parentheses

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1338 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1347 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1360 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1361 has had the same under consideration and recommends that the same do pass, unopposed and be placed on the Consent Calendar.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1368 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1389 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1430 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 18 of the engrossed bill after the comma delete "and"

On page 1 line 19 after the comma delete rest of the lines and insert in lieu thereof "and proofs of cargo insurance"

On page 1 line 20 delete "carrier"

On page 2 line 15 delete "for hire building" and insert in lieu thereof "house"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1434 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was

referred House Bill No. 1460 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1493 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1500 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1510 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1515 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1516 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1526 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1533 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Concurrent Resolution No. 3055 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution No. 3060 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Strand moved that the Senate reconsider the action by which House Bill No. 1464 was declared lost, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1464. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school starting age of a child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 669 of the Senate Journal, the roll was called and there were ayes, 30; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Litten	Roen
Berube	Holand	Longmire	Sands
Butler	Iszler	Nasset	Schultz, J.
Christensen	Jacobson	Peterson	Solberg
Fritzell	Jones	Pyle	Strand
Goldberg	Kautzmann	Redlin	Tweten
Goodman	Lee	Reiten	Wenstrom
Gronhovd	Lips		

Those voting in the negative were:

Barth	Melland	Page	Shablow
Coughlin	Morgan	Rait	Smykowski
Erdman	Mutch	Ringsak	Strinden
Freed	Naaden	Sandness	Stroup
Larson	Nething	Schultz, C.	Thane

Absent and not voting:

Wright

So the bill passed and the title was agreed to.

MOTION

Senator Strinden moved that the Senate reconsider the action by which House Bill No. 1108 was indefinitely postponed, which motion failed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Concurrent Resolution No. 4065 and House Bill No. 1208 be dispensed with, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution No. 4065 as recommended by the Committee on Natural Resources as printed on page 712 of the Senate Journal be adopted, and be referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1208 as recommended by the Committee on Natural Resources as printed on page 712 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolution 4065, House Bills 1010, 1084, 1094, 1208, 1226, 1338, 1347, 1360, 1361, 1368, 1434, 1460, 1493, 1500, 1510, 1515, 1516, 1526, 1533, and House Concurrent Resolutions 3055, 3060 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTIETH DAY

Bismarck, February 26, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain John Pfeifer, St. Anne's Catholic Church, Bismarck.

"Let us pray:

"Father in heaven, You have called these men to the difficult task of protecting the rights of their fellowmen and deciding what is best for the common good. Be with them now that they may not abuse the powers that you have given them.

"Help them to be honest and open in sharing their knowledge and skills with others, so that together we may grow into a community of concerned, God-fearing people."

"Grant to the President of the United States, the Congress, and to all law officials on the national, state, and local levels wisdom and justice, give to them the gifts of counsel and fortitude, send Your Holy Spirit to enlighten them and strengthen them, so that they may conduct Your affairs and those of men with righteousness.

"Help these men to realize that all authority comes from You and to use it as **Your** representatives.

"May men never lose respect for all lawful authority, justly exercised, and may our governing officials bring us true peace and posterity. Amen."

Roll Call: All Senators present except Wright.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-eighth day after recess and the thirty-ninth day and recommends that the same be corrected as follows:

On page 716, after line 18 from the top of the page, insert "Which motion prevailed."

On page 716, after line 30 from the top of the page, insert "Senator Litten moved that"

On page 716, in line 31 from the top of the page, delete the word "Senate" and insert in lieu thereof the word "House"

On page 716, line 33 from the top of the page, delete the numerals "1041" and insert in lieu thereof the numerals "1401"

On page 716, after line 35, insert "Senator Nething."

On page 720, in line 6 from the bottom of the page, delete the numerals "1607" and insert in lieu thereof the numerals "1067"

On page 720, in line 8 from the bottom of the page, delete the numerals "1607" and insert in lieu thereof the numerals "1067"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Goldberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2089 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2089

Senator Mutch

Senator Jacobson

Senator Gronhovd

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2095 which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2095 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2095. A Bill for an Act to provide for a time and place for a meeting of the presidential and vice presidential electors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 728 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner			

Absent and not voting:

Smykowski Wright

So the bill passed and the title was agreed to.

APPOINTMENT OF A CONFERENCE COMMITTEE

Senator Sandness moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1328, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1328,

Senator Sandness
 Senator Smykowski
 Senator Redlin

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4024. A Concurrent Resolution urging the United States Congress to enact effective legislation to deal with strikes in the transportation industry.

Which has been read.

Senator Goldberg moved that Senate Concurrent Resolution No. 4024, as amended on page 690 of the Senate Journal, be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4053. A Concurrent Resolution urging Congress to provide funds to the appropriate agency for construction of a scenic road in the North Dakota Badlands connecting the three units of the Theodore Roosevelt National Memorial Park.

Which has been read.

Senator Redlin moved that Senate Concurrent Resolution No. 4053 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1003. A Bill for an Act making an appropriation for defraying 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, page 692 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Roen
Barth	Holand	Mutch	Sands
Berube	Iszler	Naaden	Sandness
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom

Absent and not voting:

Schultz, C.	Smykowski	Wright
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So the bill passed and the title was agreed to.

House Bill No. 1006. A Bill for an Act making an appropriation for defraying expenses of the various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 692 and 693 of the Senate Journal, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nothing	Schultz, C.
Barth	Jones	Page	Schultz, J.
Christensen	Kautzmann	Peterson	Shablow
Coughlin	Larson	Pyle	Smykowski
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Strinden
Goodman	Longmire	Ringsak	Stroup
Gronhovd	Melland	Roen	Thane
Hoffner	Morgan	Sands	Tweten
Holand	Nasset	Sandness	Wenstrom
Iszler			

Those voting in the negative were:

Butler	Goldberg	Mutch	Naaden
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Absent and not voting:

Berube	Wright
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So the bill passed and the title was agreed to.

House Bill No. 1072. A Bill for an Act to amend and reenact section 16-20-17.1 of the North Dakota Century Code relating to political advertisements and the disclosure of the name and address of the sponsor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 693 of the Senate Journal, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch		

Absent and not voting:

Wright

So the bill passed and the title was agreed to.

House Bill No. 1098. A Bill for an Act to create and enact section 44-08-04.1, relating to per diem allowance for long term travel status; to amend and reenact sections 44-08-04 and 44-08-05 of the North Dakota Century Code, relating to expenses and allowances for state officials and employees while performing duties away from their normal working and living residence; providing a penalty; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 693 and 694 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner			

Absent and not voting:

Roen Wright

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1202. A Bill for an Act to amend and reenact subsection 1 of section 57-38-66 of the North Dakota Century Code, relating to the business privilege tax, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Butler	Lee	Nothing	Shablow
Coughlin	Lips	Page	Solberg
Fritzell	Litten	Peterson	Strand
Goldberg	Longmire	Pyle	Strinden

Goodman	Melland	Reiten	Stroup
Holand	Morgan	Ringsak	Thane
Jacobson	Mutch	Sands	Tweten
Jones	Naaden	Schultz, C.	Wenstrom
Kautzmann	Nasset	Schultz, J.	

Those voting in the negative were:

Anderson	Erdman	Iszler	Redlin
Barth	Freed	Larson	Sandness
Berube	Gronhovd	Rait	Smykowski
Christensen	Hoffner		

Absent and not voting:

Roen	Wright
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So the bill passed and the title was agreed to.

House Bill No. 1220. A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries; to amend and reenact subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Lee	Nothing	Schultz, C.
Butler	Lips	Page	Schultz, J.
Coughlin	Litten	Peterson	Smykowski
Goldberg	Longmire	Pyle	Solberg
Goodman	Melland	Reiten	Thane
Iszler	Mutch	Ringsak	Tweten
Jacobson	Naaden	Sands	Wenstrom
Jones			

Those voting in the negative were:

Barth	Fritzell	Larson	Sandness
Berube	Gronhovd	Morgan	Shablow
Christensen	Hoffner	Nasset	Strand
Erdman	Holand	Rait	Strinden
Freed	Kautzmann	Redlin	Stroup

Absent and not voting:

Roen	Wright
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So the bill passed and the title was agreed to.

House Bill No. 1246. A Bill for an Act to amend and reenact section 20.1-01-03 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to any action for damages for destruction of game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 695 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg

Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner			

Absent and not voting:
 Roen Wright

So the bill passed and the title was agreed to.

House Bill No. 1252. A Bill for an Act to amend and reenact subsection 3 of section 39-06-17 of the North Dakota Century Code, relating to behind-the-wheel instruction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Christensen	Jones	Nothing	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	

Those voting in the negative were:
 Ringsak

Absent and not voting:
 Butler Roen Wright

So the bill passed and the title was agreed to.

House Bill No. 1260. A Bill for an Act to provide for the inclusion of the common name or address in all notices relating to real property which are required by law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 695 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Sands	Wenstrom

Absent and not voting:
 Jones Roen Wright

So the bill passed and the title was agreed to.

House Bill No. 1291. A Bill for an Act to create and enact section 4-08-10.1 of the North Dakota Century Code, relating to premiums for boys' and girls' clubwork at county achievement days, and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 695 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom

Absent and not voting:

Nasset	Roen	Wright
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So the bill passed and the title was agreed to.

House Bill No. 1300. A Bill for an Act to amend and reenact sections 58-04-10, 58-05-02, and 58-05-18 of the North Dakota Century Code, relating to the appointment of township assessors; and to repeal section 58-09-01 of the North Dakota Century Code, relating to the requirement that township assessors be electors and owners of property in their township.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 695 and 696 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Naaden	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Sands	Wenstrom

Absent and not voting:

Nasset	Roen	Wright
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So the bill passed and the title was agreed to.

MOTION

Senator Shablow moved that House Bill No. 1465 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1465. A Bill for an Act to amend and reenact sections 57-02-33, 58-04-10, and 58-09-02 of the North Dakota Century Code, relating to the appointment of the township assessor by the

township supervisors and the district assessor to be appointed by the board of county commissioners for a four-year term; and to repeal section 58-09-01 of the North Dakota Century Code, relating to the qualifications of a township assessor.

Which has been read.

MOTION

Senator Nething moved that House Bill No. 1465 be amended as follows:

On page 2, line 22, delete the comma and words “, except that in certain cases the”

On page 2, line 23, delete the words “assessor may be a contract employee under section 58-05-02”

And renumber the lines accordingly.

Which motion prevailed.

Senator Nething moved that the rules be suspended, that House Bill No. 1465 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1465. A Bill for an Act to amend and reenact sections 57-02-33, 58-04-10, and 58-09-02 of the North Dakota Century Code, relating to the appointment of the township assessor by the township supervisors and the district assessor to be appointed by the board of county commissioners for a four-year term; and to repeal section 58-09-01 of the North Dakota Century Code, relating to the qualifications of a township assessor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch		

Absent and not voting:

Wright

So the bill passed and the title was agreed to.

House Bill No. 1357. A Bill for an Act to amend and reenact section 20.1-03-11 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to special permits to hunt mule deer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 696 of the Senate Journal, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
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Berube	Iszler	Naaden	Sandness
Butler	Jacobson	Nasset	Schultz, C.
Christensen	Jones	Nething	Schultz, J.
Coughlin	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strand
Goldberg	Litten	Redlin	Strinden
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom

Those voting in the negative were:

Barth Stroup

Absent and not voting:

Wright

So the bill passed and the title was agreed to.

House Bill No. 1363. A bill for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, relating to membership and composition of the state health council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten
Hoffner			

Absent and not voting:

Wenstrom Wright

So the bill passed and the title was agreed to.

House Bill No. 1386. A Bill for an Act to amend and reenact section 39-18-04 of the North Dakota Century Code, relating to safety devices and requirements for mobile homes and providing that passengers may ride in "fifth-wheel vehicles".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, C.
Butler	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane

Gronhovd Morgan Roen Tweten
Hoffner

Absent and not voting:
Wenstrom Wright

So the bill passed and the title was agreed to.

House Bill No. 1398. A Bill for an Act to amend and reenact section 15-22-25 of the North Dakota Century Code, relating to a common county superintendent of schools for two or more counties or parts thereof.

Which has been read.

MOTION

Senator J. Schultz moved that House Bill No. 1398 be amended as follows:

On page 2, line 29, delete the beginning triple parentheses before the word "the"

On page 2, line 34, delete the ending triple parentheses after the comma

Which motion prevailed.

Senator J. Schultz moved that the rules be suspended, that House Bill No. 1398 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

House Bill No. 1398. A Bill for an Act to amend and reenact section 15-22-25 of the North Dakota Century Code, relating to a common county superintendent of schools for two or more counties or parts thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 696 of the Senate Journal, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch		

Absent and not voting:
Wright

So the bill passed and the title was agreed to.

House Bill No. 1436. A Bill for an Act to provide a statement of legislative intent concerning the use of sales, market, and productivity studies in the assessment and equalization of property for taxation purposes; to amend and reenact subsection 4 of section 57-01-05, and sections 57-01-06 and 57-01-07 of the North Dakota Century Code, relating to the authority of the state supervisor of assessments and the state tax commissioner, and property to be excluded in sales, market, and productivity studies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 697 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Gronhovd	Mutch	Sands	Wenstrom
Hoffner			

Absent and not voting:

Melland Wright

So the bill passed and the title was agreed to.

House Bill No. 1447. A Bill for an Act to allow for the contracting of fire protection services and providing a method for the financing thereof.

Which has been read.

MOTION

Senator Nothing moved that House Bill No. 1447 be amended as follows:

On page 1, line 22 of the engrossed bill, delete the word "extend" and insert in lieu thereof the word "expend"

Which motion prevailed.

Senator Nothing moved that the rules be suspended, that House Bill No. 1447 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1447. A Bill for an Act to allow for the contracting of fire protection services and providing a method for the financing thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner			

Those voting in the negative were:

Mutch

Absent and not voting:

Wright

So the bill passed and the title was agreed to.

House Bill No. 1517. A Bill for an Act to amend and reenact section 43-17-21 of the North Dakota Century Code, relating to physician licensure without examination and temporary licenses.

Which has been read.

MOTION

Senator Rait moved that House Bill No. 1517 be amended as follows:

On page 2, line 2 of the engrossed bill, after the word "Isles", delete the words "or Canada"

Which motion prevailed.

Senator Rait moved that the rules be suspended, that House Bill No. 1517 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1517. A Bill for an Act to amend and reenact section 43-17-21 of the North Dakota Century Code, relating to physician licensure without examination and temporary licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 20; nays, 30; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Gronhovd	Rait	Shablow
Berube	Hoffner	Redlin	Strand
Christensen	Jones	Reiten	Stroup
Coughlin	Larson	Sands	Thane
Erdman	Page	Schultz, C.	Wenstrom

Those voting in the negative were:

Anderson	Jacobson	Mutch	Roen
Butler	Kautzmann	Naaden	Sandness
Freed	Lee	Nasset	Schultz, J.
Fritzell	Lips	Nothing	Smykowski
Goldberg	Litten	Peterson	Solberg
Goodman	Longmire	Pyle	Strinden
Holand	Melland	Ringsak	Tweten
Iszler	Morgan		

Absent and not voting:

Wright

So the bill was declared lost.

Senator Lips moved that the vote by which House Bill No. 1517 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1530. A Bill for an Act to amend and reenact section 24-05-01 and subsection 3 of section 57-15-06 of the North Dakota Century Code, relating to the county road tax levy and county levy limitations.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness

Berube	Jacobson	Nasset	Schultz, C.
Christensen	Jones	Nething	Schultz, J.
Coughlin	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strand
Goldberg	Litten	Redlin	Strinden
Goodman	Longmire	Reiten	Stroup
Gronhovd	Melland	Ringsak	Thane
Hoffner	Morgan	Roen	Tweten

Absent and not voting:

Butler Wenstrom Wright

So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

Senator Barth: "Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Barth."

Senator Barth: "Mr. President, Ladies and Gentlemen of the Senate. I didn't speak on House Bill No. 1517, but I'm shocked at what this Legislature has done since we've started. We're legislating rural against urban. I have seen more legislation passed in the last week affecting the City of Fargo, do-gooder bills for the City of Fargo, than I could possibly imagine was possible. We have bills coming along which affect the City of Jamestown and so forth. We passed this legislation. We have an area, such as the medical profession, where the people in the rural areas are in dire need, and I didn't speak about my area, but I remember one of the hospitals in my district in Elgin being closed, because the doctors were retiring. After almost a back breaking chore and an almost endless effort by the people in the community they found some young doctors that would come in temporarily. This would have helped. We find we have some 150 doctors in Fargo. We have doctors located throughout the cities. We're legislating strictly urban against rural and I think we'd better put our minds together. I think we'd better think about what we're really doing here. I can't help but be discouraged and disgusted with these gentlemen of the Senate. We've heard bill after bill come before this session in the last ten days which merely affects Fargo. Is Fargo the only city in the state of North Dakota? Are the only people in North Dakota in Fargo? Believe me, they are living all over the State of North Dakota. Let's find out where our wealth is coming from. Eighty-two percent of our wealth comes from the rural areas.

"Ladies and Gentlemen of the Senate, I think we'd better start thinking about legislating instead of sitting here and wondering about what's good for the rural, and what's good for urban."

PERSONAL PRIVILEGE

Senator Freed: "Mr. President. I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Freed."

Senator Freed:

"Mr. President, members of the Senate. I rise concerning the remarks of the last speaker. With reference to medical doctors obtaining a temporary license, I would just like to point out that under our present statute in North Dakota any doctor can obtain a temporary license. I think this is a must when you are talking about the medical profession. They should comply with certain requirements before they can get even a temporary license. It has absolutely nothing to do with urban or rural matters. It is a matter of whether or not we should allow them to come into our

state, any time they so desire, on a temporary permit, or should they seek from the profession the right to get this temporary permit, which can be done and is done in certain circumstances.

MOTION

Senator Strinden moved that Senator Freed's remarks be printed in the Journal, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3032. A concurrent resolution urging adequate service and reasonable freight rates for the transportation of North Dakota's agricultural products.

Which has been read.

Senator Goldberg moved that House Concurrent Resolution No. 3032, as amended on page 698 of the Senate Journal, be adopted, which motion prevailed.

House Concurrent Resolution No. 3079. A Concurrent Resolution urging the Congress of the United States to retain the provision of the Internal Revenue Code on capital gains for timber.

Which has been read.

Senator Roen moved that House Concurrent Resolution No. 3079 be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following concurrent resolution:

Senate Concurrent Resolution No. 4065

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4038

Senate Concurrent Resolution No. 4068

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1136

House Bill No. 1170

House Bill No. 1295

House Bill No. 1352

House Bill No. 1401

House Bill No. 1441

House Bill No. 1501

House Bill No. 1503

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1227

House Concurrent No. 3036

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

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. 1328
 Senator Sandness
 Senator Smykowski
 Senator Redlin

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2095

And refused to concur in the House amendment to:

Senate Bill No. 2089

And the President has appointed as a Conference Committee to act with a like committee from the House:

Senator Mutch
 Senator Jacobson
 Senator Gronhovd

LEO LEIDHOLM, Secretary

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. 2146
 Senate Bill No. 2173
 Senate Bill No. 2209
 Senate Bill No. 2344

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2146

On page 1, line 12 of the engrossed bill, delete everything after the comma and insert in lieu thereof the following:

"to operate and maintain, subject to the availability of funds, and to incorporate into the North Dakota state park system, the area commonly known as the Fort Stevenson public use development area, which land consists of and is described as those portions of the following described subdivisions which lie above contour one thousand eight hundred fifty (mean sea level): lots three and four in the north half of the northwest quarter, and the south half of the northwest quarter of section five, and lots one and two in the north half of the northeast quarter of section six, both sections being in township one hundred forty-seven north, range eighty-four west of the fifth principal meridian; the southeast quarter, the south half of the northeast quarter, the east half of the southeast quarter of the northwest quarter, and the east half of the east half of the southwest quarter, of section thirty-one, and southwest quarter and south half of the northwest quarter of section thirty-two, both sections being in township one hundred forty-eight, range eighty-four west of the fifth principal meridian; all lying within McLean County, North Dakota and containing approximately four hundred thirty-eight acres."

On page 1, delete lines 13 through 24

On page 2, line 3, delete everything after the comma and insert in lieu thereof the following:

"to operate and maintain, subject to availability of funds, and to incorporate into the North Dakota state park system, the area com-

monly known as the Lewis and Clark public use development area, which land consists of and is described as those portions of the following described subdivisions which lie above contour one thousand eight hundred fifty (mean sea level): the southwest quarter, the north half of the southeast quarter, and lot two of section twenty-five, the southeast quarter of the northeast quarter, the west half of the southeast quarter, the northeast quarter of the southeast quarter, and lot one of section thirty-five, and the northwest quarter of the northwest quarter, and lots one, two, and five of section thirty-six, all three sections being in township one hundred fifty-four north, range ninety-eight west of the fifth principal meridian; that portion of the south half of the northwest quarter lying north of Long Creek, and lots one and four of section two, and the southeast quarter of the northeast quarter of section 3, both the latter two sections being in township one hundred fifty-three north, range ninety-eight west of the fifth principal meridian; all lying within Williams County, North Dakota, and containing approximately four hundred ninety acres."

On page 2, delete lines 4 through 11

And renumber the pages and lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2173

On page 2, line 20, delete the word "fifteenth" and insert in lieu thereof the word "first", and delete the word "May" and insert in lieu thereof the word "June"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2209

On page 1, line 14, after the words "a vice chairman," insert the following: "a vice chairwoman,"

On page 1, line 21, after the word "chairman," insert the following: "vice chairwoman,"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2344

On page 1, line 22, place triple parentheses around the word "twenty-first" and insert the word "eighteenth" in lieu thereof
And renumber the lines accordingly.

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2023

Senate Bill No. 2055

Senate Bill No. 2097

Senate Bill No. 2098

Senate Bill No. 2131

Senate Bill No. 2156

Senate Bill No. 2169

Senate Bill No. 2184

Senate Bill No. 2185

Senate Bill No. 2259

Senate Bill No. 2289

Senate Bill No. 2296

Senate Bill No. 2333

Senate Bill No. 2342

Senate Bill No. 2345

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed.

Senate Bill No. 2129

Senate Bill No. 2222

Senate Bill No. 2273

Senate Bill No. 2328

Senate Concurrent Resolution No. 4022

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 Bills Nos. 1035, 1183, 1201, 1219.

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 p.m., which motion prevailed.

LEO LEIDHOLM, Secretary

FORTIETH DAY AFTER RECESS
AND FORTY-FIRST DAY

Bismarck, February 27, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on February 25, 1973, I signed the following:

Senate Bill No. 2053
Senate Bill No. 2066
Senate Bill No. 2070
Senate Bill No. 2088
Senate Bill No. 2187
Senate Bill No. 2206
Senate Bill No. 2221

I also forwarded Senate Bill No. 2070 without signature.

Sincerely yours,
ARTHUR A. LINK
Governor

REPORTS OF STANDING COMMITTEES,
CONCERNING GOVERNOR'S APPOINTMENTS

Mr. President: Your Committee on Education recommends that the Senate do advise and consent to the following Governor's Appointments:

State Board of Higher Education
Richard H. McGee
Dr. Robert C. Painter

State Board of Public School Education
Arthur S. Johnson
Robert P. Miller
Merlyn Miller

Higher Education Facilities Committee
Dr. J. Kenneth Galloway
Richard P. Rausch

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions recom-

mends that the Senate do advise and consent to the following Governor's Appointments:

State Historical Society

Edward A. Milligan, Bottineau
Mrs. Hugh McCreery, Bismarck
Mr. Pat DeForest, Bismarck
Robert Cory, Minot
Mrs. Harold Oberlander, New England
Mr. D. Jerome Tweten, Grand Forks

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor recommends that the Senate do advise and consent to the following Governor's Appointments:

Commissioner of Banking and Financial Institutions

G. W. Ellwein

Securities Commissioner

Don Holloway

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs recommends that the Senate do advise and consent to the following Governor's Appointments:

Council on the Arts and Humanities

Dr. Frank C. Pearson
Dr. William Boehle
Jack Askew
Bryan Gackle
Mrs. A. J. Pederson
Mrs. Russell F. Freeman
Dennis Navrat
Walter J. Piehl

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs recommends that the Senate do advise and consent to the following Governor's Appointments:

State Social Service Board

Paige J. Baker
Richard Holmes
V. Frank Kadlec
George M. Unruh, Sr.
Virgil Johnson

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs does not consent to the following Governor's appointment:

State Social Service Board

Marcellus M. Hartzel

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government which has had under consideration the appointment of the

Director of Institutions

Walter R. Fiedler

Has made its recommendation for **rejection** on a 4-3 vote.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted.

MOTION

Senator Christensen moved that further consideration of the report of the Committee on State and Federal Government, considering the confirmation of Walter R. Fiedler as Director of Institutions be laid on the table until one legislative day after the Select Committee, investigating the State Penitentiary has delivered its report.

MOTION

Senator Rait requested a roll call vote, which request was granted.

ROLL CALL

The question being on Senator Christensen's motion to delay consideration of the report of the Committee on State and Federal Government, considering the confirmation of Walter R. Fiedler as Director of Institutions until one legislative day after the Select Committee investigating the State Penitentiary has delivered its report, the roll was called and there were ayes, 19; nays, 32; absent and not voting, 0.

Those voting in the affirmative were:

Barth	Gronhovd	Longmire	Shablow
Berube	Hoffner	Rait	Solberg
Christensen	Jacobson	Redlin	Wenstrom
Erdman	Larson	Ringsak	Wright
Fritzell	Lee	Sandness	

Those voting in the negative were:

Anderson	Jones	Nasset	Schultz C.
Butler	Kautzmann	Nothing	Schultz, J.
Coughlin	Lips	Page	Smykowski
Freed	Litten	Peterson	Strand
Goldberg	Melland	Pyle	Strinden
Goodman	Morgan	Reiten	Stroup
Holand	Mutch	Roen	Thane
Iszler	Naaden	Sands	Tweten

So the motion was declared lost.

MOTION

Senator Hoffner moved that further consideration of the report of the Committee on State and Federal Government, concerning the appointment of Walter R. Fiedler as Director of Institutions be laid over three legislative days, which motion failed.

MOTION

Senator Christensen requested a roll call vote, which request was granted.

ROLL CALL

The question being on adoption of the report of the Committee on State and Federal Government which has had under consideration the appointment of the **Director of Institutions**, Walter R. Fiedler, the roll was called and there were ayes, 35; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jones	Nothing	Smykowski
Butler	Kautzmann	Page	Solberg
Coughlin	Lips	Peterson	Strand
Freed	Litten	Pyle	Strinden
Fritzell	Melland	Reiten	Stroup

Goldberg	Morgan	Roen	Thane
Goodman	Mutch	Sands	Tweten
Holand	Naaden	Sandness	
Those voting in the negative were:			
Berube	Hoffner	Longmire	Schultz, J.
Christensen	Jacobson	Rait	Shablow
Erdman	Larson	Redlin	Wenstrom
Gronhovd	Lee	Ringsak	Wright

And the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1019 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1027 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1040 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1092 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1116 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1234 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1405 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 1 after the word "reenact" insert "subsections 2, 3 and 4 and create and enact subsection 5 of"

Page 2, insert beginning triple parentheses before the numeral "1"

Page 2, line 15 insert ending triple parentheses after the semi-colon

Renumber pages, lines and subsections accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1487 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1498 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1509 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1531 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3058 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3061 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution No. 3083 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete the word "hot" and insert in lieu thereof the word "school" and delete the word "recess" and insert in lieu thereof the word "special"

On page 1, line 10, delete the word "hot" and insert in lieu thereof the word "school" and delete the word "recess" and insert in lieu thereof the word "special"

On page 1, line 18, delete the word "hot" and insert in lieu thereof the word "school" and delete the word "recess" and insert in lieu thereof the word "special"

On page 1, line 22, after the word "States" insert the following: "to the United States Secretary of Agriculture,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to House Bills Nos. 1028, 1151, 1254, 1304 and 1430 be dispensed with, which motion prevailed.

Senator Butler moved that the amendments to House Bill No.

1028 as recommended by the Committee on Finance and Taxation as printed on page 733 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1151 as recommended by the Committee on Judiciary as printed on page 734 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Bill No. 1254 as recommended by the Committee on Transportation as printed on page 734 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1304 as recommended by the Committee on Finance and Taxation as printed on page 734 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Bill No. 1430 as recommended by the Committee on Transportation as printed on page 734 of the Senate Journal be adopted, which motion prevailed.

MOTIONS

Senator Freed moved that the Senate request the return of House Bill No. 1078 from the House, which motion prevailed.

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 1003 was passed, which motion prevailed.

Senator Longmire moved that House Bill No. 1003 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of House Bills Nos. 1019, 1028, 1040, 1092, 1116, 1151, 1234, 1254, 1304, 1430, 1487, 1498, 1509, 1531, House Concurrent Resolutions Nos. 3058 and 3061, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FIRST DAY

Bismarck, February 27, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Edwin P. Wehner, Cathedral of the Holy Spirit, Bismarck.

"Almighty Father, the people of this State need someone to listen to them. Open our ears much wider so that by talking to us, their representatives, they may be more willing to listen to You. Grant them confidence and guidance where they have a right to expect it. Help us to make this a better place to live.

"We ask this through Christ our Lord. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-ninth day after recess and the fortieth day, and finds the same correct.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Stroup moved that the Senate do not concur in the House amendments to Senate Bill No. 2146 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

- Senate Bill No. 2146
- Senator Smykowski
- Senator Fritzell
- Senator Redlin

**CONSIDERATION OF MESSAGES
FROM THE HOUSE**

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2173, which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2173 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2173. A Bill for an Act to amend and reenact section 52-06-04 of the 1971 Supplement to the North Dakota Century Code, relating to schedule of unemployment compensation benefits, qualifying wages and definitions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 753 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nething	Shablow
Butler	Jacobson	Peterson	Smykowski
Christensen	Jones	Pyle	Solberg
Coughlin	Kautzmann	Rait	Strand
Erdman	Larson	Redlin	Strinden
Freed	Lee	Reiten	Stroup
Fritzell	Lips	Ringsak	Tweten
Goldberg	Litten	Roen	Wenstrom
Goodman	Longmire	Sands	Wright
Gronhovd	Melland	Sandness	

Absent and not voting:

Mutch	Naaden	Page	Thane
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So the bill passed and the title was agreed to.

**CONSIDERATION OF A MESSAGE
FROM THE HOUSE**

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2209 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

- Senate Bill No. 2209
- Senator Peterson
- Senator Sands
- Senator Iszler

**CONSIDERATION OF A MESSAGE
FROM THE HOUSE**

Senator Stroup moved that the Senate do not concur in the House amendments to Senate Bill No. 2344 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:
 Senate Bill No. 2344
 Senator Sandness
 Senator Morgan
 Senator Redlin

**SECOND READING OF HOUSE BILLS
 ON THE CONSENT CALENDAR**

House Bill No. 1360. A Bill for an Act to amend and reenact section 26-17-01.7 of the North Dakota Century Code, relating to the issuance of a license to a nonresident insurance agent.

Which has been read.

House Bill No. 1361. A Bill for an Act to amend and reenact section 26-17-06 of the North Dakota Century Code, relating to the issuance of insurance agent's license and the requirement of underwriter's license.

Which has been read.

ROLL CALL

The question being on the final passage of the bills, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nething	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright

Those voting in the negative were:

Rait

Absent and not voting:

Holand Iszler

So the bills were passed and the titles were agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Stroup
Goodman	Longmire	Ringsak	Thane
Gronhovd	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom

Those voting in the negative were:

Barth Rait Wright

So the bill passed and the title was agreed to.

House Bill No. 1084. A Bill for an Act authorizing the director of institutions to discontinue operation of the tuberculosis sanatorium and transfer the responsibility of the care of tuberculous patients to the state department of health.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1094. A Bill for an Act to create and enact a new subsection to section 34-06-01 of the North Dakota Century Code, relating to the definition of wages for the minimum wage law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1208. A Bill for an Act to amend and reenact section 11-27-09.1 of the North Dakota Century Code, as contained in section 6 of House Bill No. 1041 of the forty-third legislative assembly, relating to the allocation of federal payments for game and fish land among townships and school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 712 of the Senate Journal, the roll was called and there were ayes, 50; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
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Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Those voting in the negative were:

Jones

So the bill passed and the title was agreed to.

House Bill No. 1226. A Bill for an Act to amend and reenact sections 15-10-18 and 15-10-19 of the North Dakota Century Code, relating to the tuition of nonresidents at schools under the control of the state board of higher education and the definition of non-resident student for tuition purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1338. A Bill for an Act to amend and reenact subsection 12 of section 57-02-08 and sections 57-35-06 and 57-35.1-02 of the North Dakota Century Code, relating to mobile homes owned by banks and savings and loan institutions; and to repeal section 57-02-26.1 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom

Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1347. A Bill for an Act to amend and reenact subsection 2 of section 27-09.1-06 of the North Dakota Century Code relating to the selection of jurors for the master jury wheel.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1368. A Bill for an Act to create and enact section 33-12-23.1 of the North Dakota Century Code, providing that county justices may instruct juries in criminal cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1434. A Bill for an Act to amend and reenact section 16-18-14 of the 1971 Supplement to the North Dakota Century Code, relating to canvassing of mailed absent voters' ballots received late.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow

Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1460. A Bill for an Act to amend and reenact sections 15-40.1-06 and 15-40.2-03 of the North Dakota Century Code, relating to the computation of the educational cost per pupil and school district tuition payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1493. A Bill for an Act to amend and reenact section 40-18-15 of the North Dakota Century Code, to repeal sections 40-18-16 and 40-18-17 of the North Dakota Century Code, and to repeal section 40-18-18 of the 1971 Supplement to the North Dakota Century Code relating to jury trials in municipal courts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz, C.
Barth	Hoffner	Naaden	Schultz, J.
Berube	Holand	Nasset	Shablow
Butler	Iszler	Nothing	Smykowski
Christensen	Jacobson	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sandness	Wright

Those voting in the negative were:

Jones	Mutch	Ringsak	Wenstrom
Larson	Rait	Sands	

So the bill passed and the title was agreed to.

House Bill No. 1500. A Bill for an Act to amend and reenact subsection 1 of section 19-05-08 and subsection 2 of section 19-05-13 of the North Dakota Century Code, relating to the reduction and elimination of the tax imposed upon oleomargarine sold in this state, and its transportation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Goodman	Melland	Reiten
Berube	Holand	Naaden	Roen
Butler	Iszler	Nasset	Schultz, C.
Coughlin	Jacobson	Nothing	Schultz, J.
Erdman	Kautzmann	Page	Solberg
Freed	Lips	Peterson	Strinden
Fritzell	Litten	Pyle	Tweten
Goldberg	Longmire	Redlin	Wenstrom

Those voting in the negative were:

Barth	Larson	Ringsak	Strand
Christensen	Lee	Sands	Stroup
Gronhovd	Morgan	Sandness	Thane
Hoffner	Mutch	Shablow	Wright
Jones	Rait	Smykowski	

So the bill passed and the title was agreed to.

House Bill No. 1510. A Bill for an Act to amend and reenact section 54-06-16 of the North Dakota Century Code, relating to the minimum wage standards for employees of 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, 44; nays, 6, absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nothing	Schultz, C.
Berube	Jacobson	Page	Schultz, J.
Butler	Jones	Peterson	Shablow
Christensen	Kautzmann	Pyle	Smykowski
Erdman	Larson	Rait	Strand
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Those voting in the negative were:

Coughlin	Melland	Solberg	Strinden
Iszler	Mutch		

Absent and not voting:

Nasset

So the bill passed and the title was agreed to.

House Bill No. 1515. A Bill for an Act to amend and reenact section 32-07-02 of the North Dakota Century Code, relating to claim and delivery to recover possession of personal property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
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Barth	Holand	Nothing	Schultz, C.
Berube	Iszler	Page	Schultz, J.
Butler	Jacobson	Peterson	Shablow
Christensen	Kautzmann	Pyle	Smykowski
Coughlin	Lee	Rait	Solberg
Erdman	Lips	Redlin	Strand
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Wenstrom
Goodman	Morgan	Sands	Wright
Gronhovd			

Those voting in the negative were:

Jones	Larson	Mutch	Strinden
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Absent and not voting:

Nasset	Tweten
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So the bill passed and the title was agreed to.

House Bill No. 1516. A Bill for an Act to amend and reenact section 12-16-05 of the North Dakota Century Code, relating to escape or attempted escape from prison, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 1526. A Bill for an Act to amend and reenact section 14-06-05 of the North Dakota Century Code, relating to revocation of decree of separate maintenance and granting of divorce.

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, 4; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Barth	Iszler	Nasset	Shablow
Butler	Jacobson	Nothing	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Roen	Wenstrom

Gronhovd	Melland	Sands	Wright
Hoffner	Morgan	Schultz, C.	

Those voting in the negative were:

Berube	Mutch	Ringsak	Sandness
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So the bill passed and the title was agreed to.

House Bill No. 1533. A Bill for an Act to provide that participation in the performance of an abortion is not mandatory, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Rait	Stroup
Freed	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sands	Wright
Hoffner	Morgan	Sandness	

Those voting in the negative were:

Fritzell	Pyle	Roen	Strinden
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So the bill passed and the title was agreed to, and the emergency clause carried.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3055. A Concurrent Resolution urging the Congress of the United States to review federal statutes relative to the Aid to Families with Dependent Children Program.

Which has been read.

Senator Melland moved that House Concurrent Resolution No. 3055 be adopted, which motion prevailed.

House Concurrent Resolution No. 3060. A Concurrent Resolution expressing support and encouragement for education of the public concerning the nature and extent of the problem of alcoholism.

Which has been read.

Senator Hoffner moved that House Concurrent Resolution No. 3060 be adopted, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Senator George Rait:

"After keeping House Bill No. 1517 alive for four days to publicize the plight of rural communities which need medical services, it had an historic burial yesterday in the Senate.

"I read an article in the Bismarck Tribune last night which revealed one of the reasons for the bill's defeat. According to the Associated Press article, "The North Dakota Medical Association has seven lobbyists, for example, five of whom are practicing physicians. They also employ one attorney — R. W. Wheeler of Bismarck — and one professional spokesman, Lyle Limond, Secretary of the North Dakota Medical Association.

"The Legislature for years has been helping to build fences around numerous professional organizations in our State. How can

our rural people hope to pass legislation that would benefit our small communities when organizations, like the North Dakota Medical Association, create impregnable barriers that are built up and maintained for the exclusive benefit of their special interest?"

MOTION

Senator Shablow moved that Senator Rait's remarks be printed in the Journal, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Butler moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1243, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1243
 Senator J. Schultz
 Senator Wright
 Senator Shablow

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1037, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1037
 Senator Freed
 Senator Jones
 Senator Peterson

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1272, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1272
 Senator Tweten
 Senator Kautzmann
 Senator Freed

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4053
 Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1202
 House Bill No. 1220
 House Bill No. 1252
 House Bill No. 1363
 House Bill No. 1386
 House Bill No. 1530
 House Concurrent Resolution No. 3079
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1006
 House Bill No. 1072
 House Bill No. 1098
 House Bill No. 1246
 House Bill No. 1260
 House Bill No. 1291

House Bill No. 1300
 House Bill No. 1357
 House Bill No. 1398
 House Bill No. 1436
 House Bill No. 1447
 House Bill No. 1464
 House Bill No. 1465
 House Concurrent Resolution No. 3032
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1240
 House Bill No. 1275
 House Bill No. 1389
 House Bill No. 1517

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: The Senate requests the return of:

House Bill No. 1078

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2130
 Senate Bill No. 2155
 Senate Bill No. 2204
 Senate Bill No. 2208
 Senate Bill No. 2231
 Senate Bill No. 2241
 Senate Bill No. 2242
 Senate Bill No. 2243
 Senate Bill No. 2260
 Senate Bill No. 2268
 Senate Bill No. 2315
 Senate Bill No. 2414
 Senate Concurrent Resolution No. 4001

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2030
 Senate Bill No. 2107
 Senate Bill No. 2168
 Senate Bill No. 2186
 Senate Bill No. 2210
 Senate Bill No. 2233
 Senate Bill No. 2266
 Senate Bill No. 2411

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2030

On page 1, line 15, insert beginning triple parentheses before the word "unemployment", and on line 15 of the same page insert ending triple parentheses after the word "division", and insert in lieu thereof the words: "employment security bureau"

On page 1, line 16, insert beginning triple parentheses before the word "the" where it first appears, and on line 16 of the same page insert ending triple parentheses after the word and comma "service,"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2107

On page 6, line 31 of the engrossed bill delete the words "or population"

On page 6, line 33, insert triple parentheses around the word "lent" and insert in lieu thereof the word "loaned"

On page 6, line 35, insert triple parentheses around the word "who" and insert in lieu thereof the word "which"

And renumber the pages and lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2168

On page 1, line 20 of the engrossed bill place triple parentheses before and after the word and comma "agricultural,"

On page 1, line 21 place beginning triple parentheses before the word "Two"

On page 1, line 22 place ending triple parentheses after the word "interests" and insert in lieu thereof the following: "Agricultural interests shall be represented by three citizen members"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2186

On page 4, line 28 of the engrossed bill, delete the words "federal unemployment tax act" and insert in lieu thereof the words "preceding year"

On page 4, after line 28 of the engrossed bill, insert the following:

"4. Notwithstanding any of the provisions of subsection 3 the amount of an individual's wages subject to tax shall always be at least equal to the amount that is subject to tax under the federal unemployment tax act."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2210

On page 1, line 16, place beginning triple parentheses before the word "by"

On page 1, line 17, delete the triple parentheses before and after the word "and"

On page 1, line 19, place ending triple parentheses after the comma, and delete the words "a preacher of the gospel" and insert in lieu thereof the following: "any person authorized by the forms and usages of any church or religious denomination or organization"

On page 1, line 20, delete the underscored material.

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2233

On page 2, line 22 of the engrossed bill, delete the word "a" and insert in lieu thereof the words "an overwidth"

HOUSE AMENDMENTS TO SENATE BILL NO. 2266

On page 1, line 23, after the word "section" insert the following: ", except that the court may waive the bond upon the request of the petitioner"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2411

On page 1, line 3, following the word "amended" insert the comma and words " and declaring an emergency"

On page 2, line 12, delete the words "except for" and insert in lieu thereof the words "with the exception of the undertaking defined in section 40-35-02 pertaining to the purchase, acquisition, construction, maintenance, and operation of a hospital and"

On page 2, after line 15, insert the following new section:

"SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly.

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1037

House Bill No. 1243

House Bill No. 1272

and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

House Bill No. 1037

Rep. Kretschmar

Rep. Olson

Rep. Dotzenrod

House Bill No. 1243

Rep. Garnas

Rep. A. Hausauer

Rep. Wilkie

House Bill No. 1272

Rep. Hilleboe

Rep. Raymond

Rep. Orange

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

Senate Bill No. 2089

Rep. Kloubec

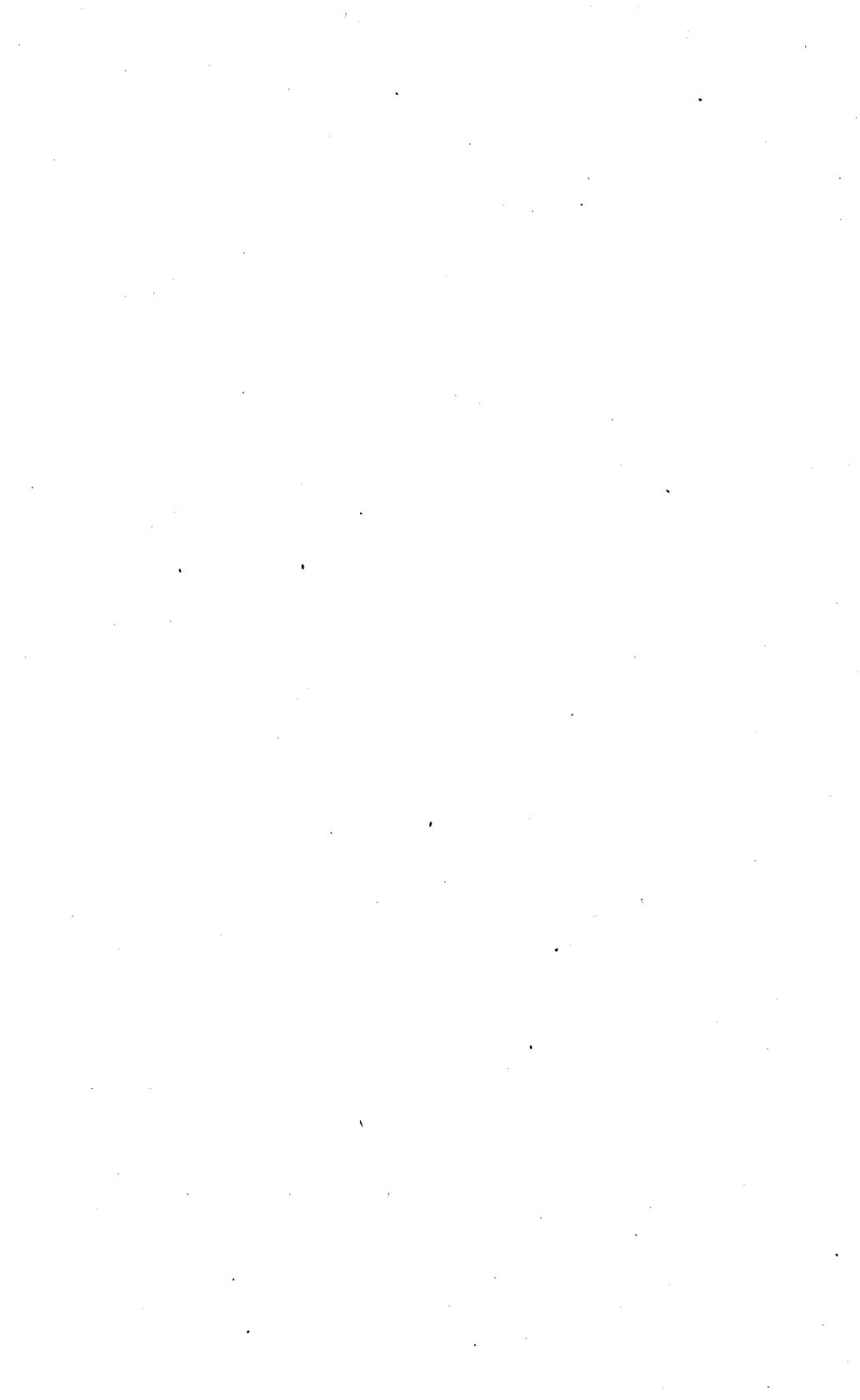
Rep. Laske

Rep. Gengler

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 P.M., February 28, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-FIRST DAY AFTER RECESS
AND FORTY-SECOND DAY

Bismarck, February 28, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1109 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1210 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1231 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1253 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1263 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1274 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom

was referred House Bill No. 1312 has had the same under consideration and recommends that the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1323 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1351 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1428 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1429 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the word "Act" and insert in lieu thereof the following: "to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code and"

Page 1, line 3, after the word "tax" insert a semicolon and the following words: "and to provide an effective date"

Page 1, after line 7, insert the following new section:

"SECTION 1.) A new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reduced by any amount, up to a maximum of one thousand dollars, received by any person as payment for services performed while on active duty in the armed forces of the United States or as payment for attending periodic training meetings for drill and instruction as a member of the national guard or of a reserve unit of the armed forces of the United States."

Page 1, line 8, after the word "SECTION" delete the numeral "1" and insert in lieu thereof the numeral "2"

Page 1, after line 10, insert the following new section:

"SECTION 3. EFFECTIVE DATE.) The provisions of this Act shall apply to income received in taxable years beginning after December 31, 1972."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1438 has had the same

under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1439 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1473 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1518 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1532 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3010 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3015 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3040 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to House Bill No. 1405 and House Concurrent Resolution No. 3083 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1405 as recommended by the Committee on Judiciary as printed on page 758 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Concurrent Resolution No. 3083 as recommended by the Committee on Education as printed on page 759 of the Senate Journal be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2210, which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2210 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2210. A Bill for an Act to amend and reenact section 14-03-09 of the North Dakota Century Code, relating to who may perform marriages.

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, 4; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Nasset	Smykowski
Butler	Jacobson	Page	Solberg
Christensen	Jones	Rait	Strand
Coughlin	Kautzmann	Redlin	Stroup
Erdman	Larson	Reiten	Thane
Freed	Lips	Ringsak	Tweten
Fritzell	Litten	Roen	Wenstrom
Goodman	Longmire	Sands	Wright
Gronhovd			

Those voting in the negative were:

Goldberg	Melland	Peterson	Strinden
Absent and not voting:			
Lee	Nething	Schultz, C.	Shablow
Naaden	Pyle		

So the bill passed and the title was agreed to.

Senator Ringsak moved that the Senate do not concur in the House amendments to Senate Bill No. 2030 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 2030:

Senator Peterson
Senator Sandness
Senator Rait

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2107, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2107 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2107. A Bill for an Act to amend and reenact sections 40-38-02, 40-38-03, 40-38-04, 40-38-05, 40-38-09, and 40-38-10 of the North Dakota Century Code, relating to the financing of public libraries and the powers and duties of library boards of directors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 772 of the Senate Journal, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sands
Barth	Holand	Mutch	Sandness
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Page	Smvkowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Stroup
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goldberg	Longmire	Ringsak	Wenstrom
Goodman	Melland	Roen	Wright

Those voting in the negative were:

Strinden

Absent and not voting:

Hoffner	Naaden	Schultz, C.	Shablow
Lee	Nothing		

So the bill passed and the title was agreed to.

MOTIONS

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 2168, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 2168 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 61-28-03, 61-28-04, 61-28-05, subsection 2 of section 61-28-06, subsection 2 of section 61-28-07, and section 61-28-08 of the North Dakota Century Code, relating to the control, prevention and abatement of pollution of the surface waters of the state; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 772 of the Senate Journal, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Roen
Barth	Holand	Nasset	Sands
Berube	Iszler	Nothing	Sandness
Butler	Jacobson	Page	Schultz, J.
Christensen	Jones	Peterson	Shablow
Coughlin	Kautzmann	Pyle	Solberg
Erdman	Larson	Rait	Stroup
Freed	Lips	Redlin	Tweten
Fritzell	Litten	Reiten	Wenstrom
Goldberg	Longmire	Ringsak	Wright
Goodman	Melland		

Those voting in the negative were:

Morgan	Smykowski	Strinden	Thane
Absent and not voting:			
Hoffner	Naaden	Schultz, C.	Strand
Lee			

So the bill passed and the title was agreed to.

MOTIONS

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2186, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2186 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2186. A Bill for an Act to amend and reenact section 52-04-03 of the 1971 Supplement to the North Dakota Century Code, relating to rate of unemployment tax and wages subject to tax; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 772 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, J.
Barth	Iszler	Nothing	Shablow
Berube	Jacobson	Page	Smykowski
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Larson	Rait	Strinden
Erdman	Lips	Redlin	Stroup
Freed	Litten	Reiten	Thane
Fritzell	Longmire	Ringsak	Tweten
Goldberg	Melland	Roen	Wenstrom
Goodman	Morgan	Sands	Wright
Gronhovd	Mutch	Sandness	

Absent and not voting:

Hoffner	Lee	Naaden	Schultz, C.
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So the bill passed and the title was agreed to.

MOTIONS

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 2233, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 2233 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2233. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to the exemption of self-propelled fertilizer spreaders from width limitations on vehicles.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nothing	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lips	Redlin	Stroup

Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Absent and not voting:

Lee Naaden Schultz, C.

So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2266 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2266
 Senator Ringsak
 Senator Iszler
 Senator Barth

MOTIONS

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2411, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2411 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2411. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, defining "projects" under the Municipal Industrial Development Act of 1955 as amended, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 772 of the Senate Journal, the roll was called and there were ayes, 49, nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Hoffner			

Those voting in the negative were:

Mutch

Absent and not voting:

Lee

So the bill passed and the title was agreed to.

REPORT OF A CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2111 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2111 be amended as follows:

On page 1, line 17 of the engrossed bill delete "thirty-seven" and insert in lieu thereof "forty three"

On page 1, line 22 delete "thirty-seven" and insert in lieu thereof "forty-three"

And renumber the lines accordingly.

For the Senate:

Senator Goldberg
Senator Jacobson
Senator Gronhovd

For the House:

Representative Herman
Representative Kloubec
Representative Gengler

Senator Goldberg moved that the report be adopted, which motion prevailed.

MOTION

Senator Goldberg moved that the rules be suspended, that Senate Bill No. 2111 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, changing the amount of weekly compensation for death claims.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, in the Conference Committee, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Lee

So the bill passed and the title was agreed to.

Senator Litten moved that after the reading of House Bills Nos. 1109, 1210, 1231, 1253, 1263, 1312, 1405, 1428, 1473, 1518, 1532, House Concurrent Resolutions Nos. 3040 and 3083, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SECOND DAY

Bismarck, February 28, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Don Hill, St. Mary's Catholic Church, Bismarck.

"O God continue to send Your Spirit upon this Body of Senators gathered here before You. Give us discernment in the Legislation before us and keep us mindful of Your people whom we

serve that we may bring about a unified effort for all in the government of our State.

"We ask You this through Christ Our Lord.

"Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fortieth day after recess and the forty-first day and recommends that the same be corrected as follows:

On page 762, in line 2 from the bottom of the page, delete the name "Wright"

On page 763, in line 3 from the top of the page, insert the name "Wright"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1019. A Bill for an Act relating to governmental biennial reports; to amend and reenact sections 2-05-04, 4-05-10, 4-06-04, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-11-14, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20.1-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-23-21, 27-15-08, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-23-02, 43-28-09, 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 53-01-08, 54-06-03, 54-06-04, subsection 12 of section 54-11-01, sections 54-12-05, 54-17-06, 54-21-09, 54-21-10, 54-36-06, 54-42-05, subsections 15 and 16 of section 54-44-04, sections 54-46-11, 54-49-08, subsection 9 of section 57-01-02, sections 61-03-04, and 65-02-09 of the North Dakota Century Code, relating to biennial reports of executive and administrative agencies and departments, the time when such reports shall be made, and the contents, printing, and binding of such reports; and to repeal section 44-04-08 of the North Dakota Century Code, relating to the reporting of salaries in biennial reports.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Izler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lips	Rait	Strand
Erdman	Litten	Redlin	Strinden
Freed	Longmire	Reiten	Stroup
Fritzell	Melland	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovid	Naaden	Sandness	Wright
Hoffner			

Absent and not voting:

Holand Lee

So the bill passed and the title was agreed to.

House Bill No. 1028. A Bill for an Act to amend and reenact section 57-45-05 of the North Dakota Century Code, relating to neglect of duty by taxing officers and employees, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 733 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lips	Rait	Strand
Erdman	Litten	Redlin	Strinden
Freed	Longmire	Reiten	Stroup
Fritzell	Melland	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Holand			

Absent and not voting:

Hoffner Lee

So the bill passed and the title was agreed to.

House Bill No. 1040. A Bill for an Act to create and enact title 30.1 and sections 25-04-13.1, 30-26-05.1, and 30-26-26.1 of the North Dakota Century Code, embodying the Uniform Probate Code, and relating to guardianships at the Grafton state school, and appeals in probate cases; to amend and reenact sections 6-03-64, 6-03-67, subsection 4 of section 6-05-08, sections 6-05-13, 6-05-21, 11-21-05, 11-21-06, 11-21-07, 11-21-08, 11-21-13, 14-10-04, 14-10-12, 25-09-02.2, 27-07-02, 27-07-09, 27-07-16, 27-07-19, 27-07-21, 27-07-29, 27-07-30, subsection 3 of section 27-07-36, subsection 2 of section 27-20-47, sections 28-01-26, 28-03-01, 28-03-02, 28-03-04, subsection 2 of section 28-20-06, sections 28-26-21, 30-16-04, 30-16-05, 30-16-08, 31-01-05, 32-16-26, 32-16-32, 32-16-42, 32-16-43, 32-23-04, 34-01-12, 37-15-16, 37-15-18, 38-10-11, 38-10-12, 47-18-26, 47-18-28, subsections 4, 8, and 13 of section 47-24-01, subsection 4 of section 47-24-04, subsections 1, 3, 4, and 5 of section 47-24-07, sections 49-09-05, 50-24-33, 50-24-35, subsections 5 and 18 of section 54-21-13, subdivision i of subsection 2 of section 57-37-11, sections 57-37-14, 57-37-15, subsection 2 of section 57-37-16, sections 57-37-17, 57-37-18, 57-37-20, subdivisions b and c of subsection 3 of section 57-37-21, section 57-37-22, subsections 1, 2, 3, and 4 of section 57-37-23, subsections 1, 5, and 6 of section 57-37-24, sections 57-37-26, 57-37-27, 57-37-32, 59-02-10, 59-02-15, 59-04-02, 59-04-10, 59-04-11, 59-04-15, 59-04-18, 59-04-21, 59-04-22, subsection 1 of section 59-04.1-02, and sections 59-05-23 and 61-10-12 of the North Dakota Century Code, relating to the authority of trustees, personal representatives, guardians, and conservators, to estate tax filing and collection procedures, to payment of deposits by financial institutions, to the powers and duties of public administrators, to minors' rights, to the jurisdiction of county courts, to appointment of guardians or conservators for orphans, to statutes of limitations, to homestead estates, to appeals in probate proceedings, to testimony concerning transactions or conversations with the decedent, and to duties and powers of the soldiers' home commandant regarding deceased members' estates; to repeal chapters 30-01, 30-02, 30-03, 30-04, 30-05, 30-06, 30-07, 30-08, 30-09, 30-10, 30-11, 30-12, 30-13, 30-14, 30-15, 30-17, 30-18, 30-19, 30-20, 30-21, 30-21.1, 30-22, 30-23, 30-24, 30-25,

56-01, 56-02, 56-03, 56-04, 56-05, 56-06, 56-07, and sections 6-03-66, 7-04-07, 25-04-13, 27-07-06, 27-07-07, 27-07-08, 27-07-10, 27-07-36, 30-16-06, 30-16-07, 30-16-10, 30-26-05, 32-16-44, 35-03-12, 38-10-04, 49-09-06, 49-09-07, subsection 7 of section 57-37-24, section 59-02-06, 59-04-01, subsection 13 of section 59-04-04, sections 59-04-05, 59-04-06, 59-04-07, 59-04-09, 59-04-12, 59-04-13, and 59-04-14 of the North Dakota Century Code, relating to probate procedures, wills, and trusts, to the jurisdiction of county courts, to disposition of joint deposits by certain financial institutions, to guardians consenting to partition of real property, to satisfaction of real property mortgages, to mineral leasing by personal representatives, and to the acquisition of rights of way by public utilities; to provide penalties; and providing an effective date.

Which has been read.

MOTION

Senator Freed moved that House Bill No. 1040 be amended as follows:

On page 144, line 12, delete the numeral "1973" and insert in lieu thereof the numeral "1975"

On page 144, line 17 delete the numeral "1973" and insert in lieu thereof the numeral "1975"

On page 182, line 32 delete the numeral "1973" and insert in lieu thereof the numeral "1975"

Which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1040 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1040. A Bill for an Act to create and enact title 30.1 and sections 25-04-13.1, 30-26-05.1, and 30-26-26.1 of the North Dakota Century Code, embodying the Uniform Probate Code, and relating to guardianships at the Grafton state school, and appeals in probate cases; to amend and reenact sections 6-03-64, 6-03-67, subsection 4 of section 6-05-08, sections 6-05-13, 6-05-21, 11-21-05, 11-21-06, 11-21-07, 11-21-08, 11-21-13, 14-10-04, 14-10-12, 25-09-02.2, 27-07-02, 27-07-09, 27-07-16, 27-07-19, 27-07-21, 27-07-29, 27-07-30, subsection 3 of section 27-07-36, subsection 2 of section 27-20-47, sections 28-01-26, 28-03-01, 28-03-02, 28-03-04, subsection 2 of section 28-20-06, sections 28-26-21, 30-16-04, 30-16-05, 30-16-08, 31-01-05, 32-16-26, 32-16-32, 32-16-42, 32-16-43, 32-23-04, 34-01-12, 37-15-16, 37-15-18, 38-10-11, 38-10-12, 47-18-26, 47-18-28, subsections 4, 8, and 13 of section 47-24-01, subsection 4 of section 47-24-04, subsections 1, 3, 4, and 5 of section 47-24-07, sections 49-09-05, 50-24-33, 50-24-35, subsections 5 and 18 of section 54-21-13, subdivision i of subsection 2 of section 57-37-11, sections 57-37-14, 57-37-15, subsection 2 of section 57-37-16, sections 57-37-17, 57-37-18, 57-37-20, subdivisions b and c of subsection 3 of section 57-37-21, section 57-37-22, subsections 1, 2, 3, and 4 of section 57-37-23, subsections 1, 5, and 6 of section 57-37-24, sections 57-37-26, 57-37-27, 57-37-32, 59-02-10, 59-02-15, 59-04-02, 59-04-10, 59-04-11, 59-04-15, 59-04-18, 59-04-21, 59-04-22, subsection 1 of section 59-04.1-02, and sections 59-05-23 and 61-10-12 of the North Dakota Century Code, relating to the authority of trustees, personal representatives, guardians, and conservators, to estate tax filing and collection procedures, to payment of deposits by financial institutions, to the powers and duties of public administrators, to minors' rights, to the jurisdiction of county courts, to appointment of guardians or conservators for orphans, to statutes of limitations, to homestead estates, to appeals in probate proceedings, to testimony concerning transactions or conversations with the decedent, and to duties and powers of the soldiers' home commandant regarding deceased members' estates; to repeal chapters 30-01, 30-02, 30-03, 30-04, 30-05,

30-06, 30-07, 30-08, 30-09, 30-10, 30-11, 30-12, 30-13, 30-14, 30-15, 30-17, 30-18, 30-19, 30-20, 30-21, 30-21.1, 30-22, 30-23, 30-24, 30-25, 56-01, 56-02, 56-03, 56-04, 56-05, 56-06, 56-07, and sections 6-03-66, 7-04-07, 25-04-13, 27-07-06, 27-07-07, 27-07-08, 27-07-10, 27-07-38, 30-16-06, 30-16-07, 30-16-10, 30-26-05, 32-16-44, 35-03-12, 38-10-04, 49-09-06, 49-09-07, subsection 7 of section 57-37-24, section 59-02-06, 59-04-01, subsection 13 of section 59-04-04, sections 59-04-05, 59-04-06, 59-04-07, 59-04-09, 59-04-12, 59-04-13, and 59-04-14 of the North Dakota Century Code, relating to probate procedures, wills, and trusts, to the jurisdiction of county courts, to disposition of joint deposits by certain financial institutions, to guardians consenting to partition of real property, to satisfaction of real property mortgages, to mineral leasing by personal representatives, and to the acquisition of rights of way by public utilities; to provide penalties; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1092. A Bill for an Act to amend and reenact section 43-23-08 of the North Dakota Century Code, relating to standards for licensing of mortgage brokers and real estate brokers and salesmen by the state real estate commission.

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, 7; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, J.
Barth	Holand	Nasset	Shablow
Berube	Iszler	Nothing	Smykowski
Butler	Jacobson	Page	Solberg
Christensen	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd	Melland	Sandness	

Those voting in the negative were:

Coughlin	Mutch	Ringsak	Schultz, C.
Jones	Naaden	Sands	

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

House Bill No. 1116. A Bill for an Act to amend and reenact section 57-38-56 of the North Dakota Century Code, relating to the powers of the tax commissioner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 28; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Fritzell	Larson	Schultz, J.
Barth	Goldberg	Lips	Shablow
Berube	Goodman	Melland	Smykowski
Butler	Gronhovd	Nasset	Twetén
Christensen	Hoffner	Rait	Wright
Erdman	Holand	Redlin	

Those voting in the negative were:

Coughlin	Litten	Peterson	Schultz, C.
Freed	Longmire	Pyle	Solberg
Iszler	Morgan	Reiten	Strand
Jacobson	Mutch	Ringsak	Strinden
Jones	Naaden	Roen	Stroup
Kautzmann	Nething	Sands	Thane
Lee	Page	Sandness	Wenstrom

So the bill was declared lost.

Senator Mutch moved that the vote by which House Bill No. 1116 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Larson: "Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Larson."

Senator Larson:

"Yesterday was a very historic day for this body. For the first time in history we opened the doors and let the general public see at first-hand how we deal with appointments made by the Governor.

"Yes, everybody remarked about how historic it was.

"Ever since then, I have been getting contacts from my people back home. Mr. President, without exception, everyone who has contacted me has **pleaded** for us to go **back** into closed session in the future.

"By Senate Resolution No. 2, we created a Senate Investigating Committee to review the operation and administration of the North Dakota penitentiary. Select portions of the Senate Committee hearings have been presented to the Senate but this body has refused to hear the full story on a matter that is directly related to yesterday's inquisition. **But**, this Senate has chosen to refer to the recommendations of penitentiary prisoners as to who should manage the penitentiary. It appears that this Senate does not wish to be confused with the facts.

"Yesterday the career of an experienced and qualified public official was destroyed for partisan reasons. Perhaps such actions as this body took yesterday are better done in secret."

SECOND READING OF HOUSE BILLS

House Bill No. 1151. A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to dispensing of alcoholic beverages on election days, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 734 of the Senate Journal, the roll was called and there were ayes, 44; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nething	Smykowski
Coughlin	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Freed	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom

Those voting in the negative were:

Christensen	Mutch	Sandness	Wright
Iszler	Redlin	Schultz C.	

So the bill passed and the title was agreed to.

House Bill No. 1234. A Bill for an Act to amend and reenact section 39-20-13 of the North Dakota Century Code, relating to the release of the results of examinations of blood specimens by the state toxicologist, and delaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Berube

So the bill passed and the title was agreed to, and the emergency clause carried.

House Bill No. 1254. A Bill for an Act relating to the disposal and reuse of abandoned motor vehicles and other scrap metal; prescribing duties and powers of the state department of health and responsibilities of the motor vehicle registrar; providing a tax on motor vehicle registration; establishing a disposal fund; allowing storage of vehicles by collectors; to amend and reenact section 24-03-23 of the North Dakota Century Code, relating to encroachments on state highways; to repeal section 40-05-15 of the North Dakota Century Code, relating to unclaimed motor vehicles; providing a penalty; and providing an appropriation.

Which has been read.

MOTION

Senator Lips moved that House Bill No. 1254 be rereferred to the Committee on Appropriations, which motion prevailed.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

PROCLAMATION

WHEREAS, North Dakota is very pleased to note the friendship and cooperation between the Province of Manitoba and the State of North Dakota; and

WHEREAS, the Honorable Earl McKellar, Member of the Manitoba Legislative Assembly for fifteen years, is visiting the State of North Dakota and the 43rd Legislative Assembly; and

WHEREAS, the Honorable Earl McKellar's district is the area that comprises the International Peace Garden on the Manitoba side of the border; and

WHEREAS, the Honorable Earl McKellar is a representative of the Souris-Killarney District, which includes the International Peace Garden; and

WHEREAS, the Honorable Earl McKellar has served as a member of the Board of Directors of the Peace Garden for ten years; and

WHEREAS, the Honorable Earl McKellar serves as one of the five members of the Executive Committee of the Peace Garden Board along with Representative Oscar Solberg, Representative Brynhild Haugland, and Senator Walter Erdman of the North Dakota Legislative Assembly and Mr. Ed Dow of Boyssévain, Manitoba; and

WHEREAS, the Honorable Earl McKellar has previously exhibited his friendship to the State of North Dakota by visiting the 41st Legislative Assembly in 1969, and by taking part in the Centennial Celebration.

NOW, THEREFORE, I, WAYNE SANSTEAD, Acting Governor of the State of North Dakota and Speaker of the Senate of the 43rd Legislative Assembly of the State of North Dakota, do hereby welcome the

HONORABLE EARL MCKELLAR

along with H. F. Howard, Superintendent of the International Peace Garden, and Mr. MacMuir to the State of North Dakota and to the 43rd Legislative Assembly of the State of North Dakota.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of North Dakota to be affixed this 28th day of February, 1973.

WAYNE G. SANSTEAD
Acting Governor

ATTEST:
BEN MEIER
Secretary of State
By: Harriet Whitty
Acting Deputy

MOTION

Senator Litten moved that the President appoint a committee of two to escort the Honorable Earl McKellar, member of the Manitoba Legislative Assembly, to the rostrum for the purpose of addressing the Assembly.

The President appointed as such committee Senators Litten and Erdman.

Mr. McKellar:

"Mr. President, members of the Senate, it's indeed a pleasure to be back here in your Senate once more. I was here four years ago and I had the privilege of addressing you. As most legislators change, members of the cast change quite frequently, nearly every election, I suppose there are still many members that were here four years ago. The death rate in our legislature runs around

35% and I imagine it's not quite that high here because you are all good members of the Senate and doing your jobs real well. One reason why I am glad to be here with the Superintendent of our International Peace Garden, Mr. Vert Howard, is more or less to come down here and thank you on behalf of the Canadian Directors of the International Peace Garden for your support of that great organization which is situated on both sides of the boundary. An organization which is doing a wonderful, lot of good in times like we have right now. And I also have a cousin of mine who is here, Mr. Mac Muir, who came down with us here for moral support.

"Members of the Senate, we are just in the midst of starting our session in Manitoba. We started last Thursday, we are debating a speech from the Throne and we'll be going for three months or longer. If any of you are in Winnipeg during the next two or three months, mentioned by your President here this afternoon, you are most welcome and we will give you a seat in the Chambers. One thing we cannot allow you to do is speak like I am speaking here. This is one of the unfortunate parts of our Legislature, but we did have on one occasion as I can remember so well, your former Governor Guy and the Governor of South Dakota, Governor Farrar, had the pleasure of speaking to our Legislature on one occasion. And this is a unique experience for all the members of our Legislature. One which we will not forget. As I mentioned, by your President, he was in our midst in the Legislature in 1966 and he, too, is welcome back at any time. Because I think he'll be treated maybe a little better now that he's Lieutenant Governor of your State. Sometimes a lot of members come and visit us and we never know they are up in the Gallery. Unless you come and tell us or let the Speaker know that you are in the Legislative building there it is difficult for us to know you are there. So, please let us know that you are in the building and we will make you most welcome, as will the city of Winnipeg and the province of Manitoba.

"Ladies and Gentlemen, members of the Senate, I guess that some of our problems are the same as what you are dealing with here this afternoon and I was very interested in listening because you do have a few old cars laying around. This is one of the greatest pollution problems we do have and there are other sources of pollution that we also have, but I think dealing with these cars, and I'll be interested in knowing what happens to your bill, Sir. Because I've had that experience of putting a bill before the House and sometimes they don't like it and they kill it dead, sometimes they amend it to the point it's watered down to the point of no return, but in any case I'll be interested in knowing what happens to your bill and maybe your President would be good enough to let me know because it's really interesting to listen to this particular problem because it's unique in all parts of North America today.

"Ladies and Gentlemen, I don't think there's much else I have to say other than once again, repeat, that we, on the Peace Garden Board of Directors, want to extend our thanks to the Members of the Senate and I hope to say thanks to Members of the House for their support for the Peace Garden in the past and in this present session. We are at the point of growing up now and half a million people attended the Peace Garden last summer and it's growing in leaps and bounds. Only with the support of Government will it continue to grow, so thanks again and thank you, Mr. President, for the privilege of speaking this afternoon to you and the members of the Senate and I want to thank you for all your courtesies that you've shown to me and the members of the group that came with me this morning on the tour of the building. Thanks very much."

Senator Litten moved that Mr. McKellar's remarks be printed in the Journal, which motion prevailed.

MOTIONS

Senator Freed moved that the Senate reconsider the action by which House Bill No. 1040 was passed, as amended, which motion prevailed.

Senator Freed moved that the Senate rescind the action by which the amendments to House Bill No. 1040 were adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1040 be placed at the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1040. A Bill for an Act to create and enact title 30.1 and sections 25-04-13.1, 30-26-05.1, and 30-26-26.1 of the North Dakota Century Code, embodying the Uniform Probate Code, and relating to guardianships at the Grafton state school, and appeals in probate cases; to amend and reenact sections 6-03-64, 6-03-67, subsection 4 of section 6-05-08, sections 6-05-13, 6-05-21, 11-21-05, 11-21-06, 11-21-07, 11-21-08, 11-21-13, 14-10-04, 14-10-12, 25-09-02.2, 27-07-02, 27-07-09, 27-07-16, 27-07-19, 27-07-21, 27-07-29, 27-07-30, subsection 3 of section 27-07-36, subsection 2 of section 27-20-47, sections 28-01-26, 28-03-01, 28-03-02, 28-03-04, subsection 2 of section 28-20-06, sections 28-26-21, 30-16-04, 30-16-05, 30-16-08, 31-01-05, 32-16-26, 32-16-32, 32-16-42, 32-16-43, 32-23-04, 34-01-12, 37-15-16, 37-15-18, 38-10-11, 38-10-12, 47-18-26, 47-18-28, subsections 4, 8, and 13 of section 47-24-01, subsection 4 of section 47-24-04, subsections 1, 3, 4, and 5 of section 47-24-07, sections 49-09-05, 50-24-33, 50-24-35, subsections 5 and 18 of section 54-21-13, subdivision i of subsection 2 of section 57-37-11, sections 57-37-14, 57-37-15, subsection 2 of section 57-37-16, sections 57-37-17, 57-37-18, 57-37-20, subdivisions b and c of subsection 3 of section 57-37-21, section 57-37-22, subsections 1, 2, 3, and 4 of section 57-37-23, subsections 1, 5, and 6 of section 57-37-24, sections 57-37-26, 57-37-27, 57-37-32, 59-02-10, 59-02-15, 59-04-02, 59-04-10, 59-04-11, 59-04-15, 59-04-18, 59-04-21, 59-04-22, subsection 1 of section 59-04.1-02, and sections 59-05-23 and 61-10-12 of the North Dakota Century Code, relating to the authority of trustees, personal representatives, guardians, and conservators, to estate tax filing and collection procedures, to payment of deposits by financial institutions, to the powers and duties of public administrators, to minors' rights, to the jurisdiction of county courts, to appointment of guardians or conservators for orphans, to statutes of limitations, to homestead estates, to appeals in probate proceedings, to testimony concerning transactions or conversations with the decedent, and to duties and powers of the soldiers' home commandant regarding deceased members' estates; to repeal chapters 30-01, 30-02, 30-03, 30-04, 30-05, 30-06, 30-07, 30-08, 30-09, 30-10, 30-11, 30-12, 30-13, 30-14, 30-15, 30-17, 30-18, 30-19, 30-20, 30-21, 30-21.1, 30-22, 30-23, 30-24, 30-25, 56-01, 56-02, 56-03, 56-04, 56-05, 56-06, 56-07, and sections 6-03-66, 7-04-07, 25-04-13, 27-07-06, 27-07-07, 27-07-08, 27-07-10, 27-07-38, 30-16-06, 30-16-07, 30-16-10, 30-26-05, 32-16-44, 35-03-12, 38-10-04, 49-09-06, 49-09-07, subsection 7 of section 57-37-24, section 59-02-06, 59-04-01, subsection 13 of section 59-04-04, sections 59-04-05, 59-04-06, 59-04-07, 59-04-09, 59-04-12, 59-04-13, and 59-04-14 of the North Dakota Century Code, relating to probate procedures, wills, and trusts, to the jurisdiction of county courts, to disposition of joint deposits by certain financial institutions, to guardians consenting to partition of real property, to satisfaction of real property mortgages, to mineral leasing by personal representatives, and to the acquisition of rights of way by public utilities; to provide penalties; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner			

Absent and not voting:

Nothing Tweten

So the bill passed and the title was agreed to.

House Bill No. 1304. A Bill for an Act to amend and reenact subsections 2 and 3 of section 57-37-24 of the North Dakota Century Code, relating to collection and distribution of estate taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 734 of the Senate Journal, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 1430. A Bill for an Act to provide that special common motor carriers of buildings shall be exempt from certain requirements of law, that a person holding a contract service permit shall be treated as a holder of a special certificate as a special common motor carrier of buildings; to create and enact a new subsection to section 49-18-01 of the North Dakota Century Code, relating to the definition of a special common motor carrier of buildings; and to amend and reenact section 49-18-06 of the North Dakota Century Code, relating to public policy affecting motor carrier transportation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 734 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Absent and not voting:

Butler Tweten

So the bill passed and the title was agreed to.

House Bill No. 1487. A Bill for an Act to create and enact section 10-31-13.1 of the North Dakota Century Code, providing that foreign professional corporations may practice in North Dakota under certain circumstances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten
Hoffner	Mutch	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler			

Absent and not voting:

Barth Butler

So the bill passed and the title was agreed to.

House Bill No. 1498. A Bill for an Act to amend and reenact subdivision a of subsection 1 and subdivision a of subsection 2 of section 19-03.1-23, section 19-03.1-29, and subsection 3 of section 19-03.1-31 of the North Dakota Century Code, relating to the penalties for distribution of narcotics and other controlled substances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane

Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:
Butler

So the bill passed and the title was agreed to.

House Bill No. 1509. A Bill for an Act to provide for the use of the doctrine of comparative negligence in civil actions; to amend and reenact section 1-01-16 of the North Dakota Century Code, relating to kinds of negligence; and to amend and reenact section 9-10-06 of the North Dakota Century Code, relating to rescinding the doctrine of contributory negligence.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Iszler	Nothing	Shallow
Barth	Jacobson	Page	Smykowski
Berube	Jones	Pyle	Solberg
Christensen	Kautzmann	Rait	Strand
Coughlin	Larson	Redlin	Strinden
Freed	Lee	Reiten	Stroup
Fritzell	Longmire	Sands	Tweten
Gronhovd	Melland	Sandness	Wenstrom
Hoffner	Nasset	Schultz, J.	

Those voting in the negative were:

Butler	Holand	Mutch	Roen
Erdman	Lips	Naaden	Schultz, C.
Goldberg	Litten	Peterson	Thane
Goodman	Morgan	Ringsak	Wright

So the bill passed and the title was agreed to.

House Bill No. 1531. A Bill for an Act to amend and reenact subsection 1 of section 54-03.2-02, and sections 54-03.2-03, 54-03.2-08, 54-03.2-09, and 54-35-02 of the North Dakota Century Code, relating to the authority of the legislative assembly and its standing, select, and interim committees to issue subpoenas, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shallow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Those voting in the negative were:

Holand	Roen
--------	------

So the bill passed and the title was agreed to, and the emergency clause carried.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3058. A Concurrent Resolution commending and honoring former Governor and Mrs. William L. Guy for their twelve years of service to the citizens of North Dakota.

Which has been read.

Senator Christensen moved that House Concurrent Resolution No. 3058 be adopted, which motion prevailed.

House Concurrent Resolution No. 3061. A Concurrent Resolution requesting the Congress and the President of the United States to continue support for the Green Thumb Program and similar programs which benefit older Americans.

Which has been read.

Senator Fritzell moved that House Concurrent Resolution No. 3061 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2173, refused to concur in the House amendments to Senate Bills Nos. 2209, 2146, 2344 and the President has appointed as a conference committee to act with a like committee from the House, on:

Senate Bill No. 2209

Senator Peterson
Senator Sands
Senator Iszler

Senate Bill No. 2146

Senator Smykowski
Senator Fritzell
Senator Redlin

Senate Bill No. 2344

Senator Sandness
Senator Morgan
Senator Redlin

LEO LEIDHOLM, Secretary

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. 1037

Senator Freed
Senator Jones
Senator Peterson

House Bill No. 1243

Senator J. Schultz
Senator Wright
Senator Shablow

House Bill No. 1272

Senator Tweten
Senator Kautzmann
Senator Freed

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 2107
Senate Bill No. 2168
Senate Bill No. 2186
Senate Bill No. 2210

Senate Bill No. 2233
 Senate Bill No. 2411
 And refused to concur in the House amendments to:
 Senate Bill No. 2030
 Senate Bill No. 2266
 And the President has appointed as a Conference Committee to act with a like committee from the House, on:
 Senate Bill No. 2030
 Senator Peterson
 Senator Sandness
 Senator Rait
 Senate Bill No. 2266
 Senator Ringsak
 Senator Iszler
 Senator Barth

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2111, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1010
 House Bill No. 1084
 House Bill No. 1094
 House Bill No. 1226
 House Bill No. 1338
 House Bill No. 1347
 House Bill No. 1360
 House Bill No. 1361
 House Bill No. 1368
 House Bill No. 1434
 House Bill No. 1460
 House Bill No. 1493
 House Bill No. 1500
 House Bill No. 1510
 House Bill No. 1515
 House Bill No. 1516
 House Bill No. 1526
 House Bill No. 1533
 House Concurrent Resolution No. 3055
 House Concurrent Resolution No. 3060
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1208
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2032
 Senate Bill No. 2044
 Senate Bill No. 2049
 Senate Bill No. 2137
 Senate Bill No. 2151
 Senate Bill No. 2295
 Senate Bill No. 2301
 Senate Bill No. 2375

Senate Bill No. 2376
 Senate Bill No. 2377
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2042
 Senate Bill No. 2065
 Senate Bill No. 2267

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2042

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections" and also on line 1, after the numerals "39-16-03" insert "and 39-16-03.1"

On page 2, following line 22, insert the following: "SECTION 2. AMENDMENT.) Section 39-16-03.1 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-16-03.1. ENTRIES ON DRIVER RECORD ABSTRACTS MORE THAN ((FIVE))) **THREE YEARS OLD CONFIDENTIAL.**) Notwithstanding any other provisions of this chapter, no entry more than ((five))) **three** years old on a driver record or abstract shall be available to the public, except for statistical purposes, other than by order of a court of competent jurisdiction."

And renumber the pages and lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2065

On page 1, line 2 of the engrossed bill, delete the words "and section 47-26-05"

On page 1, line 4 delete the following "; and providing a penalty"

On page 1, line 12, before the word "three" insert the words "at least"

On page 1, line 14 delete the number "12" and insert in lieu thereof the number "12½"

On page 1, line 19 insert beginning triple parentheses before the word "forty-eight" and ending triple parentheses after the word "fifty-two" and insert in lieu thereof the word "forty"

On page 1, line 20 after the word "high" insert an underlined comma and also insert triple parentheses before and after the word "and" and also in line 20 insert beginning triple parentheses before and after the word "less" and insert in lieu thereof the word "more"

On page 1, line 21 after the word "ground" insert the following: ", and no two adjacent wires shall be separated by more than sixteen inches"

On page 1, delete lines 22 through 24

On page 2, delete lines 1 through 30

And renumber the pages and lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2267

On page 2, line 14, before the period insert the following:

" , including, but not limited to, authority to determine exceptions to the requirement of a certificate of need for those projects that would not significantly alter the bed complement of services to be offered by any institution subject to this Act"

On page 2, delete lines 25 through 27
And renumber the lines accordingly.

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:
Senate Bill No. 2150

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 1:00 P.M., March 1, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SECOND DAY AFTER RECESS
AND FORTY-THIRD DAY

Bismarck, March 1, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

Senate Bill No. 2030
Senate Bill No. 2209
Senate Bill No. 2266

On Senate Bill No. 2030
Rep. Atkinson
Rep. Kretschmar
Rep. Orange

On Senate Bill No. 2209
Rep. Olson
Rep. Lundene
Rep. Vander Vorst

On Senate Bill No. 2266
Rep. Winkjer
Rep. Gronneberg
Rep. LaGrave

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as conference committees to act with like committees from the Senate, on:

Senate Bill No. 2146
Senate Bill No. 2344

On Senate Bill No. 2146
Rep. Rivinius
Rep. Scofield
Rep. Bassingthwaite

On Senate Bill No. 2344
Rep. Hilleboe
Rep. Kermott
Rep. Meyer

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. 1006
 House Bill No. 1013
 House Bill No. 1072
 House Bill No. 1246
 House Bill No. 1260
 House Bill No. 1300
 House Bill No. 1436
 House Bill No. 1447
 House Concurrent Resolution No. 3032

refused to concur in the Senate amendments to:

House Bill No. 1291
 House Bill No. 1357
 House Bill No. 1398
 House Bill No. 1465

and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

On House Bill No. 1291
 Rep. Dick
 Rep. Leibhan
 Rep. Gronneberg

On House Bill No. 1357
 Rep. Metzger
 Rep. Stoltenow
 Rep. Bassingthwaite

On House Bill No. 1398
 Rep. Stone
 Rep. Royse
 Rep. Jacobson

On House Bill No. 1465
 Rep. Rundle
 Rep. Kloubec
 Rep. Tinjum

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return:

House Bill No. 1078

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

RECOGNITION

Senator Litten announced that there were two distinguished guests in the Senate chambers, namely, former Senator, Grant Trenbeath, 1973 State Campaign Chairman of the Easter Seal Society for Crippled Children and Adults, Inc. of North Dakota, and Michael Keller, son of Mr. and Mrs. Robert Keller of Fargo, the Easter Seal Poster Child for 1973, and moved that the President appoint a committee of two to escort former Senator Trenbeath and Mike Keller to the front of the chamber for recognition.

The President appointed as such committees, Senators Wenstrom and Rait to escort Mike Keller, Senators Page and Berube to escort former Senator Trenbeath to the front of the chamber.

The Senate then recognized Mike Keller and former Senator, Grant Trenbeath.

The President invited former Senator Trenbeath to address the Assembly.

Senator Trenbeath:

"Mr. President: Is this thing working? It better be, because it's the same one I used to use.

"Well, Senators, it's a real privilege to take a few minutes of your time. I know you're busy people — it's the busiest time of your Session and you've got a lot of work ahead. But I certainly appreciate Mike making this effort because this young gentleman has only been on crutches for a few months. So you can see he is doing wonderfully well.

"I'd just like to make this one pitch on behalf of the Easter Seal Society. Obviously, you could see Mike has a problem and there are many others like him. Now these people can supply all the determination and all the effort to make themselves useful citizens of our society without being a burden upon it. So this is where the Society comes in — to help them with the extra supplies and that's a little cash contribution; because they have expensive medical and therapeutic services, they have expensive equipment, and expensive health centers to put up. So this is where we come in and this Society, gentlemen, wrings every cent of benefit out of every dollar contributed and put to where it is of good use.

"I appreciate your time."

MOTION

Senator Litten moved that Senator Trenbeath's remarks be printed in the Journal, which motion prevailed.

MEMORIAL SERVICE

Senator Litten moved that the Senate recess the regular business of the session for the purpose of conducting the Senate Memorial Service, which motion prevailed.

The following Memorial Service was then held:

MEMORIAL SERVICE

State of North Dakota
43rd Legislative Assembly

SENATE MEMORIAL SERVICE

Thursday
March 1, 1973
2:00 p.m.

SENATE CHAMBERS

INVOCATION

Father Christopher Davis
Annunciation Priory
Bismarck, North Dakota

IN MEMORIAM

Senator I. E. Solberg

SOPRANO SOLO

Sung by: Mrs. John Fay
Accompanied by: Miss Teri Fay

SENATE MEMORIAL RESOLUTION No. 1

by

Senator Sandness
Senator Shablow
Senator Solberg

BENEDICTION

Father Christopher Davis

"IN MEMORIAM"

Senator Solberg:

"It is fitting that we pause in our busy lives to pay our respects to those who have lived, worked and spent time in the North Dakota Senate. Each of us will recall some work of value con-

tributed by each of those we pause to pay respects to at this necrology service. Life is more meaningful if we pause and reflect seriously upon the works of others. Perhaps we can take a passage from a great American who said, 'You will soon forget what I say here, but you can never forget what they did here.'

"Edgar Guest in his poem, 'SERMONS WE SEE' may have given us the proper perspective for what we want to say today.

I'd rather see a sermon than to hear one any day
 I'd rather one should walk with me than merely show the way.
 The eye's a better pupil and more willing than the ear
 Find counsel is confusing, but example's always clear.
 And the best of all the preachers are the men who live their
 creeds,

For to see the good in action is what everybody needs.
 I can soon learn how to do it if you'll let me see it done
 I can watch your hands in action, but your tongue too fast may
 run.

And the lectures you deliver may be very wise and true
 But I'd rather get my lesson by observing what you do
 For I may misunderstand you and the high advice you give
 But there's no misunderstanding how you act and how you live.'

"In an age when we daily unlock some of nature's secrets, the most fascinating mystery is still the oldest in history. 'What is man and what is his destiny?' In the eighth Psalm we read, 'What is man that thou art mindful of him?' Also in Shakespeare's Hamlet we read:

'What a piece of work is man
 How noble in reason
 How infinite in faculty;
 In form and moving, how express and admirable;
 In action how like an angel
 In apprehension how like his God
 The beauty of the world
 The paragon of all animals.'

"As we continue life's work, we find the most important matter we study, is man. We each remember something about those who have gone before. We remember something they may have said or done or perhaps the fact that they were present at our meetings to help make decisions.

"What is it that makes the human species unique among all of God's creatures and creations?

"We remember some for their ability to smile; some their ability to reason; some the ability to speak; some the ability to worship; some the ability to console. Whatever the reason, be they the conclusion of the wit, the theologian, the philosopher. We will always be aware of their impact upon our lives or that of the Senate.

"The uniqueness of man is the necessity and capacity to participate with his Creator in deciding his own necessity and destiny in shaping his own future. In his daily living, man may emerge 'Little lower than the angels'.

"No generation has lived under more severe pressures than this — the present one. With all these pressures present in our daily lives, we become aware of the fact that life is not necessarily ours to be just happy. It is to be useful, to be honorable, to be compassionate. It is to have it matter, to have it make some difference that we live here at all.

"We must learn to moderate our demands on other people. We

must learn to have the courage to live without absolutes, to seek some imaginative escapes from the straight jacket of conformity.

"We can only meet life in a series of tentatives. Those who have lived before us have taught us this lesson. Our final goals, like theirs, may never be reached. The last truths may remain unknown to each of us. We must now resolve, that life holds nothing more sacred and precious than the opportunity with God's grace to develop the heart and the mind in proper thinking and doing.

"In this manner we dedicate this service to those whom we pause in reverence to commemorate."

MOTION

Senator Litten moved that Senator Solberg's remarks be printed in the Journal, which prevailed.

SENATE MEMORIAL RESOLUTION

Senator Sandness requested the unanimous consent of the Senate to introduce Senate Memorial Resolution No. 1, which request was granted.

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senators Sandness, Solberg and Shablow introduced:

Senate Memorial Resolution No. 1. A Memorial Resolution for deceased members of the Senate of the State of North Dakota.

Was read the first time.

Senator Shablow moved that the rules be suspended, that Senate Memorial Resolution No. 1 be not printed as a bill, but printed in the Journal, not referred to committee but placed on the calendar for second reading and final passage, which motion prevailed.

SENATE MEMORIAL RESOLUTION No. 1

Introduced by Committee on Senate Memorial Resolutions

1 A memorial resolution for deceased members of the Senate of
2 the State of North Dakota.

3

4 WHEREAS, God in His wisdom has seen fit to summon to
5 eternal rest His servants and our former colleagues:

6 PHILIP W. BLANK, who served in the Twenty-sixth
7 Legislative Assembly, from the thirtieth district, died
8 January 22, 1972

9 CHARLES F. HARRIS, who served in the Thirty-seventh and
10 Thirty-eighth Legislative Assemblies, from the third district,
11 died April 9, 1971.

12 C. MELVIN OLSON, who served in the Twenty-eighth
12a through

13 the Thirty-first Legislative Assemblies, from the thirty-
14 eighth district, died August 17, 1972.

15 ANDREW SKARVOLD, who served in the Twenty-fifth and
16 Twenty-sixth Legislative Assemblies, from the thirty-seventh
17 district, died January 9, 1972.

18 ORVILLE WITTEMAN, who served in the Thirty-seventh
19 through the Thirty-ninth Legislative Assemblies, from the
20 forty-third district, died January 11, 1973.

21 GUST WOG, who served in the Seventeenth through the
22 Thirtieth, and the Thirty-third and Thirty-fourth Legislative
23 Assemblies, from the thirty-ninth district, died August 6, 1971.

24 WHEREAS, today, we, as members of the Senate of the

Page No. 2

1 Forty-third Legislative Assembly of the State of North Dakota,
2 pause to mourn the passing of our former colleagues, and to
3 honor their memories; and

4 WHEREAS, these legislators rendered outstanding service

5 to the people of the State by their contribution to their
 6 fellowmen and their communities;
 7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
 7a OF THE
 8 FORTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE
 8a OF NORTH
 9 DAKOTA:
 10 That we express our keen sorrow on their passing and
 11 our appreciation, on behalf of the people of North Dakota,
 12 of the loyal and devoted service of these, our former
 13 colleagues; and
 14 BE IT FURTHER RESOLVED, that, for the perpetuation of
 15 their memory, this token of respect and sympathy by their
 16 successors in trust be printed in the journal of the Senate,
 17 and that duly enrolled copies of this resolution be presented
 18 by the Secretary of State to the surviving families of these
 19 deceased Senators.

SECOND READING OF SENATE MEMORIAL RESOLUTION

Senate Memorial Resolution No. 1. A Memorial Resolution for deceased members of the Senate of the State of North Dakota.

Which has been read.

Senator Sandness moved that Senate Memorial Resolution No. 1 be adopted, which motion prevailed.

Senator Litten moved that the Senate Memorial Service be dissolved, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4003 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Mutch moved that whereby the report of the committee on Senate Concurrent Resolution No. 4003 was adopted be reconsidered and the motion to reconsider be laid on the table.

Senator Holand requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Mutch, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 3

Those voting in the affirmative were:

Anderson	Litten	Peterson	Schultz, C.
Butler	Morgan	Pyle	Schultz, J.
Freed	Mutch	Ringsak	Strinden
Iszler	Naaden	Roen	Stroup
Jacobson	Nasset	Sands	Thane
Jones	Page	Sandness	Wright
Lee			

Those voting in the negative were:

Barth	Goodman	Lips	Reiten
Berube	Gronhovd	Longmire	Shablow
Christensen	Hoffner	Melland	Solberg
Erdman	Holand	Nething	Strand
Fritzell	Kautzmann	Rait	Tweten
Goldberg	Larson	Redlin	

Absent and not voting:

Coughlin Smykowski Wenstrom

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4010 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 after the word "amendment" delete "re-"

On page 1, delete all of line 2

On page 1, line 3 delete the words "the public, and for the amendment"

On page 1, line 10 after the word "proposed" delete the word "amendments" and insert in lieu thereof "amendment"

On page 1, line 11, after the word "Dakota" delete the word "are" and insert in lieu thereof "is"

On page 1, line 13 after the word "the" delete the word "primary" and insert in lieu thereof "general" and after the first word "in" delete "September"

On page 1, line 16 after the parenthesis delete the remainder of the line

On page 1, delete all of lines 17 through 23.

On page 1, line 24 delete the words "SECTION 2. AMENDMENT.)"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4031 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion failed, and Senate Concurrent Resolution No. 4031 was placed on the calendar.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4047 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4058 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4067 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1027 has had the same under consideration and recommends that the same do pass.

SENATOR MELLAND, Vice Chairman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1085 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14 of the engrossed bill, delete the beginning and ending triple parentheses around "or" and following "department" delete the underscored comma

On page 1, line 15, delete the words "or institution"

On page 1, line 16, delete "or of any county with the"

On page 1, line 17, delete "concurrence of that county's board of commissioners,"

On page 1, line 21, delete the beginning and ending triple parentheses around "and" and delete ", institution, and county"

On page 2, line 12, after the period insert the following new sentence: "The secretary of state is further authorized to perform microfilm services for the state institutions and for any county, when they request such services, and the secretary of state agrees that the request is consistent with good records management practices."

On page 2, line 18, delete all the triple parentheses

On page 2, line 19, delete ", or institution"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1141 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1199 has had the same under consideration and recommends that the same do pass and be rereferred to the Committee on Appropriations.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1206 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1217 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17 of the engrossed bill, insert triple parentheses around the second word "one" and insert in lieu thereof "two"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1277 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1372 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1378 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 of the engrossed bill, delete "amend and reenact" and insert in lieu thereof "repeal"

On page 1, line 9, after the first period delete the remainder of the line and insert in lieu thereof the following: "REPEAL.) Section 19-05-12 of the North Dakota Century Code is hereby repealed."

On page 1, delete all of lines 10 through 24

On page 2, delete all of line 1

Renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1395 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 1, delete "environmental"

Page 1, line 8, delete "ENVIRONMENTAL"

Page 1, line 13, after the word "shall" insert the following: "; if he deems that the scope of the project warrants such,"

Page 1, line 14, delete "environmental"

Page 2, line 2, delete "environmental"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1422 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1453 has had the same

under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1469 has had the same under consideration and recommends that the same do pass and be rereferred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1483 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1492 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1529 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3002 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3012 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3037 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3039 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans'

Affairs to whom was referred House Concurrent Resolution No. 3042 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Concurrent Resolution No. 3044 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3048 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3050 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3062 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3064 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3073 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3087 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to House Bill No. 1429 be dispensed with, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1429 as recommended by the Committee on Finance and Taxation

as printed on page 776 of the Senate Journal be adopted, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolution No. 4031, House Bills Nos. 1027, 1141, 1206, 1372, 1429, 1469, 1483, 1529, House Concurrent Resolutions Nos. 3002, 3037, 3039, 3042, 3044, 3050, 3064, 3073 and 3087, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-THIRD DAY

Bismarck, March 1, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Christopher Davis, Annunciation Priory, Bismarck.

"FATHER IN HEAVEN, You are the love behind our thoughts and You are the goodness behind our dreams. Guide us as we work for the welfare of the people, for they are our own people; our family, friends and neighbours, whose hopes are centered in so many of the programs which we consider and vote upon.

"Make us tolerant of each other, so that our differing opinions do not lead us into any division of purpose. Make us interested in the humanity of each person here in these chambers, so that beneath each man's exterior we may search for and find the concern and the wisdom which makes him valued by his friends.

"Bless this assembly, Lord, with confidence and peace. Teach us the meaning of our Saviour's words:

"Judge not, and you will not be judged; condemn not, and you will not be condemned; forgive, and you will be forgiven; give, and it will be given to you; good measure, pressed down, shaken together, running over, will be put into your lap. For the measure you give will be the measure you get back.'

(Lk. 6:37-38)

"And may the work of this assembly convey a blessing to this state and land.

"Amen."

Roll Call: All Senators present except Jacobson and Smykowski. A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-first day after recess and forty-second day and recommends that the same be corrected as follows: On page 785, in line 11 from the top of the page, correct the spelling of the word "satisfaction"

On page 786, in line 13 from the top of the page, correct the spelling of the word "satisfaction"

On page 791, in line 5 from the bottom of the page, correct the spelling of the word "satisfaction"

On page 798, in line 3 from the bottom of the page, delete the word "adjourn" and insert in lieu thereof the word "recess"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2042, which motion prevailed.

Senator Mutch moved that the rules be suspended and that Senate Bill No. 2042 be deemed properly engrossed and placed on

second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2042. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to abstracts of operating records and accident reports.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 797 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright
Hoffner			

Absent and not voting:

Jacobson Smykowski

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 2065 which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 2065 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 5 of section 47-26-01 and section 47-26-05 of the North Dakota Century Code, relating to the definition and maintenance of legal fences; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 797 of the Senate Journal, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Stroup
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goldberg	Longmire	Ringsak	Wenstrom
Goodman	Melland	Roen	Wright
Gronhovd			

Those voting in the negative were:

Mutch Page Sandness Strinden

Absent and not voting:

Jacobson Smykowski

So the bill passed and the title was agreed to.

Senator Tweten moved that the Senate do concur in the House amendments to Senate Bill No. 2267 which motion prevailed.

Senator Tweten moved that the rules be suspended and that Senate Bill No. 2267 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2267. A Bill for an Act to amend and reenact section 23-17.2-06 of the North Dakota Century Code, relating to authority of the North Dakota state health council regarding certificates of need.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 797 and 798 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhvd	Mutch	Sands	Wright
Hoffner			

Absent and not voting:

Jacobson Smykowski

So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that House Bill 1206 be placed at the head of the calendar, which motion prevailed.

PERSONAL PRIVILEGE ON SENATE BILL 1206

Senator L. D. Lee Christensen

"Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal.

"The Industrial Commission Act was passed in 1919. Section 4 of this Act reads, in part: "All orders, rules, regulations, by-laws and written contracts, adopted or authorized by the Commission shall, before becoming effective, be approved by the Governor, as Chairman, and shall not be in force unless approved and signed by him." This Act, therefore, gave the Governor implied power to disapprove any action of the Industrial Commission.

"The Act was amended in 1933 (Senate Bill 195, Chapter 191 of the 1933 Session Laws): "In the creation of the Industrial Commission, it was the intention of the Legislature, and it is the intention of this Legislature, that the Governor shall have full veto power and that any Act vetoed, or not approved and signed, by him, shall be null and void and of no effect." This amendment was approved by a vote of 92 to 18 in the House and by a vote of 38 to 10 in the Senate. In explaining his vote, one Senator said: "I wish to explain my vote. There must be something wrong; I can't quite conceive or under-

stand why this ultra-conservative body who, since 1919, has been fighting this same bill, are favoring it now, there must be a package of dynamite in it so I am going to vote 'no'."

"Mr. President and fellow Senators, I submit that the ultra-conservatives are still fighting the Industrial Commission and that it is a package of dynamite. Our state industries are the most successful they have ever been. Is such success the reason for the present opposition?"

"In the 54 years since the passage of this Act, 12 Republicans and three Democrats have held the Office of Governor, and no positive action has yet been taken to change what is now Section 54-17-05 of the North Dakota Century Code.

"However, this Session has seen a concerted effort to tamper with the structure of the Industrial Commission — and at a period when the Industrial Commission is as successful as it has ever been.

"The recently defeated Senate Bill 2160 would have removed the Bank of North Dakota from the control of the Industrial Commission and placed it under a Board of Directors composed of banking interests. Such a management board was contemplated in 1919 as an alternative to the Industrial Commission, but it was rejected at that time also. Presently the bank is very responsive to the people because the members of the Industrial Commission — Governor, Attorney General, and Commissioner of Agriculture — are elected by the people and therefore directly answerable to the people they represent.

"Now, another approach is being attempted to make the Industrial Commission less responsive to the people of North Dakota. House Bill 1206 would strip the Governor of the veto power on the Industrial Commission. The Governor, as a member of the three-man commission, has no power to adopt or change policy without the concurrence of at least one other member of the Industrial Commission. But, as the chief executive officer of the State, he has been given the veto authority on the Commission, and because of this authority he is directly responsible for the actions taken by the Commission.

"Should the Industrial Commission fail to respond to the desires of the people, blame can be directed toward one responsible State official — the Governor. The Governor is directly answerable to the people under Amendment Article 33 to the North Dakota Constitution (The Recall) and at the polls. A TRIUMVIRATE of three State officials would be totally unresponsive to the people of North Dakota. The "buck" must stop somewhere.

"I trust that the veto power would be acceptable to the majority party should a Republican Governor be elected in the future. If that should ever happen, I firmly believe that both the Republican Governor and the people of North Dakota would desire that one person be held accountable for the actions of the Industrial Commission.

"Therefore, I sincerely ask that the Industrial Commission be kept as it presently exists. This Senate should defeat House Bill 1206."

SECOND READING OF HOUSE BILLS

House Bill No. 1206. A Bill for an Act to amend and reenact section 54-17-05 of the North Dakota Century Code, relating to majority approval of acts approved or authorized by members of the industrial commission.

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, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Kautzmann	Nething	Schultz, J.
Butler	Lee	Page	Solberg
Coughlin	Lips	Peterson	Strand
Freed	Litten	Pyle	Strinden
Fritzell	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Schultz, C.	Wright
Jones	Nasset		

Those voting in the negative were:

Barth	Erdman	Larson	Sandness
Berube	Gronhovd	Rait	Shablow
Christensen	Hoffner	Redlin	

Absent and not voting:

Jacobson	Smykowski
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So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that the Senate reconsider the action by which House Bill No. 1078 was passed, which motion prevailed.

Senator Freed moved that House Bill No. 1078 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1078. A Bill for an Act to create and enact section 16-16-17.1 of the North Dakota Century Code, relating to allowing former North Dakota residents to vote in North Dakota.

Which has been read.

MOTION

Senator Freed moved that House Bill No. 1078 be amended as follows:

On page 1, line 15, delete the words "either in"

On page 1, delete all of line 16 and insert in lieu thereof the following:

"by applying for a separate ballot at least one day before the election in accordance with sections 16-16-18, 16-16-21, 16-16-22, 16-16-23, 16-16-24, 16-16-25 and 16-16-26 of this chapter, provided the statements relative to new residents contained therein shall, for this purpose, be changed by the county auditor and inspector of elections to comply with the provisions of this section."

On page 1, delete all of lines 17 and 18.

Renumber the lines accordingly.

Which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1078 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1078. A Bill for an Act to create and enact section 16-16-17.1 of the North Dakota Century Code, relating to allowing former North Dakota residents to vote in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
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Barth	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Absent and not voting:

Jacobson Pyle Smykowski

So the bill passed and the title was agreed to.

House Bill No. 1109. A Bill for an Act to amend and reenact section 65-05-21 of the North Dakota Century Code, changing the number of weeks of compensation paid to the widow.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jones	Nething	Shablow
Butler	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Christensen Jacobson Pyle Smykowski

So the bill passed and the title was agreed to.

House Bill No. 1210. A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to salaries of elected state officials and providing an effective date.

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, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Naaden		

Those voting in the negative were:

Mutch

Absent and not voting:

Butler Jacobson Pyle Smykowski

So the bill passed and the title was agreed to.

House Bill No. 1231. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Jones	Nothing	Schultz, J.
Berube	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Hoffner			

Those voting in the negative were:

Iszler Mutch

Absent and not voting:

Butler Jacobson Pyle Smykowski

So the bill passed and the title was agreed to.

House Bill No. 1253. A Bill for an Act authorizing the director of institutions to convey certain state land under the control and management of the Grafton state school to Grafton post no. 41 of the North Dakota department of the American legion.

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, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, J.
Berube	Kautzmann	Nothing	Shablow
Coughlin	Larson	Page	Solberg
Freed	Lee	Peterson	Strand
Fritzell	Lips	Pyle	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler	Naaden	Schultz, C.	

Those voting in the negative were:

Barth Christensen Erdman Rait

Absent and not voting:

Butler Jacobson Sands Smykowski

So the bill passed and the title was agreed to.

House Bill No. 1263. A Bill for an Act authorizing the director of institutions to lease certain land owned by the state of North

Dakota to the park district of the city of Grafton for a period of twenty-five years.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner	Mutch	Sandness	

Absent and not voting:

Butler	Jacobson	Sands	Smykowski
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So the bill passed and the title was agreed to.

House Bill No. 1312. A Bill for an Act to amend and reenact subsection 4 of section 57-24-03, section 57-24-07, subsection 2 of section 57-24-12, and section 57-28-06 of the North Dakota Century Code, relating to advertising costs of notice of sale of land for delinquent taxes, and to the cost of publication of notice of expiration of redemption period.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright

Absent and not voting:

Butler	Jacobson	Smykowski
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So the bill passed and the title was agreed to.

House Bill No. 1405. A Bill for an Act to amend and reenact section 14-03-17 of the North Dakota Century Code, making it mandatory that the county judge cause a copy of the application for marriage license be filed in a prior divorce action where the applicant is under court decree to provide child support or alimony combined with child support, requiring the county judge to secure from the applicants an acknowledgement of any provision for child support or alimony combined with child support contained in a prior divorce decree or judgment, and requiring an affidavit from the clerk of the district court to whom support payments are directed showing that there are no arrears in payment or, in lieu thereof, a waiver of the requirement for such affidavit signed by

the district court ordering such child support or alimony combined with child support.

Which has been read.

MOTION

Senator Jones moved that House Bill No. 1405 be further amended as follows:

On page 1, line 1 of the engrossed bill, delete the remainder of the bill after the words "A BILL" and substitute in lieu thereof the following: "for an Act to create and enact subsection 5 and to amend and reenact subsections 2, 3, and 4 of section 14-03-17 of the North Dakota Century Code, making it mandatory that the county judge cause a copy of the application for marriage license be filed in a prior divorce action where the applicant is under court decree to provide child support or alimony combined with child support, requiring the county judge to secure from the applicants an acknowledgement of any provision for child support or alimony combined with child support contained in a prior divorce decree or judgment, and requiring an affidavit from the clerk of the district court to whom support payments are directed showing that there are no arrears in payment or, in lieu thereof, a waiver of the requirement for such affidavit signed by the district court ordering such child support or alimony combined with child support.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Subsections 2, 3, and 4 of section 14-03-17 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

2. An affidavit showing whether or not either or both of the parties have been divorced. If a decree of divorce has been granted to either or both of the parties a certified copy of the decree must be filed with the application and if either or both parties are subject to a subsisting order to provide child support or alimony combined with child support pursuant to the provisions of a divorce decree or judgment, the county judge shall cause a copy of the application for license to be filed in such prior divorce action and shall secure from the applicants a signed acknowledgment of any provision for child support or alimony combined with child support contained in such prior divorce decree or judgment. A license shall not be issued if it contravenes any provisions of the decree of divorce;
3. A certificate of a duly licensed physician other than the person seeking the license, showing that neither of the contracting parties is a person afflicted with syphilis, and reporting any other contagious venereal disease if the physician detects the same; (((and)))
4. An affidavit of a disinterested, credible person that the applicants are not habitual criminals (((.))); and

SECTION 2.) Subsection 5 of section 14-03-17 of the North Dakota Century Code is hereby created and enacted to read as follows:

5. An affidavit of the clerk of the district court to whom child support or alimony combined with child support has been ordered paid pursuant to the provisions of a divorce decree or judgment referred to in subsection 2, showing that there are no arrears in payment of court-ordered child support or alimony combined with child support. The district court ordering such child support or alimony combined with child support may, upon good cause shown, waive in writing the requirement for such affidavit."

And renumber the pages, lines, and sections accordingly.

Which motion prevailed.

Senator Jones moved that the rules be suspended, that House Bill No. 1405 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1405. A Bill for an Act to amend and reenact section 14-03-17 of the North Dakota Century Code, making it mandatory that the county judge cause a copy of the application for marriage license be filed in a prior divorce action where the applicant is under court decree to provide child support or alimony combined with child support, requiring the county judge to secure from the applicants an acknowledgement of any provision for child support or alimony combined with child support contained in a prior divorce decree or judgment, and requiring an affidavit from the clerk of the district court to whom support payments are directed showing that there are no arrears in payment or, in lieu thereof, a waiver of the requirement for such affidavit signed by the district court ordering such child support or alimony combined with child support.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 758 of the Senate Journal, and from the floor, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright

Absent and not voting:

Butler Jacobson Smykowski

So the bill passed and the title was agreed to.

House Bill No. 1428. A Bill for an Act to extend the jurisdiction of the public service commission to include the safety of all gas distribution systems.

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, 5.

Those voting in the affirmative were:

Anderson	Iszler	Nething	Schultz, C.
Barth	Jones	Page	Schultz, J.
Berube	Kautzmann	Peterson	Shablow
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Melland	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom

Gronhovd	Naaden	Sandness	Wright
Holand	Nasset		
Absent and not voting:			
Butler	Jacobson	Longmire	Smykowski
Hoffner			

So the bill passed and the title was agreed to.

MOTION

Senator Ringsak moved that the Senate request the return of House Bill No. 1503 from the House, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1473. A Bill for an Act to permit public employees to enter into a deferred compensation plan and to permit the purchase of insurance and annuity contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Jones	Nasset	Schultz, J.
Berube	Kautzmann	Nothing	Shablow
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Mutch	Sandness	Wright

Those voting in the negative were:

Freed	Morgan	Roen	Strinden
Iszler	Page	Sands	

Absent and not voting:

Butler	Goodman	Jacobson	Smykowski
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So the bill passed and the title was agreed to.

House Bill No. 1518. A Bill for an Act to amend and reenact section 51-10-06 of the North Dakota Century Code, relating to powers of the trade commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, C.
Barth	Kautzmann	Nothing	Schultz, J.
Berube	Larson	Page	Shablow
Christensen	Lee	Peterson	Solberg
Coughlin	Lips	Pyle	Strand
Erdman	Litten	Rait	Strinden
Freed	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten
Hoffner	Mutch	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler			

Those voting in the negative were:

Fritzell	Redlin
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Absent and not voting:

Butler	Goodman	Jacobson	Smykowski
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So the bill passed and the title was agreed to.

House Bill No. 1532. A Bill for an Act to establish a North Dakota American revolution bicentennial commission.

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, 5.

Those voting in the affirmative were:

Anderson	Jones	Nothing	Schultz, C.
Barth	Kautzmann	Page	Schultz, J.
Berube	Larson	Peterson	Shablow
Christensen	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten
Hoffner	Mutch	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler	Nasset		

Absent and not voting:

Butler	Goodman	Jacobson	Smykowski
Coughlin			

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3040. A concurrent resolution expressing concern and dissatisfaction with certain provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

Which has been read.

Senator Iszler moved that House Concurrent Resolution No. 3040 be adopted, which motion prevailed.

House Concurrent Resolution No. 3083. A Concurrent Resolution urging the President and the Congress of the United States to continue the hot lunch program and the recess milk program.

Which has been read.

Senator Holand moved that House Concurrent Resolution No. 3083 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1019
 House Bill No. 1040
 House Bill No. 1092
 House Bill No. 1234
 House Bill No. 1487
 House Bill No. 1498
 House Bill No. 1509
 House Bill No. 1531
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3061
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1028
 House Bill No. 1151
 House Bill No. 1304

House Bill No. 1430
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1116

House Bill No. 1274

House Bill No. 1323

House Bill No. 1438

House Bill No. 1439

House Concurrent Resolution No. 3010

House Concurrent Resolution No. 3015

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2042

Senate Bill No. 2065

Senate Bill No. 2267

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: The Senate requests the return of:

House Bill No. 1503

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2062

Senate Bill No. 2071

Senate Bill No. 2077

Senate Bill No. 2143

Senate Bill No. 2262

Senate Bill No. 2300

Senate Bill No. 2317

Senate Bill No. 2323

Senate Bill No. 2353

ROY GILBREATH, Chief Clerk

Senate Litten moved that the Senate recess until 12:30 P.M., March 2, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-THIRD DAY AFTER RECESS
AND FORTY-FOURTH DAY

Bismarck, March 2, 1973

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2023
Senate Bill No. 2055
Senate Bill No. 2083
Senate Bill No. 2156
Senate Bill No. 2174
Senate Bill No. 2259
Senate Bill No. 2289
Senate Bill No. 2296
Senate Bill No. 2307
Senate Bill No. 2333
Senate Bill No. 2342
Senate Bill No. 2360

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

COMMUNICATION

The Honorable Arthur A. Link
Governor of North Dakota
Bismarck, North Dakota 58501

Dear Governor Link:

This is to inform you that the North Dakota State Senate has advised and consented to the appointments herein listed, as required by law:

1. State Board of Higher Education (15-10-02)
Richard H. McGee, Minot, July 1, 1973 - July 1, 1980
Dr. Robert C. Painter, Grand Forks, July 1, 1972 - July 1, 1979
2. State Board of Public School Education (15-21-17)
Arthur A. Johnson, Ray, Dec. 20, 1971 - July 1, 1974
Robert P. Miller, Bismarck, July 1, 1972 - July 1, 1978
Merlyn Miller, Wahpeton, July 1, 1971 - July 1, 1978
3. Higher Education Facilities Commission (15-10-29)
Dr. J. Kenneth Galloway, Devils Lake, July 1, 1972 - July 1, 1975
Richard P. Rausch, Bismarck, July 1, 1971 - July 1, 1974
4. State Historical Board (55-01-01)
Edward A. Milligan, Bottineau, July 1, 1971 - July 1, 1974

Mrs. Hugh McCreery, Bismarck, July 1, 1971 - July 1, 1974
 Mr. Pat DeForest, Bismarck, July 1, 1971 - July 1, 1974
 Robert Cory, Minot, July 1, 1972 - July 1, 1975
 Mrs. Harold Oberlander, New England, July 1, 1972 - July 1, 1975
 Mr. D. Jerome Tweton, Grand Forks, July 1, 1972 - July 1, 1975

5. Commissioner of Banking and Financial Institutions (6-01-08)
 G. W. Ellwein, Bismarck, July 1, 1973 - July 1, 1977
6. Commissioner of Securities (10-04-03)
 Donald R. Holloway, Bismarck, July 1, 1973 - July 1, 1977
7. Council on the Arts and Humanities (54-54-02)
 Dr. Frank C. Pearson, Dickinson, July 1, 1972 - July 1, 1977
 Dr. William Boehle, Grand Forks, July 1, 1972 - July 1, 1977
 Jack Askew, Bismarck, July 11, 1972 - July 1, 1977
 Bryan Gackle, Dickinson, July 1, 1972 - July 1, 1977
 Mrs. A. J. Pederson, Kenmare, July 1, 1972 - July 1, 1977
 Mrs. Russell F. Freeman, Fargo, Nov. 18, 1971 - July 1, 1973
 Dennis Navrat, Dickinson, Nov. 18, 1971 - July 1, 1975
 Walter J. Piehl, Minot, Oct. 16, 1972 - July 1, 1975
8. State Social Service Board (50-06-02)
 Paige J. Baker, Sr., Mandaree, July 1, 1971 - April 6, 1975
 Richard Holmes, Guelph, July 1, 1971 - April 6, 1975
 V. Frank Kadlec, Bismarck, April 6, 1973 - April 6, 1977
 George M. Unruh, Sr., Grand Forks, April 6, 1973 - April 6, 1977
 Virgil Johnson, Fargo, April 6, 1973 - April 6, 1977

This is to inform you that the North Dakota State Senate does not advise and consent to the appointments herein listed:

1. State Social Service Board (50-06-02)
 Marcellus M. Hartzel, Williston, Feb. 7, 1973 - April 6, 1975
2. Director of Institutions (54-21-06)
 Walter R. Fiedler, Bismarck, January 2, 1973 - January 2, 1977.

Sincerely Yours,
 WAYNE G. SANSTEAD
 Lieutenant Governor

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred Senate Resolution No. 7 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4060 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TWETEN, Vice Chairman

Senator Tweton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4066 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 1, delete "low" and insert "lower"

On page 2, line 6, delete "arbitrary"

On page 2, line 7, delete "and unwise"

On page 2, line 13, delete "and pointing out the Administra-"

On page 2, line 14, delete "tion's apparent disregard"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4072 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1017 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 of the engrossed bill, after the second word "for" insert the words "grants to local communities for"

On page 1, line 3 of the engrossed bill, delete the words "a Heritage Center" and insert in lieu thereof the words "heritage centers and historical sites."

On page 1, line 9 of the engrossed bill, delete the words "North Dakota heritage commission" and insert in lieu thereof the words "state historical board"

On page 1, line 11 of the engrossed bill, delete everything after the word "treasury" and insert in lieu thereof the following: "for the purpose of making grants to local communities as matching funds for the construction of heritage centers or historical sites. The grants shall be in amounts up to \$100,000.00 each, provided that each local community raises matching funds in an amount equal to or exceeding the state grant and that the local community meets such standards as the state historical board shall promulgate. No grant shall be made unless the local community applies for and receives prior approval of the project from the state historical board."

On page 1, delete lines 12 through 22 of the engrossed bill

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to prohibit construction of a single heritage center and encourage development of local historical sites or local heritage centers.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1050 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20 of the engrossed bill, delete the words "allocated and"

On page 2, line 5 of the engrossed bill, after the word "county" and before the period insert the following: "on June thirtieth and December thirty-first of each year"

On page 2, line 10 of the engrossed bill, after the word "monthly" insert the following: "based upon the number of motor vehicles credited to each county as of the previous June thirtieth or December thirty-first, whichever is most recent,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1074 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1134 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1135 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1235 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1254 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1314 has had the same under consideration and recommends that the same be amended as follows:

On page 4 after line 10 of the engrossed bill insert the following:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$700,000, or so much thereof as may be necessary, to the state treasurer for the reimbursement of county tax credits and the payment of refunds, as provided for in this section, and there is further appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$10,000.00, or so much thereof as may be necessary, to the tax commissioner for the costs of the administration of this section."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass, and be rereferred to the committee on Appropriations.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1327 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 3 of the engrossed bill delete "seven" and insert in lieu thereof "nine"

On page 3, line 7 delete "one representative" and insert in lieu thereof "three representatives"

On page 3, line 8 delete "Two" and insert in lieu thereof "Three"

On page 3, line 9 delete the first "two" and insert in lieu thereof "three"

On page 3, line 19 delete "and" and insert in lieu thereof "or"

On page 3, line 22 after "therefrom" delete the comma and insert in lieu thereof a period and delete the remainder of the line

On page 3 delete all of line 23

On page 3, line 25 delete "representative" and insert in lieu thereof "representatives"

On page 5 delete all of lines 32 through 34

On page 6 delete all of line 1

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1415 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1437 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1459 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1462 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1502 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1513 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1514 has had the same

under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, line 35, delete the following, **FEES**,

On page 3, line 20, insert beginning triple parentheses before the word "is"

On page 3, line 21, insert ending triple parentheses after the word "years"; insert triple parentheses around the word "is"; and before the word "over" insert the word "are"

On page 3, line 22, insert triple parentheses around the words "twenty-one" and immediately thereafter insert the word "eighteen"

On page 3, line 23, insert beginning triple parentheses before the "is" and insert ending triple parentheses after the word "years"

On page 3, line 24, insert triple parentheses around the words "twenty-one" and immediately thereafter insert the word "eighteen"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1520 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3016 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution No. 3085 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

APPOINTMENT OF A CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1291, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1291

Senator Pyle

Senator Naaden

Senator Larson

MOTIONS

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1492 was indefinitely postponed, which motion prevailed.

Senator Nething moved that House Bill No. 1492 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Nething moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1398, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1398
 Senator J. Schultz
 Senator Sands
 Senator Berube

Senator Nething moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1465, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1465
 Senator Nething
 Senator Holand
 Senator Berube

Senator Roen moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1357, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1357
 Senator Lee
 Senator Fritzell
 Senator Anderson

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Concurrent Resolution No. 4010, and House Bills Nos. 1085, 1217, 1378 and 1395 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to Senate Concurrent Resolution No. 4010 as recommended by the Committee on Judiciary as printed on page 805 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Reiten moved that Senate Concurrent Resolution No. 4010 be amended as follows:

On page 1, line 3, after the word "public" insert the words "unless otherwise provided by law,"

On page 1, line 5, after the word "committees" insert the following: ", and providing an effective date"

On page 1, line 19, delete the word "All" and insert the following in lieu thereof: "**Unless otherwise provided by law, all**"

On page 2, after line 7, insert the following new section:

"SECTION 3. EFFECTIVE DATE.) The provisions of section 1 of this resolution, if approved, by the people shall take effect on July 1, 1975."

And renumber the lines accordingly.

Which motion prevailed, and House Concurrent Resolution No. 4010 was placed on the calendar.

CONSIDERATION OF AMENDMENTS

Senator Stroup moved that the amendments to House Bill No. 1085 as recommended by the Committee on State and Federal Government as printed on page 806 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Bill No. 1217 as recommended by the Committee on Transportation as printed on page 806 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1378 as recommended by the Committee on Agriculture as printed on page 807 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1395 as recommended by the Committee on Natural Resources as printed on page 807 of the Senate Journal be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2089 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill No. 2089 be amended as follows:

On page 1, line 15 of the engrossed bill delete the ending triple parentheses and delete "eight"

On page 1, line 16 insert ending triple parentheses after "hundred" and insert in lieu thereof "one thousand"

And renumber the lines accordingly.

For the Senate:

Senator Mutch
Senator Jacobson
Senator Gronhovd

For the House

Rep. Kloubec
Rep. Laske
Rep. Gengler

Senator Mutch moved that the report be adopted, which motion prevailed.

Senator Mutch moved that the rules be suspended and that Senate Bill No. 2089 be deemed properly re-engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2089. A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignments of wage claims to the commissioner of labor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the Conference Committee, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden		

Absent and not voting:

Christensen

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2209 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
 Senator Peterson
 Senator Sands
 Senator Iszler

For the House
 Rep. Olson
 Rep. Lundene
 Rep. Vander Vorst

Senator Iszler moved that the report be adopted, which motion prevailed.

MOTION

Senator Peterson moved that the rules be suspended, that Senate Bill No. 2209 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2209. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to the membership of the district executive committee of each political party.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 753 of the Senate Journal, the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Coughlin	Kautzmann	Pyle	Solberg
Erdman	Larson	Rait	Strand
Freed	Lee	Redlin	Strinden
Fritzell	Lips	Reiten	Stroup
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sands	Wright
Hoffner	Morgan	Sandness	

Those voting in the negative were:

Mutch Naaden Thane

Absent and not voting:
 Christensen

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4031. A Concurrent Resolution for the amendment of sections 74 and 77 of the Constitution of the state of North Dakota, relating to the election of the governor and lieutenant governor and to the powers and duties of the lieutenant governor.

Which has been read.

MOTION

Senator Litten moved that Senate Concurrent Resolution No. 4031 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1027. A Bill for an Act to create a tax appeals board to hear appeals of tax abatement cases from decisions of boards of county commissioners, and to provide procedures for the administration of such appeals; to amend and reenact sections 57-20-20, 57-23-03, 57-23-04, and 57-23-08 of the North Dakota Century Code, relating to the payment of taxes under protest and

to tax abatements; to repeal section 57-23-11 of the North Dakota Century Code, relating to the retroactive application of abatement actions; and providing 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, 42; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Ringsak
Barth	Holand	Mutch	Roen
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Coughlin	Kautzmann	Nething	Strand
Erdman	Larson	Peterson	Stroup
Freed	Lee	Pyle	Thane
Fritzell	Lips	Rait	Tweten
Goldberg	Liften	Redlin	Wenstrom
Goodman	Longmire	Reiten	Wright
Gronhovd	Melland		

Those voting in the negative were:

Iszler	Sands	Schultz C.	Solberg
Page	Sandness	Smykowski	Strinden

Absent and not voting:

Christensen

So the bill passed and the title was agreed to.

House Bill No. 1141. A Bill for an Act to amend and reenact section 39-04-10.1 of the North Dakota Century Code, relating to a manufacturer's registration plate.

Which has been read.

MOTION

Senator Mutch moved that House Bill No. 1141 be amended as follows:

On page 2, line 12, delete the word "solely" and insert in lieu thereof the word "solely"

Which motion prevailed.

Senator Mutch moved that the rules be suspended, that House Bill No. 1141 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1141. A Bill for an Act to amend and reenact section 39-04-10.1 of the North Dakota Century Code, relating to a manufacturer's registration plate.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz C.
Barth	Jones	Nething	Schultz, J.
Berube	Kautzmann	Page	Shablow
Butler	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Liften	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Gronhovd	Morgan	Roen	Tweten

Hoffner
Holand
Iszler

Mutch
Naaden

Sands
Sandness

Wenstrom
Wright

Absent and not voting:
Christensen Goldberg

So the bill passed and the title was agreed to.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolutions 4010 and 4072, and House Bills Nos. 1074, 1085, 1134, 1135, 1217, 1235, 1254, 1378, 1395, 1415, 1459, 1502, 1513, 1520, and House Concurrent Resolution No. 3016 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FOURTH DAY

Bismarck, March 2, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Edwin P. Wehner, Cathedral of the Holy Spirit, Bismarck.

"Father, a few years ago some men were saying that You were dead. Some still claim they can't be sure or can't be bothered. Some are torn and wracked with doubt. Some of us who do believe aren't a very good proof of Your compassion for humanity.

"Help us to show it more by what we do here so that Your praises may be sung on every continent and far-off land, but especially here in North Dakota.

"We ask this through Christ our Lord. Amen."

Roll Call: All Senators present except Christensen.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-second day after recess and the forty-third day and recommends that the same be corrected as follows:

On page 812, in line 8 from the top of the page, correct the spelling of the word "deemed"

On page 804, after line 36 from the top of the page, delete lines 37 through 43, and insert in lieu thereof the following:

"Senator Mutch moved that whereby the report of the committee on Senate Concurrent Resolution No. 4003 was adopted be reconsidered and the motion to reconsider be laid on the table.

Senator Holand requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Mutch, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 3"

On page 804, in line 1 from the bottom of the page, delete "So the report was adopted" and insert in lieu thereof "Which motion prevailed."

On page 805 delete all of lines 2, 3, 4 and 5.

Renumber the lines and pages accordingly.

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1372. A Bill for an Act to provide for an additional two-mill levy for county welfare purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Reiten
Barth	Hoffner	Melland	Sands
Berube	Jacobson	Nasset	Schultz, J.
Erdman	Jones	Nothing	Shablow
Freed	Kautzmann	Peterson	Smykowski
Fritzell	Larson	Pyle	Strand
Goldberg	Lips	Rait	Tweten
Goodman	Litten	Redlin	Wenstrom

Those voting in the negative were:

Butler	Mutch	Roen	Strinden
Coughlin	Naaden	Sandness	Thane
Iszler	Page	Schultz C.	Wright
Morgan	Ringsak	Solberg	

Absent and not voting:

Christensen	Holand	Lee	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1429. A Bill for an Act to repeal section 57-46-01 of the North Dakota Century Code, relating to military income exempt from the income tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 776 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Sands	Wright

Absent and not voting:

Christensen	Roen	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1483. A Bill for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code, providing for payment of mileage to a witness in a criminal action.

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, 3.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski

Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright

Absent and not voting:

Christensen	Coughlin	Roen
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So the bill passed and the title was agreed to.

House Bill No. 1529. A Bill for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of members of county welfare boards.

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, 3.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nething	Shablow
Butler	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright

Absent and not voting:

Christensen	Coughlin	Roen
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3002. A Concurrent Resolution proposing an amendment to section 7 of the Constitution of the state of North Dakota, relating to the size of trial juries and the number of jurors required to render a decision in civil and criminal cases, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Longmire	Reiten
Barth	Iszler	Melland	Ringsak
Berube	Jacobson	Morgan	Roen
Erdman	Jones	Nasset	Sandness
Freed	Kautzmann	Nething	Schultz, J.
Fritzell	Larson	Peterson	Shablow
Goldberg	Lee	Pyle	Stroup
Goodman	Lips	Rait	Tweten
Gronhovd	Litten	Redlin	Wenstrom
Hoffner			

Those voting in the negative were:

Butler	Page	Smykowski	Thane
Mutch	Sands	Solberg	Wright
Naaden	Schultz C.	Strinden	

Absent and not voting:

Christensen Coughlin Strand

So the resolution passed and the title was agreed to.

House Concurrent Resolution No. 3037. A Concurrent Resolution urging the United States Postal Service to issue a commemorative stamp on the 150th anniversary of Sondre Norheim's birth.

Which has been read.

Senator Redlin moved that House Concurrent Resolution No. 3037 be adopted, which motion prevailed.

House Concurrent Resolution No. 3039. A concurrent resolution urging Congress to give favorable consideration to House Bill No. 2235, to increase the authorization for the appropriation of federal funds for completion of the formal garden and erection of the peace tower at the International Peace Garden.

Which has been read.

Senator Fritzell moved that House Concurrent Resolution No. 3039 be adopted, which motion prevailed.

House Concurrent Resolution No. 3042. A Concurrent Resolution honoring North Dakotans who have died or who are listed as captured or missing in action in Vietnam.

Which has been read.

Senator Tweten moved that House Concurrent Resolution No. 3042 be adopted, which motion prevailed.

House Concurrent Resolution No. 3044. A Concurrent Resolution commending the North Dakota Air National Guard for its second consecutive victory in the Aerospace Defense Command's worldwide weapons and aircrew competition in 1972.

Which has been read.

Senator Peterson moved that House Concurrent Resolution No. 3044 be adopted, which motion prevailed.

House Concurrent Resolution No. 3050. A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota, relating to compensation of members of the Legislative Assembly and providing an independent commission to set legislative pay and compensation.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Melland	Roen
Barth	Izler	Morgan	Sands
Coughlin	Jacobson	Nasset	Schultz, J.
Erdman	Jones	Page	Shablow
Freed	Kautzmann	Peterson	Solberg
Fritzell	Larson	Pyle	Strand
Goldberg	Lee	Rait	Stroup
Goodman	Lips	Redlin	Tweten
Gronhovd	Litten	Reiten	Wenstrom
Hoffner	Longmire	Ringsak	Wright

Those voting in the negative were:

Mutch	Nething	Schultz C.	Thane
Naaden	Sandness	Strinden	

Absent and not voting:

Berube	Butler	Christensen	Smykowski
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So the resolution passed and the title was agreed to.

House Concurrent Resolution No. 3064. A Concurrent Resolution urging Congress to enact legislation which would provide reimbursement to farm owners and operators for migratory bird depredation.

Which has been read.

Senator Wright moved that House Concurrent Resolution No. 3064 be adopted, which motion prevailed.

House Concurrent Resolution No. 3073. A Concurrent Resolution relating to absenteeism in the Congress of the United States.

Which has been read.

Senator Sandness moved that House Concurrent Resolution No. 3073 be adopted, which motion prevailed.

House Concurrent Resolution No. 3087. A Concurrent Resolution urging the Congress of the United States to adopt and submit to the people of the United States an amendment to the Constitution providing for the establishment of a single six-year Presidential term.

Which has been read.

Senator Stroup moved that House Concurrent Resolution No. 3087 be adopted, which motion failed.

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1193 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator Sandness
Senator Smykowski
Senator Redlin

For the House:

Rep. Hentges
Rep. Scofield
Rep. Linderman

Senator Sandness moved that the report be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1193. A Bill for an Act to amend and reenact section 12-47-06 of the North Dakota Century Code, relating to appointment of officers at the penitentiary.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Kautzmann	Nasset	Sandness
Barth	Larson	Nething	Schultz, J.
Erdman	Lee	Page	Shablow
Freed	Lips	Peterson	Solberg
Fritzell	Litten	Pyle	Strinden
Goldberg	Longmire	Rait	Stroup
Goodman	Melland	Redlin	Thane
Gronhovd	Morgan	Reiten	Tweten
Hoffner	Mutch	Ringsak	Wenstrom
Holand	Naaden	Roen	Wright
Jacobson			

Those voting in the negative were:

Iszler	Sands	Schultz, C.	Smykowski
Jones			

Absent and not voting:

Berube Christensen Coughlin Strand
Butler

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1328 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator Sandness
Senator Smykowski
Senator Redlin

For the House:

Rep. Hentges
Rep. Scofield
Rep. Linderman

Senator Sandness moved that the report be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1328. A Bill for an Act to amend and reenact section 12-46-04 of the North Dakota Century Code, relating to appointment and removal of officers at the state training school.

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, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, J.
Coughlin	Kautzmann	Nothing	Shablow
Erdman	Larson	Page	Solberg
Freed	Lee	Peterson	Strinden
Fritzell	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Thane
Goodman	Longmire	Redlin	Tweten
Gronhovd	Melland	Reiten	Wenstrom
Hoffner	Morgan	Ringsak	Wright
Holand	Mutch	Roen	

Those voting in the negative were:

Jones	Sands	Schultz, C.	Smykowski
Absent and not voting:			
Berube	Butler	Christensen	Strand

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1109

House Bill No. 1206

House Bill No. 1210

House Bill No. 1231

House Bill No. 1253

House Bill No. 1263

House Bill No. 1312

House Bill No. 1428

House Bill No. 1473

House Bill No. 1518

House Bill No. 1532

House Concurrent Resolution No. 3040

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1078

House Bill No. 1405
House Concurrent Resolution No. 3083
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1277
House Bill No. 1422
House Concurrent Resolution No. 3012
House Concurrent Resolution No. 3048
House Concurrent Resolution No. 3062

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

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. 1291
House Bill No. 1357
House Bill No. 1398
House Bill No. 1465

On House Bill No. 1291

Senator Pyle
Senator Naaden
Senator Larson

On House Bill No. 1357

Senator Lee
Senator Fritzell
Senator Anderson

On House Bill No. 1398

Senator Jay Schultz
Senator Sands
Senator Berube

On House Bill No. 1465

Senator Nething
Senator Holand
Senator Berube

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2089
Senate Bill No. 2209

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2023
Senate Bill No. 2055
Senate Bill No. 2083
Senate Bill No. 2156
Senate Bill No. 2174
Senate Bill No. 2259
Senate Bill No. 2289
Senate Bill No. 2296
Senate Bill No. 2307
Senate Bill No. 2333
Senate Bill No. 2342
Senate Bill No. 2360

And the President signed the same in the presence of the Senate.

**MESSAGE TO THE HOUSE
Senate Chamber**

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2023
Senate Bill No. 2055
Senate Bill No. 2083
Senate Bill No. 2156
Senate Bill No. 2174
Senate Bill No. 2259
Senate Bill No. 2289
Senate Bill No. 2296
Senate Bill No. 2307
Senate Bill No. 2333
Senate Bill No. 2342
Senate Bill No. 2360

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**MESSAGE FROM THE HOUSE
House Chamber**

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1008
House Bill No. 1034
House Bill No. 1045
House Bill No. 1060
House Bill No. 1093
House Bill No. 1119
House Bill No. 1122
House Bill No. 1125
House Bill No. 1129
House Bill No. 1147
House Bill No. 1155
House Bill No. 1157
House Bill No. 1169
House Bill No. 1212
House Bill No. 1295
House Bill No. 1366
House Bill No. 1367
House Bill No. 1449
House Bill No. 1501
House Bill No. 1504
House Concurrent Resolution No. 3005
House Concurrent Resolution No. 3041

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 1008
House Bill No. 1034
House Bill No. 1045
House Bill No. 1060
House Bill No. 1093
House Bill No. 1119
House Bill No. 1122
House Bill No. 1125
House Bill No. 1129
House Bill No. 1147
House Bill No. 1155
House Bill No. 1157
House Bill No. 1169
House Bill No. 1212

House Bill No. 1295
 House Bill No. 1366
 House Bill No. 1367
 House Bill No. 1449
 House Bill No. 1501
 House Bill No. 1504
 House Concurrent Resolution No. 3005
 House Concurrent Resolution No. 3041

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1008
 House Bill No. 1034
 House Bill No. 1045
 House Bill No. 1060
 House Bill No. 1093
 House Bill No. 1119
 House Bill No. 1122
 House Bill No. 1125
 House Bill No. 1129
 House Bill No. 1147
 House Bill No. 1155
 House Bill No. 1157
 House Bill No. 1169
 House Bill No. 1212
 House Bill No. 1295
 House Bill No. 1366
 House Bill No. 1367
 House Bill No. 1449
 House Bill No. 1501
 House Bill No. 1504
 House Concurrent Resolution No. 3005
 House Concurrent Resolution No. 3041
 Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2009
 Senate Bill No. 2123
 Senate Bill No. 2198
 Senate Bill No. 2205
 Senate Bill No. 2252
 Senate Bill No. 2294
 Senate Bill No. 2343
 Senate Bill No. 2413
 Senate Concurrent Resolution No. 4074

ROY GILBREATH, Chief Clerk
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2147

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2147

On page 1, line 10, after the word "WAGES" and before the period insert the following: " - EXCEPTION"

On page 1, line 15, after the period insert the following new sentence: "The provisions of this section shall not apply to wage claims arising under the Railway Labor Act or to wage claims arising under contested application of collective bargaining agreements."

And renumber the lines accordingly.

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed.

Senate Bill No. 2292

Senate Bill No. 2409

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. 2337

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2023

Senate Bill No. 2055

Senate Bill No. 2083

Senate Bill No. 2156

Senate Bill No. 2174

Senate Bill No. 2259

Senate Bill No. 2289

Senate Bill No. 2296

Senate Bill No. 2307

Senate Bill No. 2333

Senate Bill No. 2342

Senate Bill No. 2360

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 1193

House Bill No. 1328

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 1193

House Bill No. 1328

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2023

Senate Bill No. 2055

Senate Bill No. 2083

Senate Bill No. 2156

Senate Bill No. 2174

Senate Bill No. 2259

Senate Bill No. 2289

Senate Bill No. 2296

Senate Bill No. 2307

Senate Bill No. 2333

Senate Bill No. 2342

Senate Bill No. 2360

Were delivered to the Governor for his approval at the hour of 4:15 o'clock p.m., March 2, 1973.

SENATOR JACOBSON, Chairman

Senator Litten moved that the Senate recess until 1:00 p.m., March 5, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FOURTH DAY AFTER RECESS
AND FORTY-FIFTH DAY

Bismarck, March 5, 1973

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 4010

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee appointed to investigate conditions at the North Dakota State Penitentiary and State Farm respectfully submits the attached report:

For the report:

Senator Kautzmann, Chairman
Senator Stroup, Vice Chairman
Senator Nething
Senator Ringsak
Senator Smykowski
Senator Barth
Senator Hoffman

Senator Kautzmann moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Kautzmann moved that the report of the Select Senate Investigating Committee on the North Dakota State Penitentiary be printed in the Journal, which motion prevailed.

Report of the
SELECT SENATE INVESTIGATING COMMITTEE
ON THE NORTH DAKOTA STATE PENITENTIARY

Mr. President: This report is being submitted following an investigation carried out pursuant to the mandates of Senate Resolution No. 2 which authorized creation of a seven member investigating committee to investigate and review the operation and administration of the North Dakota State Penitentiary.

The investigating committee, consisting of Senators Kautzmann, Chairman; Senator Stroup, Vice Chairman; and Senators Nething, Ringsak, Smykowski, Barth and Hoffner, held meetings on 14 separate days, and toured both the State Penitentiary and the

State Farm. In addition to the tours, several of the meetings were held at the Penitentiary.

During the course of its investigation, the Committee heard testimony from the Director of Institutions, the present Penitentiary administration, former Acting Warden Zuern, former Deputy Warden Sprunk, other Penitentiary employees, inmates of the Penitentiary, former inmates of the Penitentiary, the Executive Budget Analyst, the Burleigh County State's Attorney, and other interested persons. The Committee also invited former Warden Woodley to appear, but he was out of the State.

As background to its investigation, the Committee noted that the former Warden J. Dwight Woodley, resigned on October 10, 1972. An interim Warden, Edward F. Zuern, was appointed, acting until the appointment of the present Warden, Robert Landon, who took office on January 15, 1973.

The Committee's findings and specific recommendations will be covered under seven separate headings to follow, with general conclusions and recommendations covered under an eighth heading.

I. STATE FARM

1. The Committee was aware that the Director of Institutions, Mr. Walter Fiedler, had favored a bill (House Bill No. 1304) during the 1971 Session which would have resulted in stopping the housing and feeding of inmates at the State Farm. The Committee also noted that the Director had recommended, on June 18, 1970, to the Legislative Council's interim State and Federal-Institutions Committee that the State discontinue use of the State Farm facilities for housing and feeding of inmates, and that inmates sentenced to the State Farm be housed in the Penitentiary farm ward, i.e., the present trustee living quarters.

The Director further recommended that all work assignments for State Farm inmates be outside of the prison walls. His recommendations included a note that employees on the State Farm payroll at that time would serve as necessary personnel to cover the programs to bring State Farm inmates to the Penitentiary. His recommendations were coupled with recommendations concerning transfer of female prisoners to other states on a contract basis.

2. The Committee was also cognizant of the fact that the interim Legislative Council Committee on State and Federal-Institutions had studied the State Farm and had recommended, in light of the lack of vocational, educational, recreational, and counseling programs provided at the Farm at that time, and because of the expense of upgrading the existing facilities, that inmate housing and feeding be discontinued on the State Farm premises. During the Camp Grafton meeting of the Legislative Council in November 1970, the Judicial Council was represented and testified in opposition to the interim Committee's recommendations, which recommendations were then deleted from the Committee report by the Legislative Council. The Judicial Council's opposition was based on its desire to retain the Farm as a useful sentencing alternative.

3. The Committee heard the plan of the current Warden, Robert Landon, for the State Farm which is a proposal to construct a building attached to form a T-shape at the farm end of the present dormitory. (See exhibit "A" attached.) This building would be 90 feet long and would be divided into a modern kitchen and dining area and a multipurpose recreational and chapel area. The Warden indicated that the attached building would be of the steel-fabricated type. The Warden noted that the other buildings at the State Farm could be turned into a furniture repair shop, a drying room (for storing repaired furniture), and a storage room (for storing furniture waiting for repairs). The present furniture

repair building could be converted into a classroom for teaching of heavy equipment operation and repair. The Warden indicated, during his testimony, that the cost of constructing the attached building at the State Farm, would be \$44,150, consisting of \$11,000 of state money and \$33,150 of federal funds granted by the Com-muned Law Enforcement Council which federal funds are on hand at this time. The \$11,000 state matching funds should be appro-priated by this Legislative Assembly on an emergency basis so that the funds will be available for use during this biennium.

4. The Committee noted a memorandum from the Legislative Council Staff concerning the laws relating to the State Farm, and particularly relating to transfers from the Farm to the Penitentiary and vice versa. Male convicts may be committed to the State Farm, in lieu of commitment to a county jail or to the Penitentiary, where the sentence imposed is not less than 30 days nor more than one year. A man cannot be sentenced to the State Farm if he has presently or previously been convicted of a sexual of-fense, served any portion of a prior sentence in the Penitentiary, or has a history of moral or sexual degeneration.

Section 12-51-09 allows transfer of inmates from the State Farm to the Penitentiary for discipline purposes, where the safety of other inmates or the general public was involved. That section provides that transfers can be made from the Penitentiary to the State Farm where the Director of Institutions deems it in the best interests of the person transferred, and not detrimental to the wel-fare of other persons already at the State Farm.

5. The Committee heard testimony concerning the use of in-mates to rebuild and remodel the State Farm, and finds that it would be feasible and therapeutically desirable to utilize inmate labor to carry out, to the greatest extent practicable, any con-struction or remodeling done at the State Farm.

II. PENITENTIARY SECURITY

1. The Committee heard testimony concerning security condi-tions at the Penitentiary, and noted that, in many instances, steps have been taken to upgrade security. The Committee is aware that the west wall of the Penitentiary poses a security problem, and heard recommendations regarding installation of closed-circuit, remote-control television cameras in the west wing of the Peni-tentiary, and installation of security fencing in the west wing.

2. The Committee recommends that the Legislature provide funding for the closed-circuit television system in the west wing and the security fencing. The reason for this recommendation is to provide additional security against escapes, and also to increase the opportunity to prevent contraband (such as narcotics and liquor) from getting into the Penitentiary. This would be funded as fol-lows: Closed-circuit television system — \$7,000, of which \$5,250 would be federal (LEAA) funds and \$1,750 state funds. Security fencing — \$4,800, of which \$3,600 would be federal (LEAA) funds and \$1,200 state funds.

III. VOCATIONAL REHABILITATION

1. The Committee heard much testimony concerning vocational education programs at the Penitentiary, and concerning proposed vocational education programs at the Penitentiary and the State Farm. Warden Landon proposed creation of a furniture repair shop at the State Farm and a heavy equipment operation and repair course at the State Farm. In addition, the education and recreation building proposed by the Warden to be constructed at the Penitentiary would contain an area devoted to vocational edu-cation and craftsmanship. The Warden stated that he was attempt-ing to create a dynamic balance at the Penitentiary between cus-tody and treatment of the inmates, and that the treatment pro-

gram should include both vocational education and social counseling.

2. The Committee believes that any vocational education programs which are implemented in the future should only be implemented with the consent of the Warden of the Penitentiary.

3. In addition, the Committee believes that all vocational education programs which are newly implemented should be of benefit to the State of North Dakota, that is, that the program should be oriented toward filling a need existing within North Dakota.

4. The Committee heard testimony concerning the work and educational release programs and specifically finds that the work and educational release programs are beneficial and should be continued.

IV. COUNSELING

1. The Committee finds that any new counseling, social work, or group therapy programs which are to be initiated at the Penitentiary should be initiated at the suggestion of the Warden, and with his approval.

2. In addition, the Committee specifically recommends that any counseling, group therapy, or social work services or programs should be carried on in such a manner that they in no way interfere with security at the State Penitentiary or the State Farm.

V. FINDINGS AND RECOMMENDATIONS CONCERNING INMATES

1. The Committee heard testimony from Warden Landon concerning his proposal for construction of a two-story education and recreation building on the Penitentiary grounds. (See Exhibit "B" attached.) The building would be constructed for a grand total of \$428,000, 75 percent of which would be federal (LEAA) funds, and the remainder would be insurance proceeds from the fire at the twine plant.

The building would consist of a gymnasium, music education room, physical fitness room, locker room, and vocational arts and crafts area on the first floor, and a library, reading room, and four classrooms on the second floor. The outside dimensions of the building would be 120 feet by 90 feet, and it would contain 17,000 usable square feet.

In order to provide facilities for inmate exercise and recreation, and inmate vocational and academic training, thus improving inmate morale, the Committee recommends that the Legislature appropriate the funds necessary to construct the education and recreation building as proposed by the Warden.

2. The Committee heard testimony concerning wages received by inmates, both with regard to the rate of pay, and with regard to the fact that such wages are deposited and accounted for in such a manner that the inmate does not know for certain when it is available to him. In addition, it was noted that inmates receive no interest on wages paid and on deposit.

The Committee recommends that inmates' wages be increased to a maximum of 65 cents per day, and, if possible, be accounted for individually with interest being paid thereon, and account statements being periodically issued to the inmates.

3. The Committee heard much testimony regarding privileges being extended to certain inmates. This problem was looked at in two ways by the inmates and Penitentiary staff. First, it was looked at as a situation which would be detrimental to inmate and staff morale. On the other hand, the allowance of earned privileges was looked on by some inmates as having a potential for increasing inmate and staff morale. The Committee believes that inmate privileges is a subject which should be reevaluated by the

Penitentiary staff in order to determine whether a program of offering certain privileges as a reward for correct behavior would not have greater potential for ensuring the maintenance of order than does the use of punishment following incorrect behavior.

4. The Committee heard testimony concerning inmate discipline at the Penitentiary and the State Farm, and believes that those disciplinary problems which might presently exist will soon be brought under control.

5. The Committee recommends that the Penitentiary administration, in conference with the Director of Institutions, look into the possibility of providing for a classification of inmates, which classification could be used for the purposes of determining the types of counseling, vocational education, and treatment which an inmate would receive, as well as for determining his ability to progress toward certain goals leading to privileges or parole.

6. The Committee heard much testimony from prison staff and inmates concerning visitation privileges. The Committee recommends that the Penitentiary administration give serious consideration to providing for more informality in prison visitation regulations, if the Warden believes that such informal visitation environments would not be detrimental to prison security or morale.

7. The Committee heard testimony to the effect that medical and dental services were not entirely adequate at the Penitentiary, and that dental services were often times late in forthcoming. The Committee recommends that the Penitentiary administration take all reasonable steps to ensure the best possible medical and dental care for Penitentiary inmates.

8. As an aid to inmate morale, and assistance in vocational training, the Committee recommends that, to the extent possible, inmate labor be utilized in repairing present facilities or constructing any new facilities at the State Penitentiary.

9. The Committee heard testimony concerning a program wherein certain selected inmates were permitted to travel to local high schools and discuss their incarceration with high school students. The Committee also heard testimony from Warden Landon concerning his desire to have individual citizens take a personal interest in one or more Penitentiary inmates. The Committee recommends that the Penitentiary administration give serious consideration to reconstituting a program similar to the "operation checkmate" program, and continue its efforts to interest the citizenry in establishing one-to-one relationships with Penitentiary inmates.

VI. FINDINGS AND RECOMMENDATIONS CONCERNING EMPLOYEES

1. The Committee heard testimony concerning the need for increased training of Penitentiary staff, particularly security staff. The Committee commends the efforts of the present Penitentiary administration to secure additional training for their staff, and recommends that the Legislative Assembly support every reasonable effort to secure additional training for Penitentiary personnel.

2. The Committee heard testimony concerning the fact that the hours of labor of many Penitentiary personnel were excessive, and that the wages received were not, in every case, deemed adequate. In addition, testimony was heard concerning a delay in a promised increase in wages for Penitentiary inmates. The Committee recommends that the Legislative Assembly do whatever is possible within the framework of state budgetary restrictions to upgrade salaries and wages of Penitentiary personnel. The Committee also recommends that the Penitentiary administration take such action, including the making of recommendations to the Legislative Assembly, as may be necessary to ensure that no employee of the Penitentiary works excessively long hours.

3. The Committee heard testimony concerning the desirability of publicizing the chain of command at the Penitentiary, and of opening assured lines of communications between Penitentiary personnel, and between Penitentiary personnel and inmates. The Committee recommends that the Penitentiary administration, in consultation with the Director of Institutions, do as much as possible towards extending and keeping open lines of communications between and among personnel and inmates, and that the Penitentiary chain of command be promulgated and published in such a manner that all inmates and personnel will be aware of it.

4. The Committee heard testimony from the Warden concerning the desire of the Penitentiary custodial staff to have uniforms, and the Committee supports the Warden's efforts to develop a purchase and replacement program for custodial personnel uniforms.

VII. SOUTH DAKOTA OFFER

1. The Committee noted that the recidivism rate in North Dakota, measured by the number of convicts who violate conditions of parole or probation, is as follows: 30 percent of those convicts on parole violate conditions of parole, or commit a new offense (a technical violation); 8 percent of those convicts on probation violate the conditions of probation or commit a new offense.

Comparable figures of South Dakota are as follows: 24 percent of the convicts on parole violate conditions of parole, including commission of a new criminal offense; 27 percent of the convicts on probation violate conditions of probation. The Committee noted that North Dakota has a much higher number of convicts on parole and probation than does South Dakota, while South Dakota's Penitentiary population is much higher. In North Dakota, of the 87 commitments during calendar 1972, 42 had no prior Penitentiary commitment. Of those persons incarcerated in the South Dakota Penitentiary during 1972, 142 of 335 were first offenders.

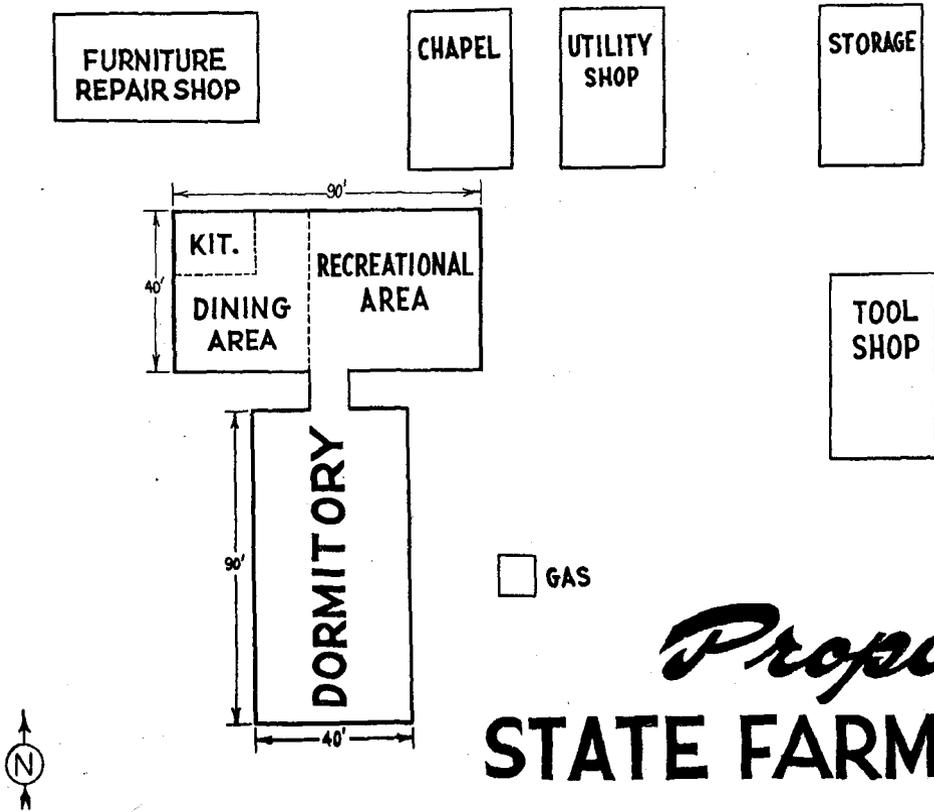
2. The Committee notes that North Dakota and South Dakota are similar in regard to total population, but that the Penitentiary population in South Dakota is more than double that of the Penitentiary in North Dakota. The Committee also noted that the number of persons on probation or parole in North Dakota is higher than in South Dakota. This indicates that the North Dakota Judiciary is much more willing to use probation, and that parole procedures may be more lenient in North Dakota.

VIII. GENERAL RECOMMENDATIONS

1. The Committee was aware of, and appreciated, the offer from South Dakota to house North Dakota prisoners at their Penitentiary at Sioux Falls. The Committee heard testimony concerning the nature of those facilities, and of the programs in operation there. However, the Committee does not recommend that prisoners at the North Dakota State Penitentiary be transferred to the South Dakota facility at Sioux Falls at this time. The Committee believes that rehabilitation of inmates will be more likely if as many as possible can be kept as close as possible to their families.

2. The Committee recommends, in light of its findings and the testimony adduced during the course of the investigation of the State Penitentiary and State Farm, that an in-depth investigation be made of every state institution (excluding institutions of higher education), in order to assist the members of the Legislative Assembly in intelligently voting on the appropriations for those institutions. The Committee recommends that these investigations be conducted essentially by legislators but that the investigating groups could include other persons chosen by the legislators to render assistance. The Committee recommends that any investi-

EXHIBIT "A"



Proposed
STATE FARM AREA



MESSHALL

CHAPEL

RECREA-
TIONAL
BLDG.

FURNITURE
REPAIR
SHOP

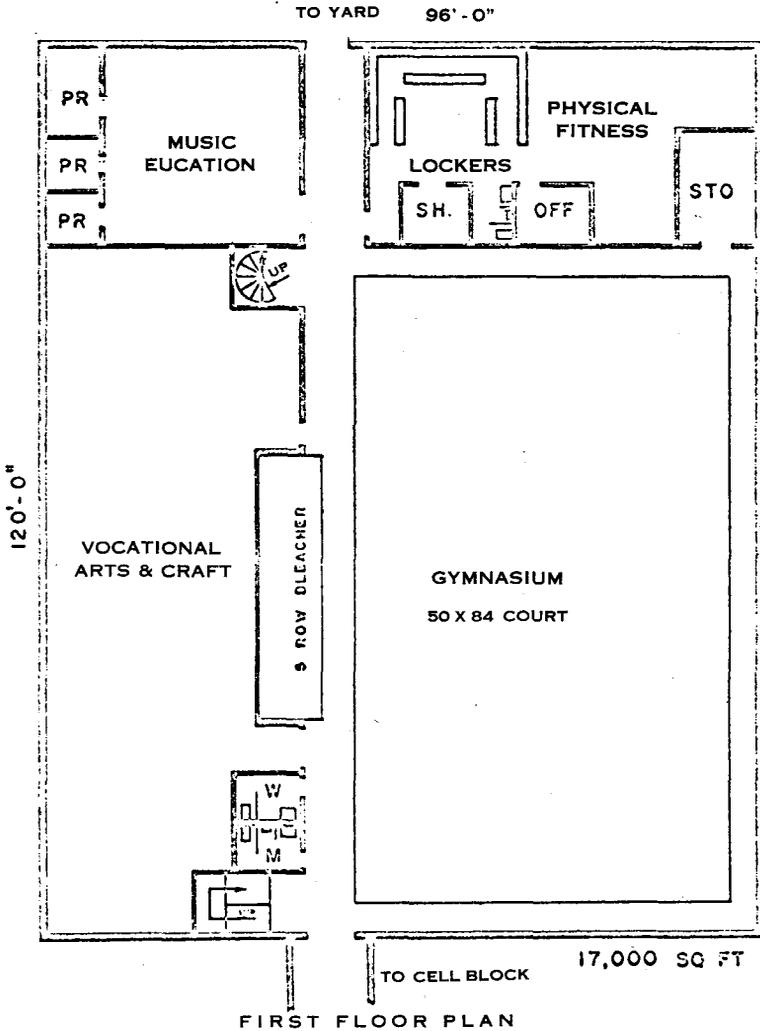
TOOL
SHOP

DORMITORY

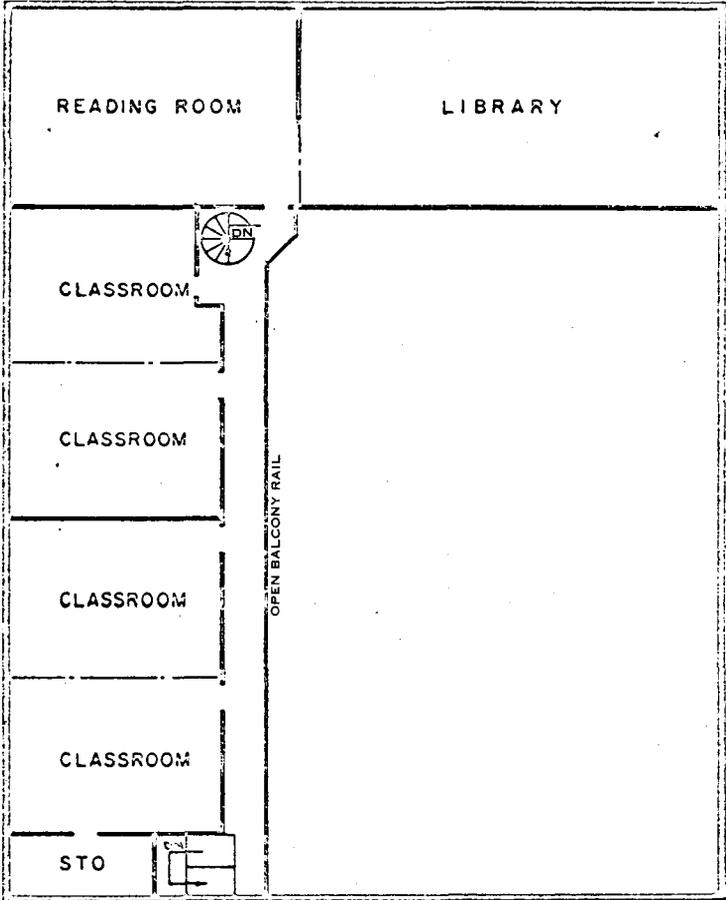
GAS

EXISTING STATE FARM AREA

APPENDIX "B"



PROPOSED EDUCATION & RECREATION BUILDING
STATE PENITENTIARY, BISMARCK, N. DAK.



SECOND FLOOR PLAN

ARLO C. BEATTIE, ARCHITECT & ENGINEER

gation may be made on a completely objective basis without regard to partisan politics.

The Committee believes that prior to the instigation of an investigation of any institution, the investigatory group should make an in-depth review of all pertinent records concerning that facility in order that members of the investigatory group be thoroughly backgrounded prior to interviews with institutional personnel and visits to institutional facilities.

3. The authorizing document for any study should indicate that all administrators and employees be requested to cooperate with those making the investigation.

The Committee recommends that the Legislative Assembly provide whatever funding is necessary for the carrying out of such investigations.

5. The Committee recommends that the first investigation to be carried out be of all of the state's correctional institutions, i.e., the Penitentiary, the State Farm, the State Industrial School, and those facilities and programs at the State Hospital at Jamestown which deal with criminal violators. These investigations should be made during the 1973 - 1974 legislative interim.

6. The Committee recommends that the Legislative Assembly accept the funding requests as presented by Warden Landon for the 1973 - 1975 biennium.

7. The Committee recommends that whatever legislation is necessary to implement its general recommendations be drafted.

CONCLUSORY REMARKS

The Committee wishes to express its thanks to all persons who cooperated in providing information to the Committee, and wishes to indicate that this report is only a selected summarization from a great mass of testimony received by the Committee. Anyone interested in persuing the testimony and other documents received and considered by the Committee may contact the Legislative Council where such documents and recorded testimony will be on file.

MOTION

Senator Kautzmann moved that the Select Committee, appointed pursuant to Senate Resolution No. 2, to investigate the North Dakota State Penitentiary be dissolved, which motion prevailed.

REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4005 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had the Senate Concurrent Resolution No. 4006 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4021 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolutions No. 4023 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4030 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4035 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4039 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4048 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4064 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4065 under consideration and recommends that the same do pass and be placed on the Consent Calendar.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4045 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4069 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1009 has had the same under consideration and recommends that the same be amended as follows:

On page 2, after line 20 add the following new line: "21 Seed Law Enforcement 40,000"

On page 2, line 24 delete the figure "1,316,938 and insert in lieu thereof the figure "1,356,938"

On page 2, line 26 delete the figure "6,000" and insert in lieu thereof the figure "46,000"

On page 2, line 27 delete the figure "286,664" and insert in lieu thereof the figure "326,664"

On page 2, line 29 delete the figure "1,818,951" and insert in lieu thereof the figure "1,858,951"

On page 3, delete all of lines 10 through 14

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to allow general fund money to the Seed Department for seed law enforcement.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1011 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1030 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17, after the word "Division" insert the word "executive"

On page 1, line 19, delete the words "the director, or"

On page 1, line 20, after the word "division" insert the word "executive", and delete the commas and words ", as the case may be,"

On page 2, delete lines 16 through 22, and insert in lieu thereof the following:

"SECTION 4. EXECUTIVE DIRECTOR OF DIVISION OF VOCATIONAL REHABILITATION - DUTIES - RELATIONSHIP OF DEPARTMENT TO STATE BOARD.) The state board shall be responsible for separate divisions of social services and of vocational rehabilitation. The board shall name an executive director of each division. The executive director of the division of vocational rehabilitation shall be appointed in accordance with established personnel standards and on the basis of his education, training, experience, and demonstrated ability. In carrying out his duties under this chapter, the executive director of the division of vocational rehabilitation, with the approval of the state board:"

On page 4 line 9, delete the words "executive director of the state board and the"

On page 5, line 22, insert beginning triple parentheses before the comma

On page 5, line 23, insert ending triple parentheses after the second appearing comma

On page 6, line 13, after the word "sources" insert the words **"and accept and use gifts made unconditionally by will or otherwise for purposes of carrying out this Act"**

On page 6, line 21, insert triple parentheses around the word "make" and insert immediately thereafter the word **"submit"**

On page 6, line 22, insert beginning triple parentheses before the word "on"

On page 6, line 23, insert ending triple parentheses after the word "year", insert beginning triple parentheses before the numerals "54-06-03", and insert ending triple parentheses after the second appearing word "section"

On page 6, line 24, insert beginning triple parentheses before the word "The" and insert ending triple parentheses after the word "its" and insert immediately thereafter the words **"In addition to any requirements established pursuant to section 54-06-04, the"**

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1031 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17 of the engrossed bill, following the second comma insert "mental health,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1046 has had the same under consideration and recommends that the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1090 has had the same under consideration and recommends that the same be amended as follows:

On page 6, line 6 of the engrossed bill, delete the triple parentheses around the words "a majority" and delete the words **"sixty percent"**

On page 6, line 35, delete the triple parentheses around the words "a majority" and delete the word **"sixty"**

On page 7, line 1, delete the word **"percent"**

On page 8, line 9, delete the triple parentheses around the words "a majority" and delete the words **"sixty percent"**

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans'

Affairs to whom was referred House Bill No. 1095 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 of the engrossed bill, delete the beginning triple parentheses before the comma

On page 1, line 14, delete the ending triple parentheses following the comma

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1199 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1258 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1269 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1281 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1317 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 11 of the engrossed bill after the period insert the following: "**However, at no time shall the majority membership be more than two more than the minority membership.**"

On page 2, line 15 insert triple parentheses around "at least" and insert in lieu thereof "**not less than**" and after "nine" insert "**nor more than fifteen**"

On page 7, line 29 delete the beginning and ending triple parentheses and delete "**at least**"

On page 7, line 30 after the word "nine" insert "**nor more than fifteen**"

On page 7, line 31 insert triple parentheses around "physicians" and insert in lieu thereof "**doctors of medicine**" and after "and" insert "**oral**"

On page 7, line 32 delete the word "**medicine**"

On page 7, line 33 after the period insert the following: "**How-**

ever, at no time shall the majority membership be more than two more than the minority membership."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1331 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 of the engrossed bill after the second comma, insert the following: "various warehouse regulations governing charges for storage,"

On page 1, line 16 insert triple parentheses around "twenty-fifth" and insert in lieu thereof "**twentieth**"

On page 1, line 17 after the word "day" insert the following: "**beginning the first day the grain is received into the warehouse**"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1339 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 of the engrossed bill, after the comma insert the following: "as contained in section 1 of House Bill No. 1117, as approved by the forty-third legislative assembly."

On page 1, line 9 after "Code" insert the following: ", as contained in section 1 of House Bill No. 1117, as approved by the forty-third legislative assembly."

On page 3, line 1 delete "**The head of any department, institution,**"

On page 3, delete lines 2 through 4

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1350 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 of the engrossed bill, delete the words "sixty percent" and insert in lieu thereof the words "a majority"

On page 2, line 31, delete the words "sixty percent" and insert in lieu thereof the words "a majority"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1351 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 after the word "Dakota" add the following: ", and providing an appropriation"

On page 2, after line 20 add the following: "SECTION 2. APPROPRIATION.) There is hereby appropriated the sum of \$40,000 or so much thereof as may be necessary, from unappropriated profits of the Bank of North Dakota, for the purpose of defraying the expense of an independent certified public accountant audit of the Bank of North Dakota during the biennium beginning July 1, 1973 and ending June 30, 1975."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to provide an appropriation for a certified audit, such appropriation to be out of state bank funds and be over and above the regular bank appropriation.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1390 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17 of the engrossed bill, delete "January 1, 1960" and insert in lieu thereof "August 5, 1964"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1399 has had the same under consideration and recommends that the same do pass.

And be rereferred to the Committee on Appropriations.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1400 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1404 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1453 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1469 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1488 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1508 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1525 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3028 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3034 has had the same under consideration and recommends that the same be amended as follows:

On page 1, following line 18 insert the following:

"WHEREAS, the rural states of North Dakota and the Upper Midwest are among the most sparsely populated areas of the country; and"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Concurrent Resolution No. 4066 and House Bills Nos. 1017, 1050, 1314, 1327 and 1514 be dispensed with, which motion prevailed.

Senator Morgan moved that the amendments to Senate Concurrent Resolution No. 4066 as recommended by the Committee on Agriculture as printed on pages 824 and 825 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1017 as recommended by the Committee on Appropriations as printed on page 825 of the Senate Journal be adopted, which motion failed and House Bill No. 1017 was placed on the calendar without the amendments.

Senator Butler moved that the amendments to House Bill No. 1050 as recommended by the Committee on Finance and Taxation as printed on pages 825 and 826 of the Senate Journal be adopted.

MOTION

Senator Butler moved that House Bill No. 1050 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Butler moved that the amendments to House Bill No. 1314 as recommended by the Committee on Finance and Taxation as printed on page 826 of the Senate Journal be adopted, which motion failed.

MOTION

Senator Goodman moved that House Bill No. 1314 be amended as follows:

"On page 1, line 23 of the engrossed bill, delete the word "five"
On page 1, line 24 of the engrossed bill, delete the word "hundred"

On page 3, line 25 of the engrossed bill, delete the word "fifty"

On page 4, after line 10 of the engrossed bill, insert the following:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$700,000.00, or so much thereof as may be necessary, to the state treasurer for the reimbursement of county tax credits and the payment of refunds, as provided for in this section, and there is further appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$10,000.00, or so much thereof as may be necessary, to the tax commissioner for the costs of the administration of this section."

And renumber the sections and lines accordingly."

Which motion prevailed.

Senator Goodman moved that House Bill No. 1314 be rereferred to the Committee on Appropriations, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to House Bill No. 1327 as recommended by the Committee on Agriculture as printed on pages 826 and 827 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1514 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 828 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolutions Nos. 4066, and 4069, and House Bills Nos. 1011, 1017, 1046, 1090, 1199, 1327, 1469, 1514, and Consent Calendar Nos. 4005, 4006, 4021, 4023, 4030, 4035, 4039, 4048, 4064 and 4065 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FIFTH DAY

Bismarck, March 5, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain William King, United Presbyterian Church, Jamestown.

"O Lord our God,

"We give thanks for being able to represent and lead the people of North Dakota, for the democratic process, and for the freedom to voice our convictions.

"O God, please guide us on this day, helping us to shape into law our desires for the people of this state.

"Please help us not to yield to the pressures of either our parties or constituents if they would urge us to vote against our consciences.

"Please give us the endurance to go through yet another committee; the forbearance to graciously listen to criticism; the humility to admit our errors; and the honor that will allow us to take our task seriously, and that will spare us from taking ourselves too seriously. Amen."

Roll Call: All Senators present except Jacobson, Larson and Stroup.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-third day after recess and forty-fourth day and recommends that the same be corrected as follows: On page 823, delete all of line 16.

On page 825, in line 21 from the top of the page, correct the spelling of the word "sites"

On page 829, in line 26 from the top of the page, delete the word "failed" and insert in lieu thereof the word "prevailed"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 2098.

ROY GILBREATH, Chief Clerk

MOTION

Senator Freed moved that the Senate accede to the request of the House to return Senate Bill No. 2098, which motion prevailed.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2147 which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2147 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2147. A Bill for an Act to create and enact section 34-14-09.1 of the North Dakota Century Code, to provide that employees are entitled to interest on unpaid wages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 841 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Iszler	Nothing	Schultz C.
Butler	Jones	Page	Schultz, J.
Christensen	Kautzmann	Peterson	Shablow
Coughlin	Lee	Pyle	Smykowski
Erdman	Lips	Rait	Solberg
Freed	Litten	Redlin	Strand

Fritzell	Melland	Reiten	Strinden
Goldberg	Morgan	Ringsak	Thane
Goodman	Mutch	Roen	Tweten
Gronhovd	Naaden	Sands	Wenstrom
Hoffner	Nasset	Sandness	Wright
Holand			

Absent and not voting:
 Anderson Jacobson Longmire Stroup
 Berube Larson

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4010. A Concurrent Resolution for a constitutional amendment requiring all meetings of governmental bodies to be open to the public, unless otherwise provided by law, and for the amendment of section 50 of the Constitution of the State of North Dakota, relating to open meetings of the legislative assembly and its committees, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended from the floor, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Sandness
Barth	Jones	Page	Schultz, J.
Christensen	Kautzmann	Peterson	Shablow
Erdman	Lee	Pyle	Smykowski
Freed	Lips	Rait	Solberg
Fritzell	Litten	Redlin	Strand
Goodman	Melland	Reiten	Thane
Gronhovd	Naaden	Roen	Tweten
Hoffner	Nasset	Sands	Wenstrom

Those voting in the negative were:

Butler	Morgan	Ringsak	Strinden
Coughlin	Mutch	Schultz C.	Wright
Iszler			

Absent and not voting:

Berube	Jacobson	Longmire	Stroup
Goldberg	Larson		

So the resolution passed and the title was agreed to.

MOTIONS

Senator Freed moved that Senate Concurrent Resolution No. 4031 be laid over one legislative day, which motion prevailed.

Senator Barth moved that Senate Concurrent Resolution No. 4072 be placed at the foot of the calendar, which motion prevailed.

Senator Roen moved that House Bill No. 1074 be laid over one legislative day, which motion prevailed.

Senator Litten moved that House Bill No. 1085 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1134. A Bill for an Act to provide a new award for the North Dakota national guard.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sands
Barth	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, C.
Butler	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablou
Coughlin	Lee	Peterson	Smykowski
Erdman	Lips	Pyle	Solberg
Freed	Litten	Rait	Strand
Fritzell	Longmire	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Roen	Wright

Those voting in the negative were:

Ringsak Strinden

Absent and not voting:

Goldberg	Larson	Stroup	Wenstrom
Jacobson			

So the bill passed and the title was agreed to.

House Bill No. 1135. A Bill for an Act to amend and reenact section 37-07-05 of the North Dakota Century Code, raising the minimum pay for certain enlisted national guardsmen on state active duty.

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, 3; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jones	Nothing	Schultz, J.
Christensen	Kautzmann	Page	Shablou
Erdman	Lee	Peterson	Smykowski
Freed	Lips	Pyle	Solberg
Fritzell	Litten	Rait	Strand
Goldberg	Longmire	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Ringsak	Wright
Hoffner	Mutch	Sands	

Those voting in the negative were:

Coughlin Roen Strinden

Absent and not voting:

Butler	Larson	Stroup	Wenstrom
Jacobson			

So the bill passed and the title was agreed to.

House Bill No. 1217. A Bill for an Act to amend and reenact sections 39-16-05 and 39-16-07 of the North Dakota Century Code, relating to the suspension of the driver license of a driver of a motor vehicle involved in an accident and who has no means of financial responsibility.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 806 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Sandness
Barth	Jones	Nothing	Schultz C.
Berube	Kautzmann	Page	Schultz, J.

Christensen	Lee	Peterson	Shablow
Coughlin	Lips	Pyle	Smykowski
Erdman	Litten	Rait	Solberg
Freed	Longmire	Redlin	Strand
Fritzell	Melland	Reiten	Strinden
Goldberg	Morgan	Ringsak	Thane
Goodman	Mutch	Roen	Tweten
Gronhovd	Naaden	Sands	Wright
Hoffner			

Absent and not voting:

Butler	Jacobson	Stroup	Wenstrom
Holand	Larson		

So the bill passed and the title was agreed to.

MOTION

Senator Nasset moved that House Bill No. 1235 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1254. A Bill for an Act relating to the disposal and reuse of abandoned motor vehicles and other scrap metal; prescribing duties and powers of the state department of health and responsibilities of the motor vehicle registrar; providing a tax on motor vehicle registration; establishing a disposal fund; allowing storage of vehicles by collectors; to amend and reenact section 24-03-23 of the North Dakota Century Code, relating to encroachments on state highways; to repeal section 40-05-15 of the North Dakota Century Code, relating to unclaimed motor vehicles; providing a penalty; and providing 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, 40; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Sands
Barth	Iszler	Nething	Sandness
Berube	Jones	Page	Schultz, C.
Christensen	Kautzmann	Peterson	Schultz, J.
Coughlin	Lee	Pyle	Shablow
Erdman	Lips	Rait	Smykowski
Freed	Litten	Redlin	Strand
Fritzell	Longmire	Reiten	Strinden
Goodman	Melland	Ringsak	Thane
Gronhovd	Naaden	Roen	Tweten

Those voting in the negative were:

Morgan	Mutch	Solberg	Wright
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Absent and not voting:

Butler	Holand	Larson	Wenstrom
Goldberg	Jacobson	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1378. A Bill for an Act to amend and reenact section 19-05-12 of the North Dakota Century Code, relating to the notice of the use of oleomargarine or margarine where meals are served.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 807 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz C.
Berube	Iszler	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wright
Gronhovd	Mutch	Sands	

Absent and not voting:

Jacobson	Larson	Stroup	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1395. A Bill for an Act to provide for an environmental impact analysis from federal agencies prior to their acquisition of land in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 807 of the Senate Journal, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Sands
Barth	Jones	Nething	Sandness
Berube	Kautzmann	Page	Schultz, C.
Christensen	Lee	Peterson	Schultz, J.
Coughlin	Lips	Pyle	Shablow
Erdman	Litten	Rait	Solberg
Goodman	Longmire	Redlin	Strand
Gronhovd	Melland	Reiten	Strinden
Hoffner	Morgan	Ringsak	Thane
Holand	Naaden	Roen	Tweten

Those voting in the negative were:

Butler	Fritzell	Mutch	Wright
Freed	Goldberg	Smykowski	
Absent and not voting:			
Jacobson	Larson	Stroup	Wenstrom

So the bill passed and the title was agreed to.

MOTION

Senator Nething moved that House Bill No. 1415 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1459. A Bill for an Act to amend and reenact sections 48-02-15 and 48-02-17 of the North Dakota Century Code, relating to time for filing and period of limitations for filing subcontractor's claims for labor or materials furnished a contractor for improvements to a public institution; and to repeal section 48-02-16 of the North Dakota Century Code, relating to contents of notice to subcontractors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sands
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Barth	Holand	Nasset	Sandness
Berube	Jones	Nothing	Schultz C.
Butler	Kautzmann	Page	Schultz, J.
Christensen	Lee	Peterson	Shablow
Coughlin	Lips	Pyle	Solberg
Erdman	Litten	Rait	Strand
Freed	Longmire	Redlin	Strinden
Fritzell	Melland	Reiten	Thane
Goldberg	Morgan	Ringsak	Tweten
Goodman	Mutch	Roen	Wright
Gronhovd			

Those voting in the negative were:
Iszler

Absent and not voting:
Jacobson Smykowski Stroup Wenstrom
Larson

So the bill passed and the title was agreed to.

House Bill No. 1502. A Bill for an Act to amend and reenact section 57-15-44 of the North Dakota Century Code, relating to clarification of city tax levy for public buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Ringsak
Barth	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz C.
Christensen	Jones	Nasset	Schultz, J.
Erdman	Kautzmann	Nothing	Shablow
Freed	Lee	Peterson	Smykowski
Fritzell	Lips	Pyle	Solberg
Goldberg	Litten	Rait	Strand
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten

Those voting in the negative were:
Butler Page Strinden Wright
Coughlin Sands

Absent and not voting:
Jacobson Roen Stroup Wenstrom
Larson

So the bill passed and the title was agreed to.

House Bill No. 1513. A Bill for an Act to amend and reenact section 40-13-05 of the North Dakota Century Code, relating to an exception to the prohibition against officers being interested in contracts or work of municipality.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Lee	Nothing	Schultz C.
Butler	Lips	Page	Schultz, J.
Coughlin	Litten	Peterson	Smykowski
Fritzell	Longmire	Pyle	Solberg
Goldberg	Melland	Rait	Strand
Gronhovd	Morgan	Redlin	Strinden
Hoffner	Mutch	Reiten	Thane
Holand	Naaden	Ringsak	Tweten

Jones	Nasset	Sandness	Wright
Kautzmann			

Those voting in the negative were:

Barth	Erdman	Goodman	Sands
Berube	Freed	Iszler	Shablow
Christensen			

Absent and not voting:

Jacobson	Roen	Stroup	Wenstrom
Larson			

So the bill passed and the title was agreed to.

House Bill No. 1520. A Bill for an Act to amend and reenact subsection 1 of section 37-25-02 and sections 37-25-03 and 37-25-10 of the North Dakota Century Code, establishing an ending date to periods of service which give rise to credits or eligibility for Vietnam veterans' adjusted compensation; providing for maximum adjusted compensation payments; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sands
Barth	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Coughlin	Kautzmann	Page	Smykowski
Erdman	Lee	Peterson	Solberg
Freed	Lips	Pyle	Strand
Fritzell	Litten	Rait	Strinden
Goldberg	Longmire	Redlin	Thane
Goodman	Melland	Reiten	Tweten
Gronhovd	Morgan	Ringsak	Wright

Those voting in the negative were:

Butler			
Absent and not voting:			
Jacobson	Roen	Stroup	Wenstrom
Larson	Schultz C.		

So the bill passed and the title was agreed to, and the emergency clause carried.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3016. A Concurrent Resolution urging Congress to adopt the metric system for weights and measurements in the United States.

Which has been read.

Senator Fritzell moved that House Concurrent Resolution No. 3016 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4072. A Concurrent Resolution urging the Congress to ensure reinstatement of all subsidized and interest credit Farmers Home Administration and the reinstatement of Housing and Urban Development Programs for the elderly and low-to-moderate income citizens of rural America.

Which has been read.

Senator Barth moved that Senate Concurrent Resolution No. 4072 be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1085. A Bill for an Act to amend and reenact sections 54-46.1-01 and 54-46.1-05 of the North Dakota Century Code, relating to central microfilming of records of county and state institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 806 of the Senate Journal, the roll was called and there were ayes, 30; nays, 14; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goodman	Melland	Sands
Barth	Gronhovd	Morgan	Sandness
Berube	Hoffner	Nasset	Shablow
Christensen	Holand	Pyle	Smykowski
Erdman	Jones	Redlin	Strand
Freed	Lee	Ringsak	Tweten
Fritzell	Litten	Roen	Wenstrom
Goldberg	Longmire		

Those voting in the negative were:

Butler	Lips	Schultz, C.	Strinden
Coughlin	Mutch	Schultz, J.	Thane
Iszler	Page	Solberg	Wright
Kautzmann	Peterson		

Absent and not voting:

Jacobson	Naaden	Rait	Stroup
Larson	Nething	Reiten	

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1027
House Bill No. 1372
House Bill No. 1483
House Bill No. 1529
House Concurrent Resolution No. 3002
House Concurrent Resolution No. 3037
House Concurrent Resolution No. 3039
House Concurrent Resolution No. 3042
House Concurrent Resolution No. 3044
House Concurrent Resolution No. 3050
House Concurrent Resolution No. 3064
House Concurrent Resolution No. 3073
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1141
House Bill No. 1429
Which the Senate has amended.

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. 2036
Senate Bill No. 2092
Senate Bill No. 2100
Senate Bill No. 2103
Senate Bill No. 2114
Senate Bill No. 2118
Senate Bill No. 2124
Senate Bill No. 2127
Senate Bill No. 2128
Senate Bill No. 2142
Senate Bill No. 2153
Senate Bill No. 2162
Senate Bill No. 2164

Senate Bill No. 2172

Senate Bill No. 2199

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2036

Senate Bill No. 2092

Senate Bill No. 2100

Senate Bill No. 2103

Senate Bill No. 2114

Senate Bill No. 2118

Senate Bill No. 2124

Senate Bill No. 2127

Senate Bill No. 2128

Senate Bill No. 2142

Senate Bill No. 2153

Senate Bill No. 2162

Senate Bill No. 2164

Senate Bill No. 2172

Senate Bill No. 2199

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2036

Senate Bill No. 2092

Senate Bill No. 2100

Senate Bill No. 2103

Senate Bill No. 2114

Senate Bill No. 2118

Senate Bill No. 2124

Senate Bill No. 2127

Senate Bill No. 2128

Senate Bill No. 2142

Senate Bill No. 2153

Senate Bill No. 2162

Senate Bill No. 2164

Senate Bill No. 2172

Senate Bill No. 2199

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1107

House Bill No. 1120

House Bill No. 1127

House Bill No. 1131

House Bill No. 1170

House Bill No. 1195

House Bill No. 1204

House Bill No. 1206

House Bill No. 1233

House Bill No. 1371

House Bill No. 1401

House Bill No. 1406

House Bill No. 1440

House Bill No. 1450

House Bill No. 1500

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1107

House Bill No. 1120

House Bill No. 1127

House Bill No. 1131

House Bill No. 1170

House Bill No. 1195

House Bill No. 1204

House Bill No. 1206

House Bill No. 1233

House Bill No. 1371

House Bill No. 1401

House Bill No. 1406

House Bill No. 1440

House Bill No. 1450

House Bill No. 1500

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1107

House Bill No. 1120

House Bill No. 1127

House Bill No. 1131

House Bill No. 1170

House Bill No. 1195

House Bill No. 1204

House Bill No. 1206

House Bill No. 1233

House Bill No. 1371

House Bill No. 1401

House Bill No. 1406

House Bill No. 1440

House Bill No. 1450

House Bill No. 1500

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2036

Senate Bill No. 2092

Senate Bill No. 2100

Senate Bill No. 2103

Senate Bill No. 2114

Senate Bill No. 2118

Senate Bill No. 2124

Senate Bill No. 2127

Senate Bill No. 2128

Senate Bill No. 2142

Senate Bill No. 2153

Senate Bill No. 2162

Senate Bill No. 2164

Senate Bill No. 2172

Senate Bill No. 2199
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2036
Senate Bill No. 2092
Senate Bill No. 2100
Senate Bill No. 2103
Senate Bill No. 2114
Senate Bill No. 2118
Senate Bill No. 2124
Senate Bill No. 2127
Senate Bill No. 2128
Senate Bill No. 2142
Senate Bill No. 2153
Senate Bill No. 2162
Senate Bill No. 2164
Senate Bill No. 2172
Senate Bill No. 2199

Were delivered to the Governor for his approval at the hour of 3:55 o'clock p.m., March 5, 1973.

SENATOR JACOBSON, Chairman

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 1203
Senate Bill No. 2111
Senate Bill No. 2209

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2216
Senate Bill No. 2227
Senate Bill No. 2293
Senate Bill No. 2302
Senate Bill No. 2305

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. 2329
Senate Bill No. 2340

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1208

refused to concur in the Senate amendments to:

House Bill No. 1304
House Bill No. 1464

and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On House Bill No. 1304

Rep. Rice
Rep. Jacob
Rep. Laughlin

On House Bill No. 1464
 Rep. Knudson
 Rep. Froeber
 Rep. Tinjum

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2109
 Senate Bill No. 2178
 Senate Bill No. 2180
 Senate Bill No. 2190
 Senate Bill No. 2197
 Senate Bill No. 2219
 Senate Bill No. 2286
 Senate Bill No. 2368
 Senate Concurrent Resolution No. 4008

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2109

On page 2, line 1 of the engrossed bill, delete the words "or/a" and insert in lieu thereof the words "or a"

On page 2, line 4 of the engrossed bill, following the word "the" insert the words "buyer pays the purchase price in cash or the"

On page 2, line 22 of the engrossed bill, delete the word "of" where it first appears and insert in lieu thereof the word "or"

On page 6, line 13 of the engrossed bill, delete the word "fifty" and insert in lieu thereof the words "twenty-five"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2178

On page 2, line 18 of the engrossed bill delete "of in-"

On page 2, line 19 delete "stitutions"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2180

On page 2, line 26 delete the word "of"

On page 2, line 27 delete the word "institutions"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2190

On page 1, line 10 of the engrossed bill, delete the first comma and the remainder of the line and insert in lieu thereof the following: "is hereby authorized to sell and convey certain land described herein and owned by the state of North Dakota, under conditions herein-after stated, at public sale or by sealed bids. Before advertising the sale of such land, an appraisal of such property shall be obtained from a duly qualified appraiser. The property, if sold, shall be sold to the highest bidder for cash which, in no event, shall be less than the appraised value. The state health officer is hereby authorized to reject any or all bids. The"

On page 1, delete lines 11 and 12

On page 1, line 13, delete the language before the word "land"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2197

On page 1, line 6 of the Engrossed Bill delete the numeral "13" and insert in lieu thereof the numeral "12"

On page 1, line 18 delete everything after the word "who" and insert in lieu thereof the following: "are licensed to practice law"

On page 1, line 19 delete the word "bar"

On page 2, line 24 delete the numeral "13" and insert in lieu thereof the numeral "12"

And renumber the lines, pages and sections accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2219

On page 1, line 12 of the Engrossed Bill place beginning triple parentheses before the word "from"

On page 1, line 13 delete the beginning triple parentheses before the word "under"

On page 1, line 15 after the ending triple parentheses and before the word "for" insert the following: **"in the operation of the law enforcement training center"**

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2286

On page 1, line 15 of the Engrossed Bill delete the word **"thirteen"** and insert in lieu thereof the word **"fourteen"**

On page 1, line 16 place beginning triple parentheses before the word "five" and place ending triple parentheses after the word "hundred"

On page 1, line 18 delete the word **"fourteen"** and insert in lieu thereof the word **"sixteen"**

On page 1, line 21 delete the word **"sixteen"** and insert in lieu thereof the word **"eighteen"** and also delete the word **"five"**

On page 1, line 22 delete the word **"hundred"**

On page 1, line 24 delete the word **"nineteen"** and insert in lieu thereof the word **"twenty"**

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2368

On page 1, line 11 of the Engrossed Bill after the first word "to" and before the word "mortgagor" insert the word "the"

and also delete the word "shall" and insert in lieu thereof the following: **"May, upon good cause being shown,"**

And renumber the lines, pages and sections accordingly.

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4008

On page 1 of the engrossed resolution delete all of lines 1 through 24 and insert in lieu thereof the following:

"A Concurrent Resolution directing the Board of University and School Lands to confer with appropriate agencies.

WHEREAS, the Game and Fish Department completed a study in which state lands held by the Board of University and School Lands were classified into certain categories established by the Department; and

WHEREAS, the Board of University and School Lands adopted, on November 29, 1971, a resolution presented by the North Dakota Natural Resources and Environmental Management Council which placed a moratorium on the sale of state school lands classified as "acquire" or "retain" under the Game and Fish Department classification; and

WHEREAS, forbidding the sale of these state lands needlessly reduces income to the state school fund; and

WHEREAS, such land, when sold, will usually go on the local tax rolls, thus increasing revenues for local governmental operation, while such land is tax exempt under state ownership;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Board of University and School Lands is hereby urged to rescind the resolution adopted on November 29, 1971.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the members of the Board of University and School Lands and other state agencies."

On page 2 delete all of lines 1 through 11

And renumber the lines and pages accordingly.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2073

Senate Bill No. 2132

Senate Bill No. 2138

Senate Bill No. 2139

Senate Bill No. 2140

Senate Bill No. 2141

Senate Bill No. 2282

Senate Bill No. 2303

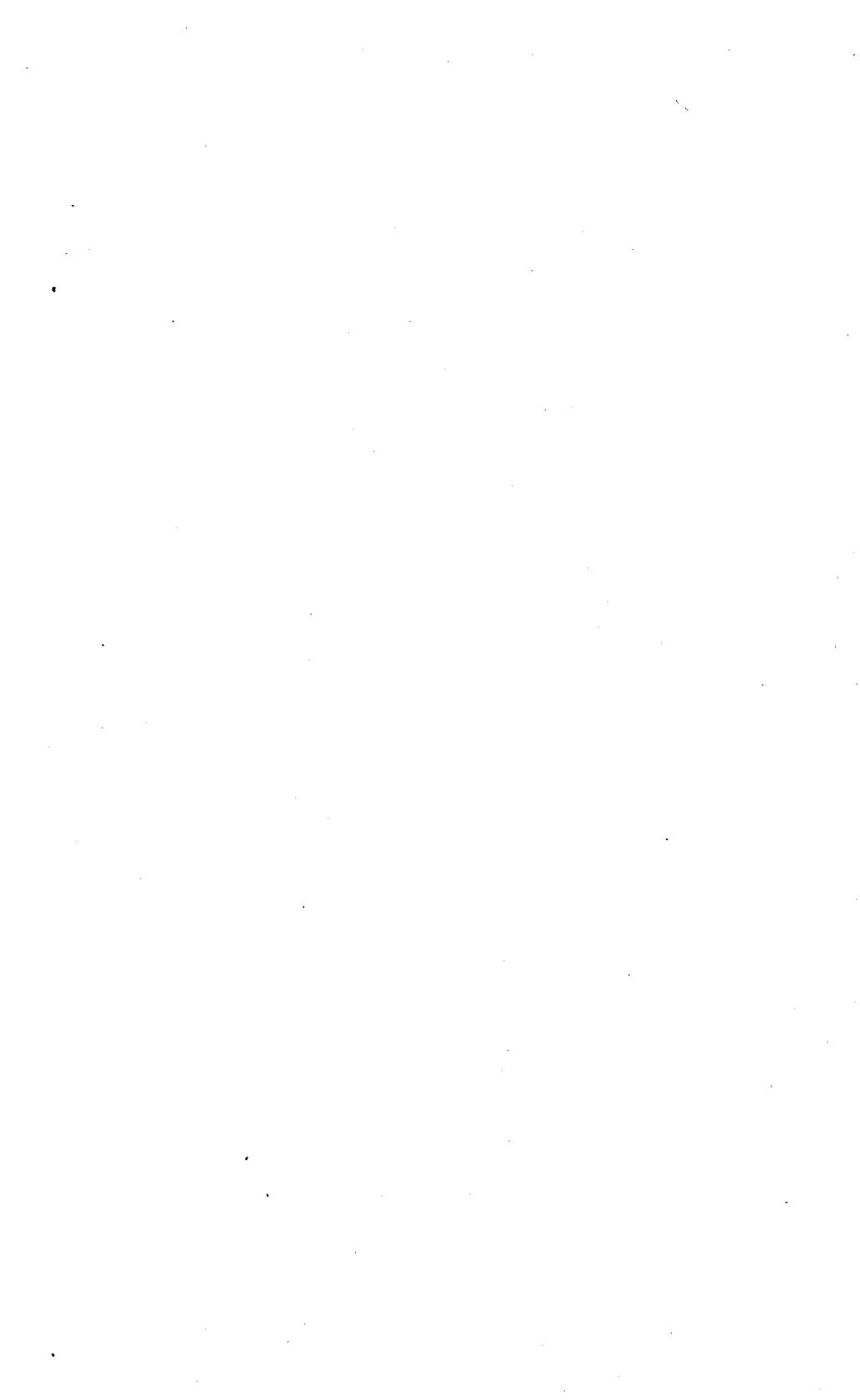
Senate Bill No. 2369

Senate Concurrent Resolution No. 4002

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 12:30 P.M., March 6, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-FIFTH DAY AFTER RECESS
AND FORTY-SIXTH DAY

Bismarck, March 6, 1973

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 4066

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4007 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4013 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4014 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4027 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion failed and Senate Concurrent Resolution No. 4027 was placed on the calendar.

Mr. President: Your Procedural Committee on Legislative Coun-

cil Resolutions has had Senate Concurrent Resolution No. 4028 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4034 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4037 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion failed.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4043 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4044 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4046 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4050 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4054 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4055 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4056 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4057 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4059 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4073 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4076 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

RECOGNITION

Senator Litten announced that Governor Arthur A. Link was in the Chambers and moved that the President appoint a committee of two to escort Governor Link to the rostrum for the purpose of addressing the Assembly, which motion prevailed.

The President appointed as such committee, Senators Litten and Christensen.

"I deeply appreciate this opportunity to come before you today concerning a matter of deep concern, I'm sure, to all of us.

"Mr. President, ladies and gentlemen of the Senate:

"On February 1, 1973, I submitted to you for confirmation the name of Walter R. Fiedler as Director of Institutions. I was deeply disappointed to learn that Mr. Fiedler had been denied this confirmation.

"The report of the Select Senate Investigating Committee on the North Dakota State Penitentiary is now in. It is an informative report, worthy of the seven distinguished Senators who devoted considerable time and study in writing it. I commend each of them for his part in those proceedings.

"I hope you will agree with me that, based on the study and findings of this committee, a reconsideration of your earlier action regarding Mr. Fiedler is in order.

"I know, and the people of North Dakota know, that you are fair-minded men and women and that your main interest is in seeing that justice is done, in this instance as in all others.

"As you of course know, the responsibilities of the Director of Institutions go far beyond the State Penitentiary.

"It includes San Haven State Hospital, the Grafton State School, the School for the Blind, the School for the Deaf, the State Industrial School, the Deaf-Blind Program, the State Radio Department, the State Library Commission, the State Telecommunication System, and the entire Capitol complex.

"Mr. Fiedler has himself described his responsibility as supervising these various state institutions, making certain that their appropriated tax dollars are spent wisely and that they effectively perform the services for which they were established.

"The report of your Select Senate Investigating Committee shows that Mr. Fiedler has done his job extraordinarily well.

"It recommends, for example, that the Legislature appropriate the funds necessary to construct the education and recreation building asked for in the last Executive Budget at the request of the Director of Institutions.

"It recommends that inmates' wages be increased, as Mr. Fiedler had recommended to the committee.

"It recommends a classification of inmates to aid in counseling, vocational education, and any necessary treatment, although, under Mr. Fiedler's direction, this has been done since early last year.

"It recommends that salaries and wages of Penitentiary personnel be upgraded, as had been provided for in the last two Executive Budgets, following Mr. Fiedler's suggestions.

"There are other recommendations, many of them similar to those suggested last year by a special Governor's Board of Inquiry, which was convened following a series of disturbances at the Penitentiary.

"The point is that, far from being critical of Mr. Fiedler, your Select Committee commends the efforts that have been made to bring about necessary changes that have been needed for some time.

"Mr. Fiedler introduced a number of bills in the 42nd Legislative Session which would have initiated some of these improvements, but unfortunately they were not approved at that time.

"Since then, events at the Penitentiary have forced us — and I believe the public in general — to take a closer look at this institution.

"The committee is obviously impressed with our new warden and his ideas for improving the Penitentiary. Mr. Fiedler should be given the credit due him for the careful way he went about selecting the warden following the resignation of the previous warden.

"First, he established a screening committee to help evaluate applicants for the position. On this committee were Kenneth Dawes, Executive Director of the Combined Law Enforcement Council, chairman; Dr. Olav Gardebring, psychologist and Clinical Director of Heartview at Mandan; Dr. Hubert Carbone, psychiatrist and Superintendent of the State Hospital at Jamestown; James Fine, State Director of the Division of Vocational Rehabilitation; Arlin Thompson, McLean County Sheriff and President of the North Dakota Peace Officers Association; Judge William Gipp, Fort Yates Tribal Judge and a member of the State Parole Board; Larry Kraft, Associate Professor at the University of North Dakota Law School; and Representative Aloha Eagles of Fargo, a member of the Combined Law Enforcement Council.

"Then, the thirteen applications that had been received were evaluated and narrowed down to three. Finally, these three were

called in for personal interviews by Mr. Fiedler and the committee, and by the Governor and the Governor-elect.

"Only after all this was the final decision made.

"Mr. Fiedler's thoroughness and professional competence is nowhere better demonstrated than in his method of hiring the new warden for the Penitentiary.

"I would like to mention briefly one or two points that were touched on during your previous discussion of Mr. Fiedler.

"It was mentioned that Mr. Fiedler had been derelict in his duty by not hiring a medical doctor as superintendent at the Grafton State School, as required by law.

"The fact is that following the resignation of the previous superintendent Mr. Fiedler asked a special advisory committee to assist him in selecting a new superintendent.

"On this advisory committee were Dr. Hubert Carbone, superintendent of the State Hospital at Jamestown; Mr. Thor Tangedahl, Executive Director of the Social Service Board; Dr. Anne Carlsen, superintendent of the Cripple Childrens' School at Jamestown; Dr. Ron Archer, head of the Special Education Department at Minot State College; and Mr. Clifford Bender, business administrator for the Grafton State School.

"This committee, and Mr. Fiedler, discovered that, despite advertisements placed in medical journals, no qualified medical doctor could be found who would accept the position at the salary that could be offered.

"When this became obvious, Mr. Fiedler, following the recommendation of the advisory committee, appointed Dr. Archer as acting superintendent until this matter could be brought to this session of the Legislature.

"This was done, in the form of Senate Bill No. 2178, which revises the requirements for superintendent at Grafton to require a skilled administrator in special education and mental retardation.

"This bill passed both houses of the Legislature without opposition, but was recalled to the House State and Federal Government Committee for a minor amendment only the day before your previous deliberations.

"Another point was made in the discussions that two patients had suffered fractures and that no medical treatment was available.

"The fact is that one of the persons involved — a little girl at Grafton — was noticed to be limping and an immediate examination revealed the fracture. It is not known how she got the injury.

"The second case referred to involved a young boy at the Grafton State School who was found to have trouble with his neck. As soon as the difficulty was discovered, he was immediately referred to a specialist in Grand Forks. I am told that, following surgery, this boy is now making a good recovery.

"There are three foreign doctors on the staff at Grafton, in addition to Dr. Kester, who visits the institution every other week, plus the medical facilities and personnel in the city of Grafton.

"The point is that medical help was there and that it **did** help.

"In the 1971 session, the Director of Institutions had introduced Senate Bill No. 2471, which would have authorized use of the Penitentiary Insurance Recovery Funds in the amount of \$250,000 as matching money to obtain federal funds to construct a Diagnostic, Educational and Recreational Center at the Penitentiary. This bill was defeated.

"Subsequently, a pre-trial and pre-sentence investigation program — an altogether different matter from a Diagnostic, Educational and Recreational Center — was attempted, using funds from Vocational Rehabilitation, but it was found to be not feasible enough to continue, so it is being phased out.

"The point was made that Mr. Fiedler is not a business manager. I think that, judged on the basis of his competence and his performance, he is a very good business manager.

"Thank you for this opportunity to present this request. I know it will be received with the same deep concern in which it is given, and in the knowledge that there is still time to reconsider an earlier action that was taken before all of the pertinent facts were available to you.

MOTION

Senator Christensen moved that Governor Arthur A. Link's remarks be printed in the Journal, which motion prevailed.

MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Concurrent Resolution No. 4037 was indefinitely postponed, which motion prevailed.

Senator Holand moved that the rules be suspended, that Senate Concurrent Resolution No. 4037 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4037. A Concurrent Resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools.

Which has been read.

MOTION

Senator Holand moved that Senate Concurrent Resolution No. 4037 be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4041 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1026 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 24 of the engrossed bill, after the word "appoint" delete the word "three" and insert in lieu thereof the word "four"

On page 3, line 29, after the word "and" delete "two members appointed by the governor from the public at large" and insert in lieu thereof the following "one member selected by the state board of public school education from among its membership"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1039 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1054 has had the same under

consideration and recommends that the same be amended as follows:

On page 1, line 2, after the word and comma "Code," delete the remainder of the line

On page 1, line 3, before the word "providing" delete the word "and"

On page 1, line 16, delete the triple parentheses

On page 1, line 17, insert triple parentheses around the semicolon and insert in lieu thereof an underscored period

On page 1, line 18, delete the triple parentheses and the number and period "3."

On page 1, line 20, delete all the triple parentheses and the number and period "4."

On page 1, line 22, delete all the triple parentheses and the number and period "5."

On page 1, line 24, delete all the triple parentheses and delete the number and period "6."

On page 2, line 1, delete all the triple parentheses and the number and period "7."

On page 2, line 3, delete the triple parentheses

On page 2, line 7, delete the triple parentheses and the number and period "8.", place beginning triple parentheses before the word "fourth", and place ending triple parentheses after the word "October" and insert immediately thereafter the following: **"eleventh day of November"**

On page 2, line 9, delete all the triple parentheses and the number and period "9."

On page 2, line 11, delete all the triple parentheses and the number and period "10."

On page 2, line 13, delete all the triple parentheses and the number and period "11."

On page 2, line 15, delete all the triple parentheses and the number and period "12."

On page 2, line 25, after the word "days" insert the following: **"the birthday of Abraham Lincoln, and Discovery Day"**

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1073 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1200 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1232 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 24 after the word "the" delete "**presiding**"

Page 2, line 1 after the ending triple parentheses underline the word "they"

On page 2, line 6 after the word "the" delete "presiding"

Page 2, line 35 delete the beginning triple parentheses before the word "compensation"

Page 3, line 1 delete the ending triple parentheses after the word "term" and insert in lieu thereof the words "and thereafter" and after the word "salary" insert the word "as" and after the word "provided" insert "for"

Page 3, line 2 after the first comma delete the remainder of the line and insert in lieu thereof "regardless of his age at that time"

Page 3, delete all of lines 3 through 5

Page 3, delete all of line 6 with the exception of the period

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1344 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 1 of the engrossed bill, insert triple parentheses around the word "three" and insert immediately thereafter the word "six"

On page 2, line 4, delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 6, insert triple parentheses around the words "twenty-five cents" and insert immediately thereafter the words "one dollar"

On page 2, line 9, insert an underscored comma after the word "release", place triple parentheses around the word "or", and after the word "assignment" insert the words and comma ", or affidavit"

On page 2, line 10, place triple parentheses around the words "one dollar" and insert immediately thereafter the words "two dollars"

On page 2, line 11, place triple parentheses around the words "and fifty cents"

On page 2, line 12, insert beginning triple parentheses before the words "twenty-five" and insert ending triple parentheses after the word "cents" and insert immediately thereafter the words "one dollar"

On page 2, line 14, delete the word "three" and insert immediately thereafter the word "two"

On page 2, line 15, delete the triple parentheses

On page 2, line 16, delete the ending triple parentheses after the word and comma "cents," and delete the word "and"

On page 2, line 17, delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 19, delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 23, place beginning triple parentheses before the word "one" and place ending triple parentheses after the word "cents" and insert immediately thereafter the word "two dollars"

On page 2, line 24, place beginning triple parentheses before the word "one" and place ending triple parentheses after the word "dollar" and insert immediately thereafter the words "two dollars"

On page 2, line 28, place beginning triple parentheses before the word "one" and place ending triple parentheses after the word "cents" and insert immediately thereafter the words "three dollars"

On page 2, line 29, place triple parentheses around the word "two" and insert immediately thereafter the word "three"

On page 2, line 33, place ending triple parentheses after the word "dollar" and insert immediately thereafter the words "two dollars"

On page 2, line 34, place triple parentheses around the word "fifteen" and insert immediately thereafter the words "twenty-five"

On page 2, line 35, delete the triple parentheses and the words "three dollars"

On page 3, line 2, delete all the triple parentheses and the words "two thousand"

On page 3, line 3, place triple parentheses around the word "fifteen" and insert immediately thereafter the words "twenty-five"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1377 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1399 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3017 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 delete everything after the words "A concurrent resolution" and insert in lieu thereof the following:

"for the amendment of the Constitution of the State of North Dakota relating to the retirement, discipline, and removal of supreme and district court judges.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Constitution of the State of North Dakota be amended by adding thereto the following section, which is agreed to and which shall be submitted to the qualified electors of the State of North Dakota at the general election to be held in 1974, in accordance with the provisions of section 202 of the Constitution of the State of North Dakota, as amended.

SECTION 1. AMENDMENT.) The Constitution of the State of North Dakota shall be amended by adding thereto the following section:

The legislative assembly may provide for the retirement, discipline and removal of judges of the supreme court and district court. The removal procedure provided for herein may be used in addition to the impeachment proceedings provided for in sections 194, 195, and 196."

Renumber the pages, lines, and sections accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3021 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 delete the word "September"

On page 1, line 24 delete the words "and meetings" and insert in lieu thereof the following: "but the legislative assembly shall not meet in regular session during the months of April through October. Meetings of the legislative assembly"

On page 2, line 2 insert beginning triple parentheses before the word "of" and insert ending triple parentheses after the word "assembly"

On page 2, line 3 insert beginning triple parentheses before the word "such" and delete the beginning triple parentheses before the word "sixty" and after the ending triple parentheses insert the word "the"

On page 2, line 4 after the word "days" insert the words "authorized herein"

On page 2, line 14 after the word "a" delete "separate"

On page 2, line 15 after the word "members" insert "elected" and insert beginning triple parentheses before the word "present" and insert ending triple parentheses after the word "voting" and delete the triple parentheses around the comma

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3084 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

PERSONAL PRIVILEGE

Senator Holand: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Holand."

Senator Holand:

"My remarks touch upon an occurrence earlier this afternoon, Mr. President, when the Governor appeared before our body to speak on a subject of concern to him. From the Governor's remarks, it would seem that he is under the impression that the rejection of the nomination of Walter Fiedler by this body was based upon floor comments, relating to the penitentiary and to incidents which had occurred at Grafton. I want to make the record clear that my vote not to confirm was based upon a much broader base and I am sure I'm speaking for others as well.

"Mr. President, members of the Senate, I have known Walter Fiedler for a long time and I like and respect him. I voted against his nomination because in my opinion, he does not bring to the office the qualifications necessary for the job. I believe that when this matter was under consideration, the Majority Leader set out the criteria upon which I would have made my judgment, and that is that we were not firing Walter Fiedler — we simply were not hiring him. In my view Mr. Fiedler is honest, he's conscientious, he's a very fine individual. But in my view, also, he was not

qualified by training or experience for the position to which he had been nominated by the Governor. The job to which he had been nominated is not a custodial position, it is a supervisory one. It really requires a super individual; one who must understand the problems and oversee the workings of such institutions as San Haven, Grafton School, the School for the Blind, and the Industrial School. This, in my view, takes more than a ranching background, interspersed with some governmental service in the Highway Department.

"On a related subject, I might say that politics has been injected into this topic at every turn. I think I would like to point out that Mr. Fiedler himself came into government activity as a creature of politics. I was here in 1955 when Mr. Fiedler came to the Senate, and I know as a member of the Senate committee studying his election that he was seated politically by a group that maintained a one vote margin. I'll say nothing more on that except that all of us must accept the fortunes and misfortunes of the political system under which we live."

PERSONAL PRIVILEGE

Senator Litten:

"If the Journal is correct, I believe that the letter having to do with Mr. Fiedler's confirmation, or lack thereof, was forwarded to the Governor on or about March 1st. It appears in the Journal on March 2nd, page 824.

"I'd just like to call your attention to the fact, at least I assumed this afternoon, that the Governor was asking us to reconsider our action. I believe that I interpret Mason's correctly when it states as follows in Section 751, Mr. President: 'A motion to reconsider a vote confirming or refusing to confirm an appointment of the Governor is not in order after the notice of the action of the House has been transmitted to the Governor.'"

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2130
 Senate Bill No. 2144
 Senate Bill No. 2155
 Senate Bill No. 2158
 Senate Bill No. 2231
 Senate Bill No. 2232
 Senate Bill No. 2235
 Senate Bill No. 2241
 Senate Bill No. 2246
 Senate Bill No. 2255
 Senate Bill No. 2277
 Senate Bill No. 2280
 Senate Bill No. 2291
 Senate Bill No. 2322
 Senate Bill No. 2336
 Senate Bill No. 2382
 Senate Bill No. 2387
 Senate Bill No. 2414

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2182

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to House Bills Nos. 1009, 1030, 1031, 1050, 1090, 1095, 1317, 1331, 1339, 1350, 1351, 1390 and House Concurrent Resolution No. 3034 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1009 as recommended by the Committee on Appropriations as printed on page 855 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1030 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on pages 855 and 856 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1031 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 856 of the Senate Journal be adopted, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1050 as recommended by the Committee on Finance and Taxation as printed on page 825 of the Senate Journal be adopted, which motion failed, and House Bill No. 1050 was placed on the calendar without amendments.

Senator Holand moved that the amendments to House Bill No. 1090 as recommended by the Committee on Education as printed on page 856 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1095 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 857 of the Senate Journal be adopted, which motion prevailed.

Senator Goldberg moved that the amendments to House Bill No. 1317 as recommended by the Committee on Industry, Business and Labor as printed on pages 857 and 858 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1331 as recommended by the Committee on Agriculture as printed on page 858 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1339 as recommended by the Committee on State and Federal Government as printed on page 858 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1350 as recommended by the Committee on Education as printed on page 858 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1351 as recommended by the Committee on Appropriations as printed on pages 858 and 859 of the Senate Journal be adopted, which motion prevailed.

Senator Tweten moved that the amendments to House Bill No. 1390 as recommended by the Committee on Social Welfare and Veterans' Affairs as printed on page 859 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Concurrent Resolution No. 3034 as recommended by the Committee on Agriculture as printed on page 860 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolution No. 4027, House Bills Nos. 1009, 1030, 1031, 1050, 1073, 1090, 1200, 1317, 1331, 1339, 1350, 1351, 1390, 1399 and House Concurrent Resolutions Nos. 3034 and 3085 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SIXTH DAY

Bismarck, March 6, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplains Steve Reynolds, Washburn and Steve Blehm, Bismarck, students from the School for the Deaf in Devils Lake.

Roll Call: All Senators present except Larson.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fourth day after recess and the forty-fifth day and recommends that the same be corrected as follows:

On page 858, in line 30 from the top of the page, correct the spelling of the word "forty"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 2421. A Bill for an Act to amend and reenact section 12-48-14 of the North Dakota Century Code, relating to the compensation of inmates at the state penitentiary.

Was read the first time and referred to the Committee on State and Federal Government.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2109, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2109 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2109. A Bill for an Act to regulate, not prohibit, home solicitation sales by:

1. Granting the buyer a statutory period during which time the contract may be cancelled.
2. Providing that any transfer of a note or other evidence of indebtedness shall be deemed an assignment only and all claims and defenses of the buyer against the seller shall be applicable against the transferee.
3. Prohibiting referral selling in conjunction with a home solicitation sale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 873 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Schultz, C.
Barth	Holand	Nothing	Schultz, J.
Berube	Iszler	Page	Shablow
Butler	Jacobson	Peterson	Smykowski
Christensen	Jones	Pyle	Solberg
Coughlin	Kautzmann	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright

Absent and not voting:

Larson	Longmire	Melland
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So the bill passed and the title was agreed to.

MOTIONS

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2178, which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2178 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2178. A Bill for an Act to amend and reenact section 25-04-03 of the North Dakota Century Code, relating to the qualifications of superintendent of Grafton state school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 873 of the Senate Journal, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Sandness
Barth	Holand	Nothing	Schultz, J.
Berube	Iszler	Page	Shablow
Butler	Jacobson	Peterson	Smykowski
Christensen	Jones	Pyle	Solberg
Coughlin	Kautzmann	Rait	Strand
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Morgan	Roen	Wenstrom
Goodman	Naaden	Sands	Wright
Gronhovd			

Those voting in the negative were:

Mutch	Strinden
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Absent and not voting:

Larson	Longmire	Melland	Schultz, C.
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So the bill passed and the title was agreed to.

MOTION

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2180 which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2180 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2180. A Bill for an Act to amend and reenact section 25-05-02 of the North Dakota Century Code, relating to the qualifications of the superintendent of San Haven state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 873 of the Senate Journal, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Nothing	Schultz, C.
Barth	Holand	Page	Schultz, J.
Berube	Iszler	Peterson	Shablow
Butler	Jacobson	Pyle	Smykowski
Christensen	Jones	Rait	Solberg
Coughlin	Kautzmann	Redlin	Strand
Erdman	Lee	Reiten	Stroup
Freed	Lips	Ringsak	Thane
Fritzell	Litten	Roen	Tweten
Goldberg	Morgan	Sands	Wenstrom
Goodman	Naaden	Sandness	Wright
Gronhovd	Nasset		

Those voting in the negative were:

Mutch Strinden

Absent and not voting:

Larson Longmire Melland

So the bill passed and the title was agreed to.

MOTION

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2190 which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2190 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2190. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 873 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Nothing	Schultz, J.
Barth	Holand	Page	Shablow
Berube	Iszler	Peterson	Smykowski
Butler	Jacobson	Pyle	Solberg
Christensen	Jones	Rait	Strand
Coughlin	Kautzmann	Redlin	Strinden
Erdman	Lee	Reiten	Stroup
Freed	Lips	Ringsak	Thane
Fritzell	Litten	Roen	Tweten
Goldberg	Morgan	Sands	Wenstrom
Goodman	Mutch	Sandness	Wright
Gronhovd	Nasset	Schultz, C.	

Those voting in the negative were:

Naaden

Absent and not voting:

Larson Longmire Melland

So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2197 which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2197 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2197. A Bill for an Act to amend and reenact subsection 3 of section 29-01-14 and section 29-01-15 of the North Dakota Century Code, relating to the definition of a magistrate, including small claims court referees as magistrates, and relating to the jurisdiction of county justices and county judges; and to repeal subsection 13 of section 12-01-04 of the North Dakota Century Code, defining magistrates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 873 of the Senate Journal, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz, J.
Barth	Hoffner	Nasset	Shablow
Berube	Holand	Page	Smykowski
Butler	Jacobson	Peterson	Solberg
Christensen	Jones	Pyle	Strand
Coughlin	Kautzmann	Rait	Strinden
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Tweten
Fritzell	Litten	Roen	Wenstrom
Goldberg	Melland	Sandness	Wright
Goodman			

Those voting in the negative were:

Iszler	Naaden	Sands	Thane
Mutch	Ringsak	Schultz, C.	

Absent and not voting:

Larson Longmire Nothing

So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2219 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2219

Senator Freed

Senator Jones

Senator Barth

MOTION

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2286 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2286

Senator Ringsak

Senator Freed
Senator Iszler

MOTION

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2368 which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2368 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2368. A Bill for an Act to create trustees for commercial buildings during foreclosures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 874 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz, C.
Berube	Iszler	Nething	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Jones	Peterson	Smykowski
Coughlin	Kautzmann	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright

Absent and not voting:

Larson Longmire Solberg

So the bill passed and the title was agreed to.

MOTION

Senator Roen moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4008 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Concurrent Resolution No. 4008:

Senator Roen
Senator Jacobson
Senator Lee

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2030 has had the same under consideration and recommends that the Senate do concur with the House amendments.:

For the Senate:
Senator Peterson
Senator Sandness
Senator Rait

For the House:
Representative Atkinson
Representative Kretschmar
Representative Orange

Senator Peterson moved that the report be adopted, which motion prevailed.

MOTION

Senator Peterson moved that the rules be suspended, that Senate Bill No. 2030 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2030. A Bill for an Act to amend and reenact section 54-42-06 of the North Dakota Century Code to authorize the providing of merit system coverage to human service centers and other units providing social and mental health services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 771 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz, C.
Berube	Iszler	Nething	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Jones	Peterson	Smykowski
Coughlin	Kautzmann	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright

Absent and not voting:

Larson	Longmire	Stroup
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2266 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:

Senator Ringsak
Senator Barth
Senator Iszler

For the House:

Representative Winkjer
Representative LaGrave
Representative Gronneberg

Senator Ringsak moved that the report be adopted, which motion failed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON THE CONSENT CALENDAR

Senate Concurrent Resolution No. 4005. A Concurrent Resolution for a study by the Legislative Council of the field of land use planning and zoning at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

Which has been read.

Senate Concurrent Resolution No. 4006. A Concurrent Resolution directing a study by the Legislative Council for the purpose of determining if some control is needed over the location and construction of power transmission lines, both public and private.

Which has been read.

Senate Concurrent Resolution No. 4021. A concurrent resolution providing for a study by the Legislative Council of the functions, responsibilities, and operations of the Extension Division and the

Experiment Stations of the North Dakota State University of Agriculture and Applied Science.

Which has been read.

Senate Concurrent Resolution No. 4023. A Concurrent Resolution providing for a study by the Legislative Council of the North Dakota Workmen's Compensation laws and program and the Workmen's Compensation Bureau responsibilities in the employment safety field.

Which has been read.

Senate Concurrent Resolution No. 4030. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility and desirability of legislation regulating clay, sand, and gravel pit and other land disturbing operations.

Which has been read.

Senate Concurrent Resolution No. 4035. A Concurrent Resolution directing the Legislative Council to make a study of necessary legislation and costs to the State of North Dakota to comply with the Federal Environmental Pesticide Control Act of 1972, requiring implementation of training programs for certification of all commercial and private applicators of pesticide chemicals.

Which has been read.

Senate Concurrent Resolution No. 4039. A Concurrent Resolution directing the Legislative Council to study the laws, practices and procedures involved and concerned with the North Dakota sales, market, productivity and other studies for assessment purposes.

Which has been read.

Senate Concurrent Resolution No. 4048. A concurrent Resolution directing the Legislative Council to conduct a study of co-operative vocational education programs between and among school districts, and to determine the feasibility of providing incentive payments to school districts which send students to other districts for vocational education programs.

Which has been read.

Senate Concurrent Resolution No. 4064. A Concurrent Resolution directing the Legislative Council to study the impact and ramifications of issuance of bonds by junior colleges; the impact of state aid to junior colleges; the division of vocational education services between colleges, universities, and secondary schools; the possibility of commingling vocational and special education funds and distributing them through the Foundation Program while retaining flexibility of administration; and the impact of various factors, legal and economic, on all phases of educational finance.

Which has been read.

Senate Concurrent Resolution No. 4065. A Concurrent Resolution directing a study by the Legislative Council in order to determine the adequacy of present environmental laws and their enforcement.

Which has been read.

MOTION

Senator Goodman moved that Senate Concurrent Resolutions Nos. 4005, 4006, 4021, 4023, 4030, 4035, 4039, 4048, 4064 and 4065 be adopted, which motion prevailed.

Senator Litten moved that the vote by which Senate Concurrent Resolutions Nos. 4005, 4006, 4021, 4023, 4030, 4035, 4039, 4048, 4064 and 4065 were passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Shablow: "Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Shablow."

Senator Shablow: "Mr. President and ladies and gentlemen of the Senate. Because of the great deal of interest and concern of many people of the state as well as the members of this assembly in regard to our ecology and our environment, I would like to share with this assembly and bring to the attention of the people of North Dakota an editorial from the Towner County Record Herald, entitled: "40 Years of Ecology", which impressed me and reflects my thinking, and the editorial reads as follows:

MOTION

Senator Ringsak moved that the remarks of Senator Shablow's statement be printed in the Journal but not the editorial, which motion prevailed.

MOTION

Senator Litten moved that House Bill No. 1050 be placed at the head of the calendar, and that Senate Concurrent Resolution No. 4029 be placed after Senate Concurrent Resolution No. 4069 on the calendar, which motion prevailed.

MOTION

Senator Sands moved that House Bill No. 1050 be amended as follows:

On page 2, line 17 of the engrossed bill, delete everything after the period

On page 2, delete lines 18 through 35

On page 3, delete lines 1 through 20

On page 3, line 21, delete the triple parentheses before the word "state"

On page 3, line 24, delete the triple parentheses after the word "capita"

On page 3, line 25, delete the triple parentheses before the word "situated"

On page 3, line 26, delete the triple parentheses after the word "county" and delete the words "shall be"

On page 3, line 31, after the period insert the following:

"Provided, however, that in each county having a city with a population of ten thousand or more, the amount transferred each month into the county highway tax distribution fund shall be the difference between the amount allocated to that county pursuant to this subsection and the total amount allocated and distributed to the incorporated cities in that county as computed according to the following formula:

- a. Twenty-seven percent of the amount allocated to all of the counties under this subsection shall be the incorporated cities' share and shall be divided by the total population of all of the incorporated cities in the state to determine the statewide per capita average.
- b. The share to each city in the county having a population of less than one thousand shall be determined by multiplying the population of that city by the product of 1.50 times the statewide per capita average computed under subdivision a.
- c. The share to each city in the county having a population of one thousand to four thousand nine hundred ninety-nine, inclusive, shall be determined by multiplying the population of that city by the product of 1.25 times the statewide per capita average computed under subdivision a.
- d. The share to each city in the county having a population of five thousand or more shall be determined by multiplying the population of that city by the statewide per capita average for all such cities, which per capita average shall be computed as

follows: the total of the shares computed under subdivisions b and c for all cities in the state having a population of less than five thousand shall be subtracted from the total incorporated cities' share in the state as computed under subdivision a and the balance remaining shall then be divided by the total population of all cities of five thousand or more in the state."

And renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Sands moved that the rules be suspended, that House Bill No. 1050 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1050. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund and to the apportionment and distribution of such fund to the state highway department, counties and cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz, C.
Berube	Iszler	Nething	Schultz, J.
Butler	Jacobson	Page	Smykowski
Christensen	Jones	Peterson	Strand
Coughlin	Kautzmann	Pyle	Strinden
Erdman	Lee	Rait	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Melland	Roen	Wenstrom
Goodman	Morgan	Sands	Wright
Gronhovd	Mutch		

Those voting in the negative were:

Redlin	Shablow	Solberg
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Absent and not voting:

Larson	Longmire
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1050 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4031. A Concurrent Resolution for the amendment of sections 74 and 77 of the Constitution of the state of North Dakota, relating to the election of the governor and lieutenant governor and to the powers and duties of the lieutenant governor.

Which has been read.

Senator Melland moved that Senate Concurrent Resolution No. 4031 be amended as follows:

On page 2, line 15, delete the triple parentheses and insert in lieu thereof the following: "to serve as", and after the word "but" insert the word "he"

On page 2, line 16, delete the triple parentheses and insert in lieu thereof the following: "**Additional duties shall be**"

Which motion prevailed.

And renumber the lines accordingly.

Senator Melland moved that the rules be suspended, that Senate Concurrent Resolution No. 4031 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4031. A Concurrent Resolution for the amendment of sections 74 and 77 of the Constitution of the state of North Dakota, relating to the election of the governor and lieutenant governor and to the powers and duties of the lieutenant governor.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended from the floor, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz, J.
Barth	Hoffner	Netthing	Shablow
Berube	Holand	Page	Solberg
Butler	Jacobson	Peterson	Strand
Christensen	Jones	Pyle	Strinden
Coughlin	Kautzmann	Rait	Stroup
Erdman	Lips	Redlin	Tweten
Freed	Litten	Reiten	Wenstrom
Fritzell	Melland	Roen	Wright
Goodman	Morgan	Sandness	

Those voting in the negative were:

Goldberg	Mutch	Ringsak	Thane
Lee	Naaden	Smykowski	

Absent and not voting:

Iszler	Longmire	Sands	Schultz C.
Larson			

So the resolution passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4031 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution No. 4066. A Concurrent Resolution commending the North Dakota Congressional Delegation for its opposition to President Richard M. Nixon's budget cuts affecting rural America.

Which has been read.

Senator Barth moved that Senate Concurrent Resolution No. 4066, as amended on pages 824 and 825 of the Senate Journal, be adopted, which motion prevailed.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4066 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution No. 4069. A Concurrent Resolution requesting the Congress of the United States to adopt an amendment to the United States Constitution for ratification by the states which will guarantee the right of the unborn human to life throughout its intrauterine development subordinate only to saving the life of the mother.

Which has been read.

MOTION

Senator Smykowski requested a roll call vote on Senate Concurrent Resolution No. 4069, which motion prevailed.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Page	Schultz, J.
Barth	Jacobson	Peterson	Shablow
Berube	Jones	Rait	Smykowski
Butler	Kautzmann	Redlin	Solberg
Coughlin	Lee	Reiten	Strand
Erdman	Lips	Ringsak	Stroup
Freed	Morgan	Roen	Thane
Goldberg	Mutch	Sands	Tweten
Gronhovd	Naaden	Sandness	Wenstrom
Hoffner	Nasset	Schultz, C.	Wright
Holand			

Those voting in the negative were:

Christensen	Goodman	Melland	Pyle
Fritzell	Litten	Nething	Strinden

Absent and not voting:

Larson	Longmire
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4069 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution No. 4027. A Concurrent Resolution directing the Legislative Council to conduct an interim study of law enforcement and regulatory activities in the State of North Dakota.

Which has been read.

Senator Nething moved that Senate Concurrent Resolution No. 4027 be adopted, which motion prevailed.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4027 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Page	Schultz, J.
Barth	Jones	Pyle	Solberg
Berube	Kautzmann	Rait	Strand
Christensen	Lips	Redlin	Strinden
Coughlin	Melland	Reiten	Stroup
Erdman	Morgan	Roen	Thane
Gronhovd	Naaden	Sands	Wenstrom
Hoffner	Nasset	Sandness	Wright
Iszler	Nething	Schultz, C.	

Those voting in the negative were:

Butler	Goodman	Mutch	Shablow
Freed	Holand	Peterson	Smykowski
Fritzell	Lee	Ringsak	Tweten
Goldberg	Litten		

Absent and not voting:

Larson Longmire

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Senator Goldberg: "Mr. President. I rise on a point of personal privilege to explain my vote.

Mr. President: "State your privilege, Senator Goldberg."

Senator Goldberg:

"I figured proponents had the horses in the Senate to pass it as is. I would like to have objected strongly to the \$425,000 for the so-called state fair in Minot. It is a state fair by statutory code and that is a name that was applied in the code. It is a state fair and I suppose you could argue as long as we have designated as such that we should fund it as we have just done. I would like to point out, ladies and gentlemen of the Senate, that we have a fair in Fessenden, North Dakota, called the Wells County Fair and I think you will find some of the same people collecting premiums on their animals at that fair. We have the Valley City Winter Show and you will find the same people showing their animals and collecting premiums at that show. You will find a fair at West Fargo where people are showing and displaying goods and so on. We have the same thing in Grand Forks. In Jamestown, they have a fair and yes, they have a statewide dairy show. That is a statewide show involving the dairy industry. What I am saying, ladies and gentlemen of the Senate, is that this little item that started out with seed money at 25,000 bucks is now up to a total of \$600,000 over the years that they have been in operation. All of these fairs and winter shows, as far as I am concerned, are about the same as the Minot fair. The only difference is that we call that the state fair, and for that reason, we are funding it and I think it is wrong."

SECOND READING OF A HOUSE BILL

House Bill No. 1017. A Bill for an Act making an appropriation for the construction of a Heritage Center.

Which has been read.

MOTION

Senator Coughlin moved that House Bill No. 1017 be amended as follows:

On page 1, line 13 of the engrossed bill, after the word "sources" insert the following: "not appropriated from state general or special funds."

On page 1, line 22 of the engrossed bill, after the word "sources" insert the following: "not appropriated from state general or special funds."

And renumber the lines accordingly.

Which motion prevailed.

Senator Coughlin moved that the rules be suspended, that House Bill No. 1017 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1017. A Bill for an Act making an appropriation for the construction of a Heritage Center.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Shablow
Barth	Hoffner	Nasset	Solberg
Berube	Holand	Nothing	Strand
Christensen	Jacobson	Rait	Stroup
Erdman	Jones	Redlin	Tweten
Fritzell	Kautzmann	Sandness	Wenstrom
Goodman	Lips	Schultz, J.	

Those voting in the negative were:

Butler	Litten	Peterson	Schultz, C.
Coughlin	Morgan	Pyle	Smykowski
Freed	Mutch	Ringsak	Strinden
Goldberg	Naaden	Roen	Thane
Lee	Page	Sands	Wright

Absent and not voting:

Iszler	Larson	Longmire	Reiten
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So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that House Bill No. 1327 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1327. A Bill for an Act to promote the sale of North Dakota Beef products; to create a North Dakota beef commission; to prescribe its purposes, powers, and duties; to provide for the assessment of cattle sold in or from the state of North Dakota; to provide refunds of such assessments; and to provide penalties.

Which has been read.

MOTION

Senator Morgan moved that House Bill No. 1327 be further amended as follows:

On page 4, line 30, after "headquarters" insert "centrally located within the state of North Dakota"

Which motion prevailed.

Senator Litten moved that the rules be suspended, that House Bill No. 1327 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1327. A Bill for an Act to promote the sale of North Dakota Beef products; to create a North Dakota beef commission; to prescribe its purposes, powers, and duties; to provide for the assessment of cattle sold in or from the state of North Dakota; to provide refunds of such assessments; and to provide penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 826 and 827 of the Senate Journal, and from the floor, the roll was called and there were ayes, 30; nays, 16; absent and not voting, 5.

Those voting in the affirmative were:

Christensen	Lee	Pyle	Shablow
Freed	Lips	Rait	Smykowski
Goldberg	Litten	Redlin	Stroup
Goodman	Melland	Ringsak	Thane
Holand	Morgan	Roen	Tweten
Jacobson	Nasset	Sandness	Wenstrom

Jones	Nething	Schultz, J.	Wright
Kautzmann	Peterson		
Those voting in the negative were:			
Anderson	Erdman	Mutch	Schultz, C.
Barth	Fritzell	Naaden	Solberg
Berube	Gronhovd	Page	Strand
Coughlin	Hoffner	Sands	Strinden
Absent and not voting:			
Butler	Larson	Longmire	Reiten
Iszler			

So the bill passed and the title was agreed to.

House Bill No. 1046. A Bill for an Act to create and enact section 37-15-14.1 of the North Dakota Century Code relating to charging a membership contribution at the soldiers' home, to creation of a special fund consisting of membership contribution receipts, and stating the purposes of that fund; and to amend and reenact section 21-10-06 of the North Dakota Century Code, relating to the funds invested by the state investment board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:			
Anderson	Hoffner	Nething	Schultz, J.
Barth	Holand	Page	Shablow
Berube	Jacobson	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Lee	Rait	Strinden
Erdman	Lips	Redlin	Stroup
Freed	Litten	Roen	Thane
Fritzell	Melland	Sands	Tweten
Goldberg	Morgan	Sandness	Wenstrom
Goodman	Nasset	Schultz, C.	Wright
Gronhovd			

Those voting in the negative were:			
Jones	Mutch	Naaden	Ringsak

Absent and not voting:			
Butler	Larson	Reiten	Smykowski
Iszler	Longmire		

So the bill passed and the title was agreed to.

House Bill No. 1074. A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, as contained in section 12 of House Bill No. 1041, as approved by the Forty-third Legislative Assembly, relating to the use of horses and mules in taking big game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:			
Anderson	Holand	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Roen	Tweten

Gronhovd	Mutch	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright
Absent and not voting:			
Butler	Iszler	Longmire	Smykowski
Coughlin	Larson	Reiten	

So the bill passed and the title was agreed to.

House Bill No. 1199. A Bill for an Act to amend and reenact section 12-47-11 of the North Dakota Century Code, relating to the powers and duties of the warden of the state penitentiary, custody and control of the penitentiary and the crime building, and providing an appropriation of state and federal funds for the remodeling and renovation of the crime building.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, J.
Barth	Jacobson	Nething	Shablow
Berube	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Ringsak	Stroup
Fritzell	Melland	Roen	Thane
Goldberg	Morgan	Sands	Tweten
Goodman	Mutch	Sandness	Wenstrom
Gronhovd	Naaden	Schultz, C.	Wright
Hoffner			

Absent and not voting:

Butler	Larson	Pyle	Reiten
Iszler	Longmire		

So the bill passed and the title was agreed to.

House Bill No. 1235. A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, relating to the involuntary dissolution of public school districts located in more than one county, and delaring an emergency.

Which has been read.

MOTION

Senator Holand moved that House Bill No. 1235 be re-referred to the Committee on Education, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1415. A Bill for an Act to create and enact sections 40-16-11, 40-16-12, 40-16-13, 40-16-14, 40-16-15 and 40-16-16 of the North Dakota Century Code, relating to functions and responsibilities of city auditors; to amend and reenact sections 18-04-07, 18-05-04, subsection 5 of section 40-01-01, sections 40-14-01, 40-14-07, 40-16-01, subsections 1, 3, 14, 15, and 16 of section 40-16-03, sections 40-16-10, 40-45-03, 40-46-06, and 40-49-08 of the North Dakota Century Code, relating to functions and responsibilities of city auditors; to authorize the legislative council to delete references to "city treasurer" in other places in the Century Code; and to repeal chapter 40-17 of the North Dakota Century Code, relating to the office of city treasurers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, J.
Barth	Jacobson	Nothing	Shablow
Berube	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Ringsak	Stroup
Fritzell	Melland	Roen	Thane
Goldberg	Morgan	Sands	Tweten
Goodman	Mutch	Sandness	Wenstrom
Gronhovd	Naaden	Schultz, C.	Wright
Hoffner			

Absent and not voting:

Butler	Larson	Pyle	Reiten
Iszler	Longmire		

So the bill passed and the title was agreed to.

House Bill No. 1469. A Bill for an Act creating the North Dakota Turkey Promotion Act, designating the state poultry improvement board to carry out the Act, levying an assessment upon each turkey producer to fund the activities necessary under the Act, designating the North Dakota turkey federation to advise the poultry improvement board in its administration of this Act, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 6.

Those voting in the affirmative were:

Christensen	Jacobson	Nasset	Schultz, J.
Erdman	Jones	Nothing	Shablow
Freed	Kautzmann	Peterson	Smykowski
Fritzell	Lee	Pyle	Stroup
Goldberg	Lips	Rait	Thane
Goodman	Litten	Redlin	Wenstrom
Gronhovd	Melland	Sandness	Wright
Holand	Morgan		

Those voting in the negative were:

Anderson	Hoffner	Ringsak	Solberg
Barth	Mutch	Roen	Strand
Berube	Naaden	Sands	Strinden
Coughlin	Page	Schultz, C.	

Absent and not voting:

Butler	Larson	Reiten	Tweten
Iszler	Longmire		

So the bill passed and the title was agreed to.

House Bill No. 1514. A Bill for an Act to provide premarital counseling for persons under the age of eighteen as a prerequisite to marriage; and to amend and reenact section 14-03-17 of the North Dakota Century Code, relating to the requirements of an application for a marriage license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 828 of the Senate Journal, the roll was called and there were ayes, 5; nays, 40; absent and not voting, 6.

Those voting in the affirmative were:

Christensen	Kautzmann	Rait	Schultz, J.
Freed			

Those voting in the negative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Jacobson	Nething	Shablow
Berube	Jones	Page	Smykowski
Coughlin	Lee	Peterson	Strand
Erdman	Lips	Pyle	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Gronhovd	Mutch	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright

Absent and not voting:

Butler	Larson	Reiten	Solberg
Iszler	Longmire		

So the bill was declared lost.

MOTION

Senator Christenson: Mr. President, I am going to move that we reconsider our action by which we denied Senator Shablow request to have his remarks printed in the journal.

Mr. President, the request of personal privilege, and the rule that is involved in it, I believe is one that this Senate, through the years that I have served in this body in the House of Representatives, has been not strictly adhered to. In my memory in serving in this legislative body, I don't think that in either house that I have served in have we ever denied any member the privilege of having his remarks printed in the journal. I believe that Senator Shablow was very sincere that the remarks that he wished to have printed in the Journal presented a position that he believes in and believes in very strongly. Ladies and gentlemen of the Senate, I believe that we should grant him that privilege.

Which motion failed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4010

Senate Concurrent Resolution No. 4072

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1134

House Bill No. 1135

House Bill No. 1459

House Bill No. 1502

House Bill No. 1513

House Bill No. 1520

House Concurrent Resolution No. 3016

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1085

House Bill No. 1217

House Bill No. 1254

House Bill No. 1378

House Bill No. 1395

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1258

House Bill No. 1269

House Bill No. 1281

House Bill No. 1400

House Bill No. 1404

House Bill No. 1453

House Bill No. 1488

House Bill No. 1508

House Bill No. 1525

House Concurrent Resolution No. 3028

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2029

Senate Bill No. 2384

Senate Bill No. 2391

Senate Bill No. 2415

Senate Concurrent Resolution No. 4012

Senate Concurrent Resolution No. 4029

Senate Concurrent Resolution No. 4038

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2046

Senate Bill No. 2081

Senate Bill No. 2090

Senate Bill No. 2091

Senate Bill No. 2363

Senate Bill No. 2419

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO

SENATE BILL No. 2046

On page 1, line 1, delete the word "section" and insert in lieu thereof the words "sections 12-01-02.1 and"

On page 1, line 4, after the word "of" insert the words "cities, and"

On page 1, line 5, after the word "date" insert the words "for section 12.1-01-05 of the North Dakota Century Code"

On page 1, line 12, after the word "LAW" insert the word "SHALL" and also delete the word "TO"

On page 1, line 13, after the word "BY" insert the following words: "CITY ORDINANCE OR BY" and also delete the word "ORDINANCES" and insert in lieu thereof the word "ORDINANCE"

On page 1, line 15, after the word "city" insert the words "ordinance, or city"

On page 1, line 19, delete the words "This Act" and insert in lieu thereof the words "Section 12.1-01-05"

After line 20, insert the following:

SECTION 3.) Section 12-01-02.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

12-01-02.1 CRIMES DEFINED BY STATE LAW SHALL NOT BE SUPERSEDED BY CITY ORDINANCE OR BY HOME RULE CITY'S CHARTER OR ORDINANCE.) No offense defined in this

title or elsewhere by law shall be superseded by any city ordinance, or city home rule charter or by any ordinance adopted pursuant to such charter, and all such offenses shall have full force and effect within the territorial limits and other jurisdictions of cities, and home rule cities.

And renumber the lines, pages and sections accordingly.

HOUSE AMENDMENTS TO
SENATE BILL No. 2081

On page 1, line 22 of the engrossed bill, after the word "**charged**" insert the following: "**except that it shall not include a musical performance sponsored by any educational, charitable, fraternal or religious nonprofit organizations**"

And renumber the pages and lines accordingly.

HOUSE AMENDMENTS TO
SENATE BILL No. 2090

On page 1, line 20, delete the word "**eighteen**" and insert in lieu thereof the word "**twenty-four**"

On page 1, line 22, after the word "**forty**" insert the following: "**-eight**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO
SENATE BILL No. 2091

On page 3, line 26 of the engrossed bill, insert triple parentheses before and after the word "meet" and insert in lieu thereof the words "**aid in meeting**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO
SENATE BILL No. 2363

On page 1, line 8, before the word "**MINERAL**" insert the word "**AND**"; also on line 8, after the word "**RIGHTS**" delete the comma and the word "**, AND**"

On page 1, line 9, delete the word "**MATERIALS**"

On page 1, line 11, delete the words "**but not limited to**"

On page 1, line 12, before the word "**coal**" insert the word "**and**"; also on line 12, after the word "**coal**" delete the comma and the remainder of the line

On page 1, delete line 13

On page 1, line 14, delete everything before the words "**shall be**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO
SENATE BILL No. 2419

On page 26, line 27, insert beginning triple parentheses before the word "**A**"

On page 27, line 2, insert ending triple parentheses after the word and period "**interest.**"

And renumber the lines and pages accordingly.

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:
House Bill No. 1048

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. 1028
House Bill No. 1430

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. 2394

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

Senate Bill No. 2098

Which the House requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2147

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1437

House Bill No. 1462

House Concurrent Resolution 3085

House Concurrent Resolution No. 3087

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2109

Senate Bill No. 2178

Senate Bill No. 2180

Senate Bill No. 2190

Senate Bill No. 2197

Senate Bill No. 2368

And refused to concur in the House amendment to:

Senate Bill No. 2219

Senate Bill No. 2286

Senate Concurrent Resolution No. 4008

And the President has appointed as a Conference Committee to act with a like committee from the House, on:

Senate Bill No. 2219

Senator Freed

Senator Jones

Senator Barth

Senate Bill No. 2286

Senator Ringsak

Senator Freed

Senator Iszler

Senate Concurrent Resolution No. 4008

Senator Roen

Senator Jacobson

Senator Lee

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2030

On which the Senate has adopted the Conference Committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4005

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4023

Senate Concurrent Resolution No. 4030

Senate Concurrent Resolution No. 4035

Senate Concurrent Resolution No. 4039

Senate Concurrent Resolution No. 4048

Senate Concurrent Resolution No. 4064

Senate Concurrent Resolution No. 4065

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2130

Senate Bill No. 2144

Senate Bill No. 2155

Senate Bill No. 2158

Senate Bill No. 2182

Senate Bill No. 2231

Senate Bill No. 2232

Senate Bill No. 2235

Senate Bill No. 2241

Senate Bill No. 2246

Senate Bill No. 2255

Senate Bill No. 2277

Senate Bill No. 2280

Senate Bill No. 2291

Senate Bill No. 2322

Senate Bill No. 2336

Senate Bill No. 2382

Senate Bill No. 2387

Senate Bill No. 2414

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2130

Senate Bill No. 2144

Senate Bill No. 2155

Senate Bill No. 2158

Senate Bill No. 2182

Senate Bill No. 2231

Senate Bill No. 2232

Senate Bill No. 2235

Senate Bill No. 2241

Senate Bill No. 2246

Senate Bill No. 2255

Senate Bill No. 2277

Senate Bill No. 2280

Senate Bill No. 2291

Senate Bill No. 2322
Senate Bill No. 2336
Senate Bill No. 2382
Senate Bill No. 2387
Senate Bill No. 2414

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 1:00 p.m., March 7, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SIXTH DAY AFTER RECESS
AND FORTY-SEVENTH DAY

Bismarck, March 7, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

March 6, 1973

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

This is to inform you that on March 6, 1973, I signed Senate Bill No. 2289.

I also forwarded Senate Bill No. 2360 without signature.

Sincerely yours,
ARTHUR A. LINK
Governor

REPORTS ON STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2421 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22 insert beginning triple parentheses before "board"

On page 1, line 23 insert ending triple parentheses after "administration" and insert in lieu thereof "director of institutions"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4019 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4049 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted.

MOTION

Senator Rait requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report for indefinite postponement, the roll was called and there were ayes, 37; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, J.
Butler	Kautzmann	Nething	Smykowski
Coughlin	Lee	Page	Solberg
Erdman	Lips	Peterson	Strand
Freed	Litten	Pyle	Strinden
Fritzell	Melland	Reiten	Thane
Goldberg	Morgan	Ringsak	Tweten
Goodman	Mutch	Roen	Wenstrom
Holand	Naaden	Schultz, C.	Wright
Iszler			

Those voting in the negative were:

Barth	Hoffner	Rait	Sandness
Berube	Jones	Redlin	Shablow
Christensen	Larson	Sands	Stroup
Gronhovd			

Absent and not voting:

Longmire

So the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1001 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 11 delete the figure "199,493" and insert in lieu thereof the figure "215,000"

On page 2, line 13 delete the figure "10,000" and insert in lieu thereof the figure "14,000"

On page 2, line 14 delete the figure "5,000" and insert in lieu thereof the figure "8,000"

On page 2, line 16 delete the figure "249,993" and insert in lieu thereof the figure "272,500"

On page 3, line 5 delete the figure "613,162" and insert in lieu thereof the figure "638,162"

On page 3, line 9 delete the figure "80,000" and insert in lieu thereof the figure "55,000"

On page 3, line 17 delete the figure "3,000" and insert in lieu thereof the figure "5,000"

On page 3, line 19 delete the figure "208,655" and insert in lieu thereof the figure "210,655"

On page 3, line 33 delete the figure "2,107,839" and insert in lieu thereof the figure "2,193,419"

On page 3, line 34 delete the figure "323,356" and insert in lieu thereof the figure "337,756"

On page 4, line 1 delete the figure "10,000" and insert in lieu thereof the figure "11,320"

On page 4, line 4 delete the figure "3,082,482" and insert in lieu thereof the figure "3,183,782"

On page 4, line 7 delete the figure "2,090,191" and insert in lieu thereof the figure "2,312,800"

On page 4, line 8 delete the figure "334,439" and insert in lieu thereof the figure "618,219"

On page 4, line 9 delete the figure "168,006" and insert in lieu thereof the figure "189,006"

On page 4, line 10 delete the figure "35,813" and insert in lieu thereof the figure "44,392"

On page 4, line 12 delete the figure "2,761,932" and insert in lieu thereof the figure "3,297,900"

On page 4, line 13 delete the figure "1,855,245" and insert in lieu thereof the figure "2,391,213"

On page 4, line 26 delete the figure "316,360" and insert in lieu thereof the figure "356,360"

On page 4, line 31 delete the figure "376,632" and insert in lieu thereof the figure "416,632"

On page 5, line 8 delete the figure "846,712" and insert in lieu thereof the figure "860,578"

On page 5, line 12 delete the figure "1,061,945" and insert in lieu thereof the figure "1,075,811"

On page 5, line 24 delete the figure "29,000" and insert in lieu thereof the figure "21,800"

On page 5, line 25 delete the figure "544,989" and insert in lieu thereof the figure "537,789"

On page 5, line 27 delete the figure "494,711" and insert in lieu thereof the figure "487,511"

On page 5, line 29 delete the figure "8,750,817" and insert in lieu thereof the figure "8,744,865"

On page 5, line 31 delete the figure "2,225,635" and insert in lieu thereof the figure "2,940,028"

On page 5, line 32 delete the figure "10,976,452" and insert in lieu thereof the figure "11,684,893"

And when so amended recommends the same do pass.
Statement of the Purpose of the Amendment:

The intent of the amendments to the Secretary of State budget is to allow for additional personnel and to assure continued levels of operation during the biennium. The intent of the amendments made to the State Auditor's budget is to encourage a higher level of professionalism in the audit staff. The amendment to the State Treasurer's budget is to allow \$2,000 for additional equipment. The amendment to the budget of the Tax Commissioner allowed five new positions, one office and four field auditors, to increase in-state tax law enforcement. The intent of the amendments to the budget of the Public Instruction is to allow restoration of Federal Funds for programs under Title III and IV, with specific legislative intent that if federal funds cease to be available the programs will terminate. The intent of the amendment to the Commissioner of Insurance budget is to allow for hiring an actuary for fire and casualty insurance. The amendment to the budget for the Public Service Commission is to allow for a full time man in rates and tariffs. The intent of the amendment to the Agriculture Commissioner budget is to accurately reflect North Dakota's share of the Interstate Pest Control Compact.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1003 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1004 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, delete the figure "28,000" and insert in lieu thereof the figure "32,000"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

It is the intent of the legislature to allow a higher level of compensation for the land commissioner because of increasing work load and responsibility.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1083 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TWETEN, Vice Chairman

Senator Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1152 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1205 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted.

MOTION

Senator Redlin requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report for indefinite postponement, the roll was called and there were ayes, 31; nays, 18; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Smykowski
Butler	Kautzmann	Nething	Solberg
Coughlin	Lee	Page	Strand
Freed	Litten	Peterson	Strinden
Goldberg	Melland	Pyle	Stroup
Goodman	Morgan	Ringsak	Thane
Iszler	Mutch	Sandness	Wright
Jacobson	Naaden	Schultz, C.	

Those voting in the negative were:

Barth	Gronhovd	Rait	Schultz, J.
Berube	Hoffner	Redlin	Shablow
Christensen	Holand	Reiten	Tweten
Erdman	Larson	Sands	Wenstrom
Fritzell	Lips		

Absent and not voting:

Longmire	Roen
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So the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 1235 has had the same under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, delete all of lines 25 and 26 and insert in lieu thereof the following: "**county committees cannot agree upon an order attaching the territory to adjoining districts,**"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1392 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "retirement" and before the period insert the following: ", and to provide for retroactive election of coverage"

On page 1, line 16, after the word and comma "managers," insert the following: "**assistant business managers, the executive secretary of the North Dakota association of school administrators.**"

On page 2, line 20, insert the following:

"SECTION 2. RETROACTIVE ELECTION OF COVERAGE.) Any persons holding the positions included under subsection 1 of this Act on the effective date of this Act may elect to come under the provisions of the teachers' fund for retirement retroactive to July 1, 1967."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1432 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion failed, and House Bill No. 1432 was placed on the calendar.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1015 has had the same under consideration and recommends that the same be amended as follows:

On page 1, after line 19, add the following: "**20 Souris Red Rainy 60,000**"

On page 1, line 22, delete the figure "3,329,117" and insert in lieu thereof the figure "**3,389,117**"

On page 1, line 24, delete the figure "2,339,117" and insert in lieu thereof the figure "**2,399,117**"

On page 2, line 10, delete the figure "2,444,798" and insert in lieu thereof the figure "**2,504,798**"

On page 2, line 12, delete the figure "3,489,798" and insert in lieu thereof the figure "**3,549,798**"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

It is the intent of the amendment to allow \$60,000 for state

participation in the Souris Red Rainy project if federal funds continue for the program, but the funds shall not be expended if federal funds are not available.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution No. 3053 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 4031

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to House Bills Nos. 1026, 1054, 1232, 1344 and House Concurrent Resolutions No. 3017 and No. 3021 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1026 as recommended by the Committee on Education as printed on page 882 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Lips moved that House Bill No. 1026 be rereferred to the Committee on Appropriations, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Nothing moved that the amendments to House Bill No. 1054 as recommended by the Committee on Political Subdivisions as printed on page 883 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1232 as recommended by the Committee on Judiciary as printed on pages 883 and 884 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the amendments to House Bill No. 1344 as recommended by the Committee on Political Subdivisions as printed on pages 884 and 885 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Concurrent Resolution No. 3017 as recommended by the Committee on Judiciary as printed on page 885 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Concurrent Resolution No. 3021 as recommended by the Committee on Judiciary as printed on page 886 of the Senate Journal be adopted, which motion prevailed.

Senator Reiten moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolution No. 4019, House Bills Nos. 1003, 1026, 1054, 1232, 1344, 1432,

and House Concurrent Resolutions Nos. 3017 and 3021 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SEVENTH DAY

Bismarck, March 7, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Peter Boe, Faith Lutheran Church, Bismarck.

"O Heavenly Father, we now pause again in our labors to enter into another legislative workday. These days may seem endless, and at times our work may seem tedious and insurmountable. But we ask that You continue to be among us and within us so that our labors might not be in vain but, rather, bear the fruits of peace, health, equal opportunity, material well-being, and good will and harmony among our people. We are grateful that most of these benefits are already ours — yes: even a liberty of mind and conscience and possibly a better prospect for world-wide peace than ever before. Use us, O God, to preserve and promote these benefits of life — especially among those who are yet groping for them. May Your will be done among us. Amen"

Roll Call: All Senators present except Longmire.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fifth day after recess and the forty-sixth day and recommends that the same be corrected as follows:

On page 899, in line 18 from the bottom of the page, delete the following: "as amended,"

On page 908, in line 7 from the bottom of the page, correct the spelling of the name "Ringsak"

On page 898, after line 3 from the top of the page, insert the following: "Which motion prevailed."

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

STATE OF NORTH DAKOTA

Executive Office

Bismarck

The Honorable Wayne G. Sanstead

President of the Senate

North Dakota State Senate

State Capitol

Bismarck, North Dakota 58501

Dear Mr. President:

Subsection 1 of Section 39-10-28 of the North Dakota Century Code, as it presently exists, along with the laws of 32 states and a District of Columbia regulation, is in verbatim conformity with Section 11-502(a) of the Uniform Vehicle Code. Only four states do not have laws comparable to this subsection. This statute describes the duty of a motorists to yield the right of way to a pedestrian in a crosswalk not controlled by traffic signals. Senate Bill 2055, however, would cause significant deviation from the Uniform Vehicle Code and it would also change completely the law regarding pedestrians. It appears that Section 1 of Senate Bill 2055 would always give the pedestrian the right of way even when there are traffic signals. I believe that such a change would not be in the best interests of this state as it is a substantial deviation from the uniformity of the other state laws. Also it would invite confusion out of the fact that motor-

ists would have to yield the right of way to all pedestrians and pedestrians may naturally conclude from the wording of the bill that it would be proper to cross a street even against a traffic control signal.

Subsection 2 of Section 39-10-28 of the North Dakota Century Code, as it presently exists, along with the laws of 30 states, is in substantial conformity with Section 11-502(b) of the Uniform Vehicle Code. This provision concerns the duty of a pedestrian to refrain from suddenly leaving a curb and entering the path of an oncoming vehicle. Section 2 of Senate Bill 2055, however, would incorrectly "create" and "enact" when there already is an existing Subsection 2 to Section 39-10-28 of the North Dakota Century Code. Even if correctly written, the amendment would appear to be completely out of order. The amendment is in verbatim conformity with the existing Subsection except that it adds the following language (without the benefit of the legislative aids of triple parentheses or underscoring): "provided that a driver's duty to yield does not relieve a pedestrian from the requirement to care for his safety." When taken with the contents of the current Subsection 2, that language serves only to confuse.

Therefore, I veto Senate Bill 2055.

Sincerely yours,
ARTHUR A. LINK
Governor

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4077. A Concurrent Resolution directing the Legislative Council to carry out a comprehensive study and investigation of the State's correctional institutions.

Was read the first time and referred to the Legislative Council Resolutions Committee.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Holand moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1464, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1464:

Senator Holand
Senator Solberg
Senator Strand

CONSIDERATION OF MESSAGES FROM THE HOUSE

MOTION

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2046 which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2046 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2046: A Bill for and Act to create and enact sections 12-01-02.1 and 12.1-01-05 of the North Dakota Century Code, providing that the state's criminal statutes shall have full force and effect within the territorial jurisdiction of cities, and home rule cities; and providing an effective date for section 12.1-01-05 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

pages 906 and 907 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Absent and not voting:

Longmire Nothing

So the bill passed and the title was agreed to.

MOTION

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2081 which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2081 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 53-02-01, 53-02-02, 53-02-03, 53-02-05, 53-02-08, and 53-02-09 of the North Dakota Century Code, to provide a definition of music festivals, to require a permit for a music festival, to provide who shall issue a permit, to provide who may make application for a permit, to require a law enforcement officer to be present at such festivals, to provide for refusal and revocation of a permit for cause, and to except places of public lodging from certain requirements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 907 of the Senate Journal, the roll was called and there were ayes, 45; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Melland	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Those voting in the negative were:

Barth Peterson Sands Smykowski
 Jones

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

MOTION

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2090 which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2090 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2090. A Bill for an Act to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to maximum hours of labor for minors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 907 of the Senate Journal, the roll was called and there were were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Izler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Melland	Ringsak	Thane
Goldberg	Morgan	Roen	Twetten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Holand			

Absent and not voting:

Hoffner Longmire

So the bill passed and the title was agreed to.

MOTION

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 2091 which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 2091 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2091. A Bill for an Act to create and enact subsections 14, 15, and 16 of section 38-14-02, sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, relating to definitions, the powers of the public service commission in the regulation of strip coal mining, notice provisions, and limitations in granting permits; to amend and reenact sections 38-14-04, 38-14-06, 38-14-07, 38-14-08, 38-14-12, and 38-14-13 of the North Dakota Century Code, relating to license applications, duties of the operator, bond of the operator, the deposit of forfeitures and penalties, and cooperation with federal and state agencies; and to repeal section 38-14-11 of the North Dakota Century Code, relating to the administrative officer in strip coal mining regulation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 907 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, J.
Barth	Jacobson	Nething	Shablow
Berube	Jones	Page	Smykowski
Butler	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Melland	Ringsak	Twetten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Mutch	Sands	Wright
Holand	Naaden	Sandness	

Those voting in the negative were:
Schultz, C.

Absent and not voting:

Christensen Hoffner Longmire

So the bill passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

Senator Stroup: "Mr. President, I rise on a point of personal privilege to explain my vote, and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Stroup."

Senator Stroup:

"For clarification on a situation that has arisen with Senate Bill No. 2091; therefore the insertion of the explanation in the Journal.

"Haulage roads used in the mining operation are maintained over long periods of time through the spoil pile area which will be reclaimed. These haulage roads allow the trucks to operate from the original ground level to the top of the coal and, ordinarily, have a grade of approximately 6 or 7 percent. As mining progresses, the surface of the road is often 30 to 50 feet below the level of the top of the spoil piles. Any steeper grade makes it most difficult for the haulage trucks to operate in periods of heavy rain or when the haulage roads are covered with snow or sleet.

"Haulage roads are ordinarily approximately a quarter mile or more in distance from each other and can well serve as access roads through the area after mining is completed. However, it is intended that the spoil piles through which each road is maintained be sloped to 25 degrees or less on each side of the haul road, and this sloping should be done as each road is extended into the mining area.

"In other words, I would advocate that haulage roads be defined as an end wall or final cut for treatment and reclamation purposes."

MOTION

Senator Butler moved that the Senate request the return of House Bill No. 1429 from the House, which motion prevailed.

**CONSIDERATION OF MESSAGES
FROM THE HOUSE**

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2363, which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2363 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2363. A Bill for an Act to provide for a reservation on the sale of all land under the control of the board of university and school lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 907 of the Senate Journal, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:
Longmire

So the bill passed and the title was agreed to.

MOTIONS

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2419, which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Bill No. 2419 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2419. A Bill for an Act to create and enact sections 41-09-13.1 and 41-09-46.2, relating to the priority of a consignee over a secured party, to the assignment of security interests, and to the filing of assignments of financing statements; to amend and reenact subsection 2 of section 41-01-05, subsections 9 and 37 of section 41-01-11, subsections 1 and 2 of section 41-02-07, subsection 2 of section 41-05-16, subsection 1 of section 41-09-02, sections 41-09-03, 41-09-04, 41-09-05, 41-09-06, 41-09-16, 41-09-17, 41-09-18, 41-09-22, 41-09-23, 41-09-25, 41-09-26, subsections 1, 2, 3, and 4 of section 41-09-27, sections 41-09-28, 41-09-29, 41-09-33, 41-09-34, 41-09-39, 41-09-40, 41-09-41, 41-09-42, 41-09-43, 41-09-44, 41-09-45, subsection 3 of section 41-09-47, subsection 2 of section 41-09-48, subsections 1, 2, and 3 of section 41-09-50, and subsection 2 of section 41-09-51 of the North Dakota Century Code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning same, including sales, commercial paper, bank deposits, bank collections, letters of credit, bulk transfers, warehouse receipts, bills of lading and other documents of title, investment securities, and secured transactions; and providing for transition and an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 907 of the Senate Journal, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski

Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2266, which motion prevailed.

The President appointed as a new Conference Committee on: Senate Bill No. 2266

Senator Ringsak
 Senator Freed
 Senator Barth

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2146 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:

Senator Smykowski
 Senator Fritzell
 Senator Redlin

For the House:

Rep. Rivinius
 Rep. Scofield
 Rep. Bassingthwaite

Senator Smykowski moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Smykowski moved that the rules be suspended, that Senate Bill No. 2146 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2146. A Bill for an Act to authorize the state park service to lease the Lewis and Clark public use development area and the Fort Stevenson public use development area from the army corps of engineers for twenty-five years and to make these areas part of the state park system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 752 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg

Coughlin	Larson	Pyle	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goldberg	Melland	Roen	Wenstrom
Goodman	Morgan	Sands	Wright
Gronhovd	Mutch	Sandness	

Absent and not voting:

Iszler	Longmire	Rait	Stroup
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So the bill passed and the title was agreed to.

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1048 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:

Senator Melland
Senator Strinden
Senator Erdman

For the House:

Rep. Hilleboe
Rep. Martinson
Rep. Bassingthwaite

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1203 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1203 be amended as follows:

On page 1, line 1, after the word "to", insert the words "amend and reenact section 36-15-21 of the North Dakota Century Code, and to"; delete the word "sections" and insert in lieu thereof the word "section"; and delete the word and numerals "and 36-15-21"

On page 1, line 3, after the word "calves", insert the following: " and providing a penalty"

On page 1, line 8, after the word and numeral "SECTION 1.", insert the following: "AMENDMENT.) Section 36-15-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

36-15-21. CALFHOOD VACCINATION AGAINST BRUCELLOSIS REQUIRED — PENALTY. No person shall bring into this state any female ((dairy)) cattle over ((eight)) ten months of age ((or any female beef cattle over twelve months of age)) for dairy or breeding purposes within this state that have not been officially calfhood vaccinated against brucellosis ((; nor shall he acquire within this state, except by his own raising, any female dairy cattle over eight months of age or any female beef cattle over twelve months of age born after January 1, 1963, for dairy or breeding purposes within this state, that have not been officially calfhood vaccinated against brucellosis)). "Officially calfhood vaccinated" shall mean a bovine female animal vaccinated against brucellosis ((while from four through eight months of age, if a dairy breed, or from four to twelve months, if a beef breed,)) under the supervision of a federal or state veterinary official within age limits prescribed by the North Dakota livestock sanitary board in compliance with USDA recommended uniform methods and rules, with a vaccine approved by the North Dakota state veterinarian, and permanently identified as such a vaccinate and reported at the time of vaccination to the appropriate state

or federal agency cooperating in the eradication of brucellosis. However, the board in its discretion ((; and only in extenuating circumstances,))) may grant a hearing to any person under such rules and regulations as the board may prescribe, as to whether or not an exception should be made to the provisions of this section. An appeal may be taken from the decision of the board under the provisions of chapter 28-32. Any person who shall bring into this state or acquire within this state any cattle contrary to the provisions of this section, shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

SECTION 2."

On page 1, line 8, delete the word "Sections" and insert in lieu thereof the word "Section", and delete the word and numerals "and 36-15-21"

On page 1, line 9, delete the word "are" and insert in lieu thereof the word "is"

And renumber the pages, sections, and lines accordingly.

For the Senate:

Senator Nasset
 Senator Smykowski
 Senator Barth

For the House:

Rep. K. Johnson
 Rep. Murphy
 Rep. Dotzenrod

Senator Nasset moved that the report be adopted, which motion prevailed.

MOTION

Senator Morgan moved that the rules be suspended and that House Bill No. 1203 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1203. A Bill for an Act to amend and reenact section 36-15-21 of the North Dakota Century Code, and to repeal section 36-15-20 of the North Dakota Century Code, relating to brucellosis vaccination of calves.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the Conference Committee, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Schultz, J.
Barth	Jacobson	Page	Shablow
Berube	Jones	Peterson	Smykowski
Butler	Kautzmann	Pyle	Solberg
Christensen	Larson	Rait	Strand
Coughlin	Lee	Redlin	Strinden
Erdman	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Hoffner	Nasset	Schultz, C.	

Absent and not voting:

Freed	Iszler	Longmire	Melland
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So the bill passed and the title was agreed to.

House Bill No. 1009. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 855 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Sandness
Barth	Iszler	Nething	Schultz, C.
Berube	Jacobson	Page	Schultz, J.
Christensen	Jones	Peterson	Shablow
Coughlin	Kautzmann	Pyle	Smykowski
Erdman	Larson	Rait	Solberg
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Morgan	Ringsak	Tweten
Goodman	Mutch	Roen	Wenstrom
Gronhovd	Naaden	Sands	Wright
Hoffner			

Those voting in the negative were:

Thane

Absent and not voting:

Butler	Longmire	Melland	Strand
Lee			

So the bill passed and the title was agreed to.

House Bill No. 1030. A Bill for an Act to transfer the responsibility for the state division of vocational rehabilitation from the state board of public school education to the social service board of North Dakota; and to amend and reenact sections 15-20.1-01, 15-20.1-04, 15-20.1-05, and 15-20.1-21, relating to the division of vocational rehabilitation; and to repeal sections 15-20.1-12, 15-20.1-13, 15-20.1-14, 15-20.1-15, 15-20.1-16, 15-20.1-17, 15-20.1-18, 15-20.1-19, and 15-20.1-20 of the North Dakota Century Code, relating to the division of vocational rehabilitation under the board of public school education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 855 and 856 of the Senate Journal, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Hoffner	Rait	Smykowski
Berube	Holand	Redlin	Solberg
Christensen	Kautzmann	Ringsak	Strand
Erdman	Larson	Roen	Strinden
Freed	Lips	Sandness	Stroup
Fritzell	Litten	Schultz, J.	Tweten
Goodman	Morgan	Shablow	Wenstrom
Gronhovd	Nething		

Those voting in the negative were:

Anderson	Jacobson	Nasset	Sands
Butler	Jones	Page	Schultz, C.
Coughlin	Lee	Peterson	Thane
Goldberg	Mutch	Pyle	Wright
Iszler	Naaden	Reiten	

Absent and not voting:

Longmire	Melland
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So the bill passed and the title was agreed to.

House Bill No. 1031. A Bill for an Act relating to the establishment of human service centers to provide human services from a single unit in accordance with the joint exercise of governmental powers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 856 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Schultz, C.
Barth	Holand	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright

Absent and not voting:

Iszler	Longmire	Melland
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So the bill passed and the title was agreed to.

House Bill No. 1073. A Bill for an Act to amend and reenact sections 15-28-07 and 15-28-08 of the North Dakota Century Code, relating to the polling hours in school district elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Morgan	Roen	Tweten
Goodman	Mutch	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Hoffner			

Absent and not voting:

Longmire	Melland
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So the bill passed and the title was agreed to.

House Bill No. 1090. A Bill for an Act to create and enact sections 15-59-04.1, 15-59-05.1, and 15-59-06.1 of the North Dakota Century Code, relating to recordkeeping requirements, eligibility for state and federal aid, and the duty of the superintendent of public instruction with regard to special education; and to amend and reenact sections 15-59-01, 15-59-04, 15-59-07, 15-59.1-02, 15-59.1-03, 15-59.1-06, and 15-59.1-08 of the North Dakota Century Code, relating to definitions, compulsory special education programs, enabling attendance at private schools, financing, elections to remove mill levies, and multiple county boards of special education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 856 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nething	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Morgan	Roen	Wenstrom
Gronhovd	Naaden	Sands	Wright
Hoffner			

Those voting in the negative were:

Mutch

Absent and not voting:

Berube	Melland	Sandness	Stroup
Jones			

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: The Senate requests the return of
House Bill No. 1429

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1095. A Bill for an Act to amend and reenact section 43-07-20 of the North Dakota Century Code, relating to employment preferences in contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 857 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Morgan	Roen	Tweten
Gronhovd	Mutch	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright
Holand			

Absent and not voting:

Berube	Melland
--------	---------

So the bill passed and the title was agreed to

House Bill No. 1200. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings on college campuses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Izler	Nasset	Schultz, J.
Barth	Jacobson	Nething	Shablow
Berube	Jones	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Redlin	Strinden
Fritzell	Lips	Reiten	Stroup
Goldberg	Litten	Ringsak	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand	Naaden	Schultz, C.	

Those voting in the negative were:

Butler

Absent and not voting:

Christensen Melland Rait

So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

Senator Strinden: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Strinden."

Senator Strinden:

"I refer to House Bill 1200. I will confine my remarks to that particular Bill.

"I did not speak against the Bill when it was on the floor because I am in agreement that the buildings have to be built.

"A little history on the diagnostic lab. This building was in as a separate bill. I objected strenuously in committee. I committed myself to the people involved that should this building be on the priority listing, I would support it. I did that; I fulfilled my commitment. I feel, however, that I have to make some remarks. As you know, the priority list was established in 1967 to give all of the colleges in the State of North Dakota a fair shake. Prior to that time, the small colleges were getting the short end of the stick. I am going to slap the fingers of the Board of Higher Education, the Commissioner of Higher Education, the administrators and the department heads involved. They tried to hoodwink the Legislature by bypassing the priority list. They almost succeeded. I, for one, insisted that the diagnostic lab be placed on the priority list. This, in effect, has been done, but you notice that Section 3 in the appropriation — to all intent it places the diagnostic lab at the head of the list. We have appropriated the 1.778 million. This is going to mean, Ladies and Gentlemen of the Senate and Mr. President, that some of the lesser schools are going to wait a little longer to get their buildings — buildings that they need and need very drastically. I think the Board of Higher Education was negligent in their duty by not concluding their job by getting the proposed building on the priority list. I will slap the Commissioner of Higher Education for going along with the wishes of this Board. I will slap the fingers of the administrators for coming in here and hoodwinking the Legislature. I will slap the fingers of the department heads for coming in with a story that they were not quite sure of.

In discussing the buildings listings, we did question the amounts. In a few short days, they have changed from construction of the barns as to not knowing just exactly what they would have to build calling for a nonporous material, floor drains and everything else. They seem to have the information when we insisted on getting it.

"I think, Mr. President and members of the Senate, that we as a body should relate our wishes to the Board of Higher Education, the Commissioner of Higher Education, the Presidents of the colleges, and the department heads, that when they wish the backing of the Legislature they do not use us as scapegoats. We, in effect, have taken over the job of the Board of Higher Education, the Commissioner of Higher Education and the administrators by the Legislature placing a building at the head of the priority listing. I think they have been derelect in their duties."

SECOND READING OF A HOUSE BILL

House Bill No. 1317. A Bill for an Act to create and enact sections 26-26-16, 26-26-17, 26-26-18, 26-26-19, 26-26-20, 26-26-21, 26-27-16, 26-27-17, 26-27-18, 26-27-19, 26-27-20, 26-27-21, 26-27-22, 26-27.1-21, 26-27.1-22, 26-27.1-23, 26-27.1-24, 26-27.1-25, 26-27.1-26, 26-27.2-20, 26-27.2-21, 26-27.2-22, 26-27.2-23, 26-27.2-24, and 26-27.2-25 of the North Dakota Century Code, relating to hospital, medical, vision, and dental service corporations and the insurance commissioner's approval of rates, rating systems, and rating formulas; to rate filing procedures; to rate filing disapproval; to information furnished subscribers and subscriber hearings; to the giving of false or misleading information, making this a misdemeanor, and providing a penalty; to hearing procedures and judicial review; and to amend and reenact sections 26-26-04, 26-27-03, 26-27-05, 26-27.1-05, and 26-27.2-05 of the North Dakota Century Code, relating to the boards of directors of medical, hospital, dental, and vision service corporations and to services by non-participating physicians; and to repeal section 26-26-10 of the North Dakota Century Code, relating to the approval by the commissioner of hospital service plan operating costs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 857 and 858 of the Senate Journal, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Izler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nething	Shablow
Butler	Kautzmann	Page	Smykowski
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reitgen	Thane
Goldberg	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Those voting in the negative were:

Sands

Absent and not voting:

Goodman

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1011

House Bill No. 1046

House Bill No. 1074

House Bill No. 1199

House Bill No. 1415
House Bill No. 1469
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2046, 2081, 2090, 2091, 2363, and 2419.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1011

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign: House Bill No. 1011

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1011

Which the President has signed.

LEO LEIDHOLM, Secretary

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 Bills Nos. 1078, 1098, 1151, 1405, and House Concurrent Resolution 3083.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1243

Senate Bill No. 2089

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return:

House Bill No. 1429

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution 4027

Senate Concurrent Resolution No. 4031

Senate Concurrent Resolution No. 4037

Senate Concurrent Resolution No. 4066

Senate Concurrent Resolution No. 4069

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1017
 House Bill No. 1050
 House Bill No. 1327
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1039
 House Bill No. 1377
 House Bill No. 1514
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the Conference Committee report on Senate Bill No. 2266.

The President has appointed a new Conference Committee to serve with a like Committee from the House.

Senator Ringsak
 Senator Freed
 Senator Barth

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2146, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1048 and 1203, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

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. 1464
 Senator Holand
 Senator Solberg
 Senator Strand

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2207
 Senate Bill No. 2212
 Senate Bill No. 2224

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. 2392

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2130

Senate Bill No. 2144
Senate Bill No. 2155
Senate Bill No. 2158
Senate Bill No. 2182
Senate Bill No. 2231
Senate Bill No. 2232
Senate Bill No. 2235
Senate Bill No. 2241
Senate Bill No. 2246
Senate Bill No. 2255
Senate Bill No. 2277
Senate Bill No. 2280
Senate Bill No. 2291
Senate Bill No. 2322
Senate Bill No. 2336
Senate Bill No. 2382
Senate Bill No. 2387
Senate Bill No. 2414

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2229
Senate Bill No. 2238
Senate Bill No. 2253
Senate Bill No. 2264

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2122
Senate Bill No. 2179

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2122

On page 3, line 17, delete the number "five" and insert in lieu thereof the number "three"

On page 3, line 18, delete the words "who shall be"

On page 3, line 21, delete the remainder of the line following the word "Dakota" and insert in lieu thereof the following: "and two members at large appointed by the governor"

On page 3, line 22, delete the words "following section"

On page 3, line 24, after the word "year" insert the following: "and so that the terms of the members at large do not expire in consecutive years"

On page 3, line 31, delete the words "having the qualifications" and insert in lieu thereof the words "or a member at large"

On page 3, line 32, delete the words "required in the following section"

On page 4, line 3, delete the words "professional soil classifier who is a"

On page 4, delete lines 5 through 7

On page 4, line 8, delete the words "classification for at least six years"

On page 4, delete line 30 and insert in lieu thereof the following: "the power to administer this Act under chapter 28-32 and."

On page 5, delete lines 6 and 7

On page 5, line 8, delete the number "3" and insert in lieu thereof the number "2"

On page 5, delete lines 11 through 24

On page 5, line 25, delete the number "5" and insert in lieu thereof the number "3"

On page 14, line 4, delete the remainder of the line following the period

On page 14, delete lines 5 through 15

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2179

On page 2, line 13 of the engrossed bill, following the comma, insert the words "**or the voluntary admission to any state licensed child care home or agency, including referrals made therefrom,**"

And renumber the lines accordingly.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2130
 Senate Bill No. 2144
 Senate Bill No. 2155
 Senate Bill No. 2158
 Senate Bill No. 2182
 Senate Bill No. 2231
 Senate Bill No. 2232
 Senate Bill No. 2235
 Senate Bill No. 2241
 Senate Bill No. 2246
 Senate Bill No. 2255
 Senate Bill No. 2277
 Senate Bill No. 2280
 Senate Bill No. 2291
 Senate Bill No. 2322
 Senate Bill No. 2336
 Senate Bill No. 2382
 Senate Bill No. 2387
 Senate Bill No. 2414

Were delivered to the Governor for his approval at the hour of 2:52 o'clock P.M., March 7, 1973.

SENATOR JACOBSON, Chairman

Senator Litten moved that the Senate recess until 1:00 P.M., March 8, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

**FORTY-SEVENTH DAY AFTER RECESS
AND FORTY-EIGHTH DAY**

Bismarck, March 8, 1973

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

MOTIONS

Senator Litten moved that the vote by which House Bills Nos. 1009, 1030, 1031, 1073, 1090, 1095, 1200, 1317 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Litten moved that the vote by which House Bills Nos. 1083, 1152 and 1205, and House Concurrent Resolution No. 3053 were indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Butler moved that the Senate reconsider the action by which House Bill No. 1429 was passed, which motion prevailed.

Senator Butler moved that the Senate reconsider the action by which the amendments to House Bill No. 1429 were adopted, which motion prevailed.

Senator Butler moved that House Bill No. 1429 be further amended as follows:

On page 1, delete everything after the words "A BILL" and insert in lieu thereof the following:

"for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code and to repeal section 57-46-01 of the North Dakota Century Code, relating to military income exempt from the income tax; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reduced by any amount, up to a maximum of one thousand dollars, received by any person as payment for services performed while on active duty in the armed forces of the United States or as payment for attending periodic training meetings for drill and instruction as a member of the national guard or of a reserve unit of the armed forces of the United States.

SECTION 2. REPEAL.) Section 57-46-01 of the North Dakota Century Code is hereby repealed effective for all taxable years beginning on or after January 1, 1973.

SECTION 3. EFFECTIVE DATE.) The provisions of this Act shall apply to income received in taxable years beginning after December 31, 1972."

And renumber the lines accordingly.

Which motion prevailed.

Senator Butler moved that the rules be suspended and that House Bill No. 1429 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1429. A Bill for an Act to repeal section 57-46-01 of the North Dakota Century Code, relating to military income exempt from the income tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sands
Barth	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz C.
Butler	Jacobson	Nothing	Schultz, J.
Christensen	Jones	Page	Shablow
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strand
Freed	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Melland	Ringsak	Wenstrom
Gronhovd	Morgan	Roen	Wright

Absent and not voting:

Longmire	Smykowski	Stroup
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1429 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1534. A Bill for an Act to amend and reenact sections 39-20-04, 39-20-05, and 39-20-06 of the North Dakota Century Code, relating to the procedures applicable to the revocation of a driver's license under the implied consent provisions of the chemical test law, and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1535. A Bill for an Act making an appropriation and providing for the improvement of the south plaza of the state capitol building, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3003. A Concurrent Resolution calling for a continuing study of the Uniform Probate Code introduced in the Forty-third Legislative Assembly as House Bill No. 1040.

Which was read the first time.

House Concurrent Resolution No. 3006. A Concurrent Resolution directing the Legislative Council to continue the study directed by House Concurrent Resolution No. 3050 adopted by the Forty-second Legislative Assembly, relating to the revision and modernization of the criminal laws of this state, and directing the Legislative Council to seek available federal funds to assist the Council in carrying out the study.

Which was read the first time.

House Concurrent Resolution No. 3011. A Concurrent Resolution directing the Legislative Council to conduct an interim study to determine a means to coordinate the efforts of various state agencies concerned with, and engaged in, the study of freight rates in North Dakota.

Which was read the first time.

House Concurrent Resolution No. 3035. A concurrent resolution directing the Legislative Council to conduct a study of where interest earned on dedicated public funds is deposited.

Which was read the first time.

House Concurrent Resolution No. 3043. A Concurrent Resolution directing the Legislative Council to study and review the functions and utilization of the state communications system.

Which was read the first time.

House Concurrent Resolution No. 3051. A Concurrent Resolution directing the Legislative Council to study the aspects of implementation, operation, and utilization of a municipal bond purchase fund in the Bank of North Dakota for the purpose of purchasing general obligation and certain revenue bonds of political subdivisions.

Which was read the first time.

House Concurrent Resolution No. 3063. A Concurrent Resolution directing the Legislative Council to study vocational education.

Which was read the first time.

House Concurrent Resolution No. 3074. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility of state administration of the Occupational Safety and Health Act.

Which was read the first time.

House Concurrent Resolution No. 3089. A Concurrent Resolution calling for a Legislative Council study to determine how North Dakota can best care for and educate the deaf-blind children in the State.

Which was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that House Concurrent Resolutions Nos. 3003, 3006, 3011, 3035, 3043, 3051, 3063, 3074 and 3089 be not referred to committee, but placed on the Consent Calendar, which motion prevailed.

MOTION

Senator Litten moved that the rules be suspended and that House Concurrent Resolutions Nos. 3003, 3006, 3011, 3035, 3043, 3051, 3063, 3074, and 3089 be placed at the head of the Consent Calendar, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1002 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete lines 14 through 19

On page 2, line 23 delete the figure "231,324.00" and insert in lieu thereof the figure "278,324.00"

On page 2, line 24 delete the figure "15,600.00" and insert in lieu thereof the figure "16,400.00"

On page 2, line 26 delete the figure "683,325.00" and insert in lieu thereof the figure "731,125.00"

And renumber the lines, subdivisions and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

It is the intent of the Senate amendment to consolidate funding for Audit and Fiscal Review Committee with the Legislative Council appropriation.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1007 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, after the word "institutions" add the following: ", and declaring an emergency"

On page 2, line 7 of the engrossed bill, delete the numerals "73,434" and insert in lieu thereof the numerals "95,934"

On page 2, line 8, delete the numerals "2,182,475" and insert in lieu thereof the numerals "2,204,975"

On page 2, line 9, delete the numerals "37,200" and insert in lieu thereof the numerals "48,450"

On page 2, line 10, delete the numerals "2,145,275" and insert in lieu thereof the numerals "2,156,525"

On page 3, line 3, delete the numerals "1,384,738" and insert in lieu thereof the numerals "1,242,738"

On page 3, line 4, delete the numerals "221,436" and insert in lieu thereof the numerals "217,436"

On page 3, line 5, delete the numerals "166,142" and insert in lieu thereof the numerals "126,142"

On page 3, line 6, delete the numerals "67,929" and insert in lieu thereof the numerals "63,929"

On page 3, after line 6, insert the following line:

"Community group home treatment 190,000"

On page 3, line 20, delete the numerals "116,000" and insert in lieu thereof the numerals "141,000"

On page 3, line 21, delete the numerals "310,212" and insert in lieu thereof the numerals "285,212"

On page 3, after line 23, insert the following line:

"Superintendent's residence 35,000"

On page 3, line 30, delete the numerals "1,293,446" and insert in lieu thereof the numerals "1,328,446"

On page 3, line 31, delete the numerals "317,740" and insert in lieu thereof the numerals "392,740"

On page 3, line 32, delete the numerals "975,706" and insert in lieu thereof the numerals "935,706"

On page 4, line 17, delete the numerals "1,828,915" and insert in lieu thereof the numerals "1,877,760"

On page 4, after line 17, insert the following:

"Evaluation program salaries 3,695"

(The above line item of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval)"

On page 4, line 18, delete the numerals "306,800" and insert in lieu thereof the numerals "360,873"

On page 4, line 19, delete the numerals "711,000" and insert in lieu thereof the numerals "725,400"

On page 4, after line 22, insert the following:

"Multipurpose building — State Farm 44,200"

(The above line item of this Act is hereby declared to

be an emergency measure and shall be in full force and effect from and after its passage and approval)

Kitchen equipment — State Farm	10,000
Recreation equipment — State Farm	1,750
Closed circuit T.V.	7,000
Cell block fencing	4,800

On page 4, line 31, delete the numerals "3,393,365" and insert in lieu thereof the numerals "3,581,928"

On page 4, line 33, delete the numerals "1,236,996" and insert in lieu thereof the numerals "1,359,383"

On page 4, line 34, delete the numerals "2,156,369" and insert in lieu thereof the numerals "2,222,545"

On page 5, line 2, delete the numerals "2,881,023" and insert in lieu thereof the numerals "2,949,190"

On page 5, line 3, delete the numerals "78,070" and insert in lieu thereof the numerals "86,070"

On page 5, line 4, delete the numerals "499,492" and insert in lieu thereof the numerals "524,213"

On page 5, line 8, delete the numerals "3,538,335" and insert in lieu thereof the numerals "3,639,223"

On page 5, line 10, delete the numerals "3,285,717" and insert in lieu thereof the numerals "3,386,605"

On page 5, line 11, delete the numerals "18,800,886" and insert in lieu thereof the numerals "18,914,200"

On page 5, line 12, delete the numerals "5,450,353" and insert in lieu thereof the numerals "5,683,990"

On page 5, line 13, delete the numerals "24,251,239" and insert in lieu thereof the numerals "24,598,190"

On page 6, after line 1 add the following: "SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval on such items as are designated to be made available immediately on passage and approval."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment to the budget of the Director of Institutions is to allow for co-mingling of \$11,250 of state funds with a like amount of federal funds for remodeling the office of the Attorney General. The intent of the amendments to the Industrial School budget is to allow the administrator of the State Industrial School to offer community counseling off the premises of the School. The intent of the amendment to the Deaf School is to allow for construction of a residence for the Superintendent, and to increase income under the provisions of foundation repayment under Senate Bill No. 2026. The intent of the amendment to School for the Blind is to increase the income under the provision of foundation repayment under Senate Bill No. 2026. The budget of the Penitentiary was amended in accordance with the recommendations of the Senate Select Committee to investigate the Penitentiary. The budget of the San Haven School was amended to reflect the change in the work load resultant from phasing out the T.B. treatment and increasing the residents by transfer from the Grafton School.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1014 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20 delete the figure "51,400" and insert in lieu thereof the figure "52,550"

On page 1, line 21 delete the figure "52,500" and insert in lieu thereof the figure "51,350"

On page 2, line 4 delete the figure "1,732,306" and insert in lieu thereof the figure "1,782,306"

On page 2, line 14 delete the figure "3,716,404" and insert in lieu thereof the figure "3,766,404"

On page 2, line 32 delete the figure "5,300,000" and insert in lieu thereof the figure "5,320,000"

On page 2 line 35 delete the figure "5,535,725" and insert in lieu thereof the figure "5,555,725"

On page 3, line 2 delete the figure "535,725" and insert in lieu thereof the figure "555,725"

On page 3, line 3 delete the figure "1,275,699" and insert in lieu thereof the figure "1,295,699"

On page 3, line 4 delete the figure "8,906,404" and insert in lieu thereof the figure "8,956,404"

On page 3, line 5 delete the figure "10,182,103" and insert in lieu thereof the figure "10,252,103"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

It is the intent of the amendment to salaries and wages in the Game and Fish Department to raise the level of pay for enforcement people in the department to that of other enforcement people in state government. It is the intent of the amendment to the grants, benefits and claims line item of the State Outdoor Recreation Agency to allow \$20,000 to be used at Medora for matching funds to allow construction of a recreational facility for public use at Medora.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1026 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1049 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11 of the engrossed bill after the "semicolon" delete the remainder of the line

On page 1, line 12 delete the words "relating to judicial retirement salary;"

On page 2, line 2 after the word "Act" insert the words "and each former judge of the supreme or district court, not receiving judicial retirement salary,"

On page 2, line 3 after the word "participate" delete the comma

On page 2, line 4 delete the words "during his remaining period of judicial service," and after the word "a" insert "judicial"

On page 2, line 5 after the "period" insert the words "This option shall cease to be available and may not be exercised after June 30, 1975."

On page 3 delete all of lines 8 through 35

On page 4 delete all of lines 1 through 35

On page 5 delete all of lines 1 through 8

On page 5 delete all of lines 20 through 35

On page 6 delete all of lines 1 through 5

On page 11, line 23 after the word "under" delete "sections" and insert in lieu thereof "section" and after the numeral "1" delete "and 2"

On page 11, line 24 after the word "Act" insert a "period" and delete the remainder of the line

On page 11 delete all of lines 25 through 33

On page 11, line 34 delete the words "date of this Act, as the case may be."

On page 12, line 3 after the word "judges" delete "transfer into the public" and insert in lieu thereof "elect to withdraw"

On page 12, line 4 delete the words "employees' retirement system" and after the word "to" delete "sections" and insert in lieu thereof the word "section" and after the numeral "1" delete "or 2"

On page 12, line 5 after the word "Act" delete the "comma" and the remainder of the line

On page 12 delete all of line 6

On page 12, line 7 delete the word "judge"

On page 12, line 17 after the "period" delete the remainder of the line

On page 12 delete all of lines 18 through 22

On page 12, line 27 after the word "judges" insert "and future payments to judges serving on July 1, 1973,"

Renumber pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1102 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 of the engrossed bill, delete the word "section" and insert in lieu thereof the word "sections" and after the number "58-05-02" insert the following: "and 58-05-18"

On page 1, line 2 of the engrossed bill, delete the words "townships abolishing" and insert in lieu thereof the following language: "the office of township assessor and authorizing townships to contract for the performance of the duties of the assessor."

On page 1 of the engrossed bill, delete lines 3, 4 and 5

On page 1, line 14 of the engrossed bill delete the following:

— ABOLISHING ASSESSOR'S OFFICE — CONTRACTING FOR ASSESSMENT"

On page 2, line 9 of the engrossed bill, delete the word "abolishing" and insert in lieu thereof the word "making"

On page 2, line 10 of the engrossed bill, after the word "assessor" and before the comma insert the word "appointive"

On page 2, line 10 of the engrossed bill, delete the words "such office shall thereby be abolished. Once abolished," and insert in lieu thereof the following language:

"the board of township supervisors shall appoint a township assessor for a four year term of office, the first term commencing on January 1, 1974. In lieu of electing or appointing a township assessor, the board of township supervisors, if authorized by a majority of the electors present and voting at an annual township meeting, may on behalf of the township contract with the county in which the township is located or with any other political subdivision or with any individual to perform the duties of and have

the powers of the township assessor. The length and terms of such a contract shall be negotiated by the board of township supervisors with the governing body of the county or other political subdivision or with the individual, as the case may be, and the township is hereby authorized to make such payments as may be provided for in the contract. The electors of any township in which the office of township assessor was abolished prior to July 1, 1973, shall, at the next annual township meeting, elect a township assessor or authorize the board of township supervisors to appoint a township assessor or to contract for the making of the assessment as hereinbefore provided. The township electors may by majority vote of those present and voting at an annual township meeting change the previously adopted method of providing for the assessment to either of the other two methods authorized in this section but such change shall not become effective until expiration of the term of office of the assessor or until a vacancy occurs in the office of assessor or until expiration of the contract for making the assessments, which ever is applicable according to the method of providing for the assessment that was previously adopted.

SECTION 2. AMENDMENT.) Section 58-05-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-05-18. WHEN COUNTY AUDITOR TO APPOINT TOWNSHIP ASSESSOR.) If a township assessor is elected or appointed and fails or refuses to qualify or to discharge the duties of his office, or if the electors of a township have provided that the assessor shall be elected but fail for any reason to elect an assessor, and the board of township supervisors and the board of county commissioners fail or refuse to appoint such officer for the township on or before the fifteenth day of April of the year for which he is to serve or if the electors of a township have authorized the assessment to be contracted for as provided in section 58-05-02 and the board of township supervisors fails or refuses to enter into such a contract by the fifteenth day of April, the county auditor shall appoint an ((elector of)) assessor for the township ((to such office)).

On page 2 of the engrossed bill delete lines 11 through 26

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR NETHING, Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1123 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1144 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1148 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1167 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 4 of the engrossed bill, after the period insert the following: "In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1215 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1290 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the comma delete "and"

On page 1, line 6, after "program" and before the period insert "and to provide for an actuarial study of the teachers' fund for retirement"

On page 2, after line 27, insert the following new sections:

"SECTION 3. LIMITATION ON ELECTIONS ON RETIREMENT PROGRAMS.) Nothing in this Act shall be interpreted to permit any person to elect benefits under more than one of the options offered in this Act, nor to permit any person to make more than one such election.

SECTION 4. LEGISLATIVE INTENT — ACTUARIAL STUDY OF TEACHERS' FUND FOR RETIREMENT.) It is the intent of the legislative assembly that the teachers' fund for retirement maintain actuarial soundness. In order that the effects of the additional benefits provided for in this Act may be reviewed by the 1975 legislative assembly, the board of trustees of the teachers' fund for retirement shall conduct an actuarial study of the teachers' fund for retirement and shall make its report to the 1975 legislative assembly."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1314 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion failed, and House Bill No. 1314 was placed on the calendar.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1333 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1353 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1420 has had the same under consideration and recommends that the same be amended as follows:

On page 25, line 26 of the engrossed bill, insert beginning triple parentheses before "that" and insert ending triple parentheses after "has" and insert in lieu thereof "of having"

On page 25, line 27, insert beginning triple parentheses after "years" and insert ending triple parentheses after "she" and insert in lieu thereof "and"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1474 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1489 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the word "Act", delete the remainder of the bill, and insert in lieu thereof the following: "to amend and reenact sections 61-16-22 and 61-16-23 of the 1971 Supplement to the North Dakota Century Code, relating to the financing of special improvements in water management districts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 61-16-22 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-22. FINANCING OF SPECIAL IMPROVEMENTS - PROCEDURE.) When it is proposed to finance in whole or in part the construction of a project by issuance of warrants or with funds raised through the collection of special assessment taxes levied against lands and premises benefited by construction and maintenance of such project, and after such project is approved by the commission as provided herein and by the board of county commissioners of each of the counties wherein the district lies, the board, by resolution, shall declare that it is necessary to construct and maintain such project therein. Such resolution shall state briefly the nature and purpose of the proposed project, and shall state the time and place within said district where the board will meet to consider any protests to the proposed project, and, (((under the conditions specified in))) **if the board of commissioners so determines under section 61-16-23, shall include provision for protesting the levy of the general tax provided in section 61-16-35 to be made by the board of**

county commissioners. Such resolution shall be given by publication thereof once each week for two successive weeks in a newspaper of general circulation in the district. The hearing shall be held not less than twenty days after the first publication of such resolution. If within twenty days after the first publication of such resolution, the owners of property liable to be specially assessed for the proposed improvement shall file written protests with the secretary of the board, protesting against the improvement, the board at the time set for such hearing shall determine the sufficiency thereof. If the boards finds the protests to contain the names of the owners of a majority by taxable value of the land subject to assessment for construction of the proposed project, then the protests shall be a bar against proceeding further with such improvement. If the protests are found to be insufficient or invalid, the board may proceed to determine damages, if any, which will be sustained by owners of affected property and the board may proceed to contract or provide for the construction or maintenance of the project in substantially the manner and according to the forms and procedure provided in title 40 of this Code, and acts amendatory thereof, and supplemental thereto, for the construction of sewers within municipalities. When any district has entered into an agreement pursuant to the provisions of this chapter, under the terms of which the contract for such work is to be let by the United States government or by the state of North Dakota, or by both jointly, the board, after hearing protests and determining to proceed with the improvement, may dispense with the balance of the requirements of this chapter relating to plans for, bids upon, contracts for, construction of, and any other steps leading up to the construction of an improvement by the special assessment method, and the board may proceed to cause assessments to be made as in other cases provided.

SECTION 2. AMENDMENT.) Section 61-16-23 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-23. RESOLUTION OF BOARD TO INCLUDE PROVISION FOR PROTESTING AND REFUSING AUTHORITY TO MAKE GENERAL TAX LEVY IN CERTAIN CASES - ELECTION TO BE HELD.) ((In any case in which that part of the cost of a project allocated to a county shall exceed fifty thousand dollars, the)) **The resolution of the board of commissioners provided for in section 61-16-22 ((shall)) may state that any deficiency or probable deficiency in the special fund for the payment of project warrants of the district shall be forestalled and the ability of the fund to pay principal and interest punctually shall be restored by a general tax levy upon the taxable property in the counties wherein the district lies, as provided in section 61-16-35 ((unless ten percent of the electors voting for governor in the last general election in that county, by written protest filed with the board of commissioners within twenty days after the first publication of such resolution, object to the payment of any deficiency or probable deficiency in such special fund by such general tax levy))) , and the question of whether such general tax levy shall be permitted, shall be included on the ballot of the next countywide election or at a special election called for that purpose.**

((If such written protests are found by the board of commissioners to carry a sufficient number of signatures, the board by resolution shall thereupon call a special election in the county or counties from which such protests were received for the purpose of having the electors of the county vote upon the question of whether such general tax levy shall be permitted))) **There shall be no authority to pay any such deficiency or probable deficiency in this special fund by a general tax levy unless the electors of the county or counties included in the district, approve the levy of the tax at the next countywide election or the special election called for**

such purpose by resolution of the board of commissioners. The date of such election shall be not less than twenty days from the date of the resolution calling for the election. The board shall cause notice of such election to be published once each week for at least two weeks prior to the date thereof in the official newspaper of the county. Such notice shall specify the date, polling hours, and the polling places of such election which shall be the same as for general elections and shall contain a copy of the resolution calling the special election and a statement of the question to be voted upon as it shall appear upon the ballot. The board shall appoint an inspector, two judges, and two clerks of election for each polling place.

The ballot for such election shall be separate from other ballots used on the same day for other elections, and shall be printed, and shall state the question in substantially the following form:

Shall the board of county commissioners be permitted to levy a general tax on all taxable property in the county to pay any deficiency or probable deficiency that might occur in the project warrant fund of _____ District, (here insert the name of the water management district) which fund was established by resolution of the commissioners of said district on _____, (here insert date of such resolution.)

Yes
No

Spoiled or blank ballots cast at such election shall not be counted for or against the question voted upon.

If a majority of the votes cast at such election are "Yes" votes, authority to make such a general tax levy shall be deemed approved.

If a majority of the votes cast at such election are "No" votes, authority to make such a general tax levy shall be denied, **but said board of commissioners may nevertheless issue warrants and levy special assessments against land and premises benefited by the project as otherwise provided for in section 61-16-22.**

The election officials shall be compensated in the manner provided by law for general elections, and the costs of such election shall be borne by the district concerned."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1492 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1495 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1535 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3086 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to Senate Bill No. 2421 and House Bills Nos. 1001, 1004, 1015, 1235 and 1392 be dispensed with, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2421 as recommended by the Committee on State and Federal Government as printed on page 911 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Stroup moved that Senate Bill No. 2421 be further amended, as follows:

On page 1, line 15 delete "sixty-five" and insert in lieu thereof "one dollar" and insert triple parentheses around "cents"

And renumber the lines accordingly.

Which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to House Bill No. 1001 as recommended by the Committee on Appropriations as printed on pages 912 and 913 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1004 as recommended by the Committee on Appropriations as printed on page 914 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1015 as recommended by the Committee on Appropriations as printed on pages 915 and 916 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Freed moved that House Bill No. 1015 be further amended as follows:

On page 2, line 3, delete the numerals "105,291" and insert in lieu thereof "134,318"

On page 2, line 4, delete the numerals "47,000" and insert in lieu thereof "103,000"

On page 2, line 5, delete the numerals "3,647" and insert in lieu thereof "7,500"

On page 2, line 6, delete the numerals "4,743" and insert in lieu thereof "6,000"

On page 2, line 7, delete the numerals "160,681" and insert in lieu thereof "250,818"

On page 2, line 9, delete the numerals "105,681" and insert in lieu thereof "195,818"

On page 2, line 10, delete the numerals "2,504,798" and insert in lieu thereof "2,594,935"

On page 2, line 12, delete the numerals "3,549,798" and insert in lieu thereof "3,639,935"

And renumber the lines accordingly.

Which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to House Bill No. 1235 as recommended by the Committee on Education as printed on page 915 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1392 as recommended by the Committee on Education as printed on page 915 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Litten moved that the vote by which House Bills Nos. 1333, 1353, 1474 and 1495 were indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had Senate Concurrent Resolution No. 4077 under consideration and recommends that the same do pass.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1005 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 6, delete the figure "2,200,000" and insert in lieu thereof the figure "2,266,000"

On page 2, line 7, delete the figure "2,200,000" and insert in lieu thereof the figure "2,266,000"

On page 2, after line 26 of the engrossed bill, insert the following:

"PLANT IMPROVEMENTS FOR COLLEGES
AND UNIVERSITIES

Name of Institution	Type of Facility	
University of North Dakota	Merrifield Hall	\$200,000
	Fieldhouse	70,000
Total		\$270,000
North Dakota State University	Ceres Hall	\$150,000
Total		\$150,000
State School of Science, Wahpeton	Basement Trade- Technical No. 1	\$ 90,000
	Land	60,000
Total		\$150,000
Minot State College	Main Building	\$100,000
Total		\$100,000
Dickinson State College	Auditorium	\$100,000
Total		\$100,000
Valley City State College	Land	\$ 73,000
	East West Hall Demolition	35,000
Total		\$108,000
State School of Forestry, Bottineau	Parking and Roads	\$ 35,000
Total		\$ 35,000
Total general fund appropriation		\$913,000"

On page 2, line 27, delete the number "3,801,035" and insert in lieu thereof the number "4,780,035"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

It is the intent of the amendments to allow for maintenance projects at various institutions of higher education with the understanding that the costs be not reflected in future college budgets. The amendment to Aid to Junior Colleges is intended to allow adequate funds for \$50.00 per student increase as directed by the 43rd legislative assembly.

SENATOR LIPS, Chairman

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1534 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2122, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2122 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2122. A Bill for an Act to establish the profession and regulation of professional soil classifying, a creation of a board of professional soil classifiers, and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 933 and 934 of the Senate Journal, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Naaden	Sandness
Barth	Hoffner	Nasset	Schultz, J.
Berube	Holand	Page	Shablow
Butler	Jacobson	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Larson	Rait	Stroup
Erdman	Lee	Redlin	Thane
Freed	Lips	Reiten	Tweten
Fritzell	Litten	Ringsak	Wenstrom
Goldberg	Melland	Sands	Wright
Goodman	Morgan		

Those voting in the negative were:

Iszler	Roen	Schultz, C.	Strinden
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Absent and not voting:

Jones	Mutch	Nething	Smykowski
Longmire			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2122 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ringsak moved that the Senate do not concur in the House amendments to Senate Bill No. 2179 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on

Senate Bill No. 2179

Senator Kautzmann
 Senator Ringsak
 Senator Rait

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2344 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
 Senator Sandness
 Senator Morgan
 Senator Redlin

For the House:
 Rep. Hilleboe
 Rep. Kermott
 Rep. Meyer

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Sandness moved that the rules be suspended, that Senate Bill No. 2344 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2344. A Bill for an Act to amend and reenact section 25-09-04 of the North Dakota Century Code, relating to liability of relatives for expenses of care and treatment of patients of the state hospital, state school, and San Haven state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 752 of the Senate Journal, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Sandness
Barth	Jacobson	Nething	Schultz, C.
Berube	Jones	Page	Schultz, J.
Butler	Kautzmann	Peterson	Shablow
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Naaden	Sands	Wright
Holand			

Those voting in the negative were:

Coughlin Strinden

Absent and not voting:

Goldberg Longmire Mutch Smykowski

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2344 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1243 has had the same under consideration and recommends that the House accede to the Senate amendments of the engrossed bill and that House Bill No. 1243 be further amended as follows:

On page 1, line 15 delete the words "June thirtieth" and insert in lieu thereof the words "October first"

And renumber the lines accordingly.

For the Senate:

Senator J. Schultz
 Senator Wright
 Senator Shablow

For the House

Rep. Garnas
 Rep. A. Hausauer
 Rep. Wilkie

Senator J. Schultz moved that the report be adopted, which motion prevailed.

Senator J. Schultz moved that the rules be suspended and that House Bill No. 1243 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1243. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claims for motor vehicle fuel tax refunds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the Conference Committee, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Pyle	Strand
Coughlin	Larson	Rait	Strinden
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Naaden	Sandness	

Absent and not voting:

Goldberg	Longmire	Mutch	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1243 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to investigate the heating fuel shortages submits the following report:

SENATOR MELLAND, Chairman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Melland moved that the report of the Fuel Study Committee be printed in the Journal, which motion prevailed.

**REPORT OF THE
SPECIAL SENATE INVESTIGATING COMMITTEE
ON HEATING FUEL SHORTAGES**

To: The President and the Senate of the 43rd Legislative Assembly. Pursuant to the directive of Senate Resolution No. 3 establishing a five member investigating committee to study, review, hold hearings and make investigations so as to be able to fully report to the Senate of the 43rd Legislative Assembly and to the people of North Dakota all factors relating to current or impending fuel crises, we make the following report.

The committee, consisting of Senators Melland, Coughlin, Jacobson, Longmire and Erdman held public hearings wherein testimony was received from representatives of the oil industry, various state governmental agencies and the general public relative to the reported crises in heating fuels and additionally the committee conducted several independent studies concerning the question. The full text of hearings, committee meetings and documentation of the studies is on file and available to the members of the Legislature in the office of the Legislative Council.

Reports of a national energy crisis have been frequent in the press of the State and Nation over the past year. During the fall, press accounts began appearing in the papers of the State and region as to possible future shortages of heating fuel in North Dakota during the winter months. Specific shortages did occur in North Dakota and in several other states during the early winter months due, as least in part, to unseasonably cold weather in late autumn and early winter. Other factors contributing to shortages were industry strikes as well as regional, national and international factors affecting the general supply of fuel. North Dakota is an important element in considering the nation's energy supplies. We are an exporter of several significant elements relating to the total energy picture. North Dakota produces and exports a substantial amount of electrical energy. We produce and export crude oil. We produce and export refined oils. We produce and export coal. In perspective, North Dakota exports a substantial amount of its natural resources, but because of transportation and other factors, North Dakota is also a substantial importer of various energy resources. Our largest import of energy resources is in the areas of natural gas. Potentially, North Dakota is a key factor in dealing with the future of energy production for America because of the rapidly developing feasibility of gasification of our large deposits of lignite fuel. North Dakota's importance in the broad perspective of the nation's energy supply and reserve points out clearly that we must be represented in discussion and determination of national policy as it relates to the complex issues of the nation's fuel and energy concerns.

**CAUSES OF AND POSSIBLE SOLUTIONS
TO THE ENERGY PROBLEM**

Nationwide, the demand for energy has been increasing at four percent a year. This means an overall doubling of demand for all energy every 17 years. The demand for electricity doubles every 10 years.

Among the many identifiable end uses of energy, relatively few make up the largest part of the total. Fuels used in transportation consume 25 percent of nationwide energy. Space heating demands 18 percent of the total energy consumption. Four major industrial demands for energy — process steam, direct heat applications, elec-

tricity for mechanical drive and feedstock requirements for the chemical industry — use 42 percent. Water heating, air conditioning, refrigeration, cooking, and lighting account for only 11 percent of U. S. energy consumption.

The demand for crude oil in 1972, averaging 16.5 million barrels per day, was seven percent greater than in the year before. The increase reflects the largest annual rate of growth since the mid-fifties. Shortages of natural gas plus regulations implemented for environmental reasons created additional demand for oil. Weather contributed to the increased demand because the yearly average temperatures were substantially below normal.

Petroleum products in both major and minor categories registered strong gains in 1972. In the case of certain products dynamic growth trends were revealed. For example, total kerosine demand grew by 4.2 percent, while the demand for kerosine used to fuel jet aircraft rose by an even more vigorous 8.2 percent. There was a gain of 22 percent in the requirements for residual fuel used for generating electricity, while the consumption in all other sectors of the residual fuel market remained virtually the same as a year ago. Gasoline requirements, previously averaging 358,000 barrels per day rose by almost 6 percent in 1972 representing the largest annual volumetric growth ever recorded. Fuel oil also registered an exceptionally strong gain of 8.4 percent. The combined demand for all other products grew by 7.5 percent. These demands resulted in a strong recovery in the market for liquefied petroleum gases.

If the demand picture for the year can be considered dynamic the supply story is even more striking. Averaging 9.5 million barrels per day, domestic crude oil production was lower by nearly one percent. The output of other petroleum liquids brought the total domestic supply up to a daily average of 11.6 million barrels — only 0.3 percent more than a year earlier. On the other hand, crude oil imports averaged 2.2 million barrels daily and were nearly 29 percent higher than a year ago. Imports from the Middle East and Africa accounted for almost three-fourths of the increase, and most of the balance came from Canada. Averaging 2.5 million barrels daily, refined products imports rose by 13 percent. The critical need for residual fuel oil was evidenced in the substantially greater imports of that fuel over the previous year. Nearly 1.8 million barrels per day, an increase of 11 percent, came from foreign sources. In total, imports accounted for 29 percent of the total new supply of oil in 1972.

Despite the increased rate of imports, there was still insufficient new supply to meet growing demand. Consequently, there was a heavy reliance on supplies from inventories. The new draw-down was 82 million barrels and at the end of the year stocks of both crude and refined products were at critically low levels, particularly in East Coast and Midwest markets. Since present trends are expected to continue, the problems of securing sufficient oil supplies in 1973 will become even more difficult.

There are a number of factors which contribute to the inability of the industry to meet the increased demand for oil and natural gas. Factors include artificially low prices for natural gas due to regulation of wellhead prices by the federal government, the delays in getting nuclear plants into operation, due primarily to environmental regulations, the elimination of coal for traditional markets due to environmental considerations, the subsequent increase in the use of residual fuels and natural gas, and lower gasoline mileage due to new automobile emission standards.

The industry cites these factors as having adverse affects on developing adequate supplies. There is the decline of refinery construction due to siting (environmental) and economic problems. There has been a delay in approval of the Alyaska pipeline which

could bring proven reserves of oil adequate to take care of ten percent of the U. S. needs for a decade. There has been curtailment of California offshore operations and delay of lease sales off the Atlantic Coast.

There are a number of actions that would help reduce the energy problems immediately. These include, but are not limited to, a vigorous educational campaign to encourage more careful and efficient use of energy everywhere, the granting of permits to nuclear power plants which are now being prohibited from proceeding and the easing of environmental rules to permit coal and high sulfur residual fuels to again be used in some of their previous markets.

Longer term actions would include the termination of federal regulation of natural gas prices at the wellhead. Other actions would include allowing offshore drilling operations to move ahead, and making federal lands more readily available to exploration. To permit crude oil prices to rise to their natural level would encourage the wider search for new reserves of oil and gas. The nation must react to the energy crisis by conducting and encouraging research and development for the breeder, fusion, hydrogen and solar alternatives of energy production.

A great deal can be done if the proper commitment is made to the development of new resources not now currently in commercial use. Among the most promising are coal gasification, fusion, geothermal, solar energy and harnessing the wind. Many of these resources are virtually inexhaustible and environmentally acceptable.

COMMITTEE INVESTIGATION

Testimony presented to the Committee suggested that the fundamental reason for the energy crisis is due to a vastly increased consumption of energy fuels coupled with a decreasing rate of discovery and exploration in the United States. It was stated that the biggest single factor in the increased demand is the tremendous transfer of energy to generating plants and electrical utility companies. It was suggested that Federal policies such as the import program and the regulation of natural gas prices have had a serious effect on the available supply of crude oil. It was also suggested that new refineries are not being built currently because it is not a very profitable business. In addition, ecological considerations such as the restrictive emission standards relating to air pollution have resulted in an increased demand for crude oil.

The Committee also heard testimony to the effect that at the time wage-price controls were invoked, the price of distillates, which includes diesel fuel and furnace oil, was at a seasonal low, and because of increased demand for relatively higher priced gasoline, some portions of the industry may not have converted to distillate-intensive production until later in the fall than has been the case in previous years.

Statistics provided by the State Laboratories Department indicated there has been an 11.74 percent increase from 1971 to 1972 in the use of heating oil and diesel fuel in the State of North Dakota. The Committee also heard testimony to the effect that there would be no fuel shortage for agricultural use this summer, although such shortages could develop in the future.

Independent oil jobbers appeared before the Committee and told of extreme difficulty in obtaining products during peak use periods. The refining companies give priority to their own marketing organizations in periods of shortage.

The Committee concluded that inter-industry reaction and cooperation was favorable in curtailing the recent short term fuel crisis. Therefore, it does not seem desirable to implement state controls or priorities at this point in time.

RECOMMENDATIONS

1. The Committee recommends the citizens of the State cooperate in the conservation of energy. Data collected indicates possible recurring shortages of energy over the next several years. Consumer awareness and efforts to conserve energy resources will help alleviate or lessen the effects of the national energy shortage. Specific conservation recommendations include maintenance of lower room temperatures during winter months and reduced use of room cooling equipment during summer months. Also, the Committee recommends consumers fill fuel tanks during months when fuel demand is low in order to enable industry to enter higher-use periods with a larger stockpile of fuel in reserve.

2. The Committee recommends that the Legislative Council monitor continuing developments relating to the energy shortage and keep the Legislature informed.

3. The Committee recommends establishment of national objectives to achieve reasonable and proper balance between the environmental concerns and the economic-energy needs of the nation. One such objective may be to allow higher emission standards in order to facilitate the use of high sulfur coal rather than oil in producing electrical power.

4. The Committee recommends that North Dakota's Congressional delegation lend its support to a cohesive national energy policy. It is important that North Dakota be represented on such a national policy board because of its unique position as a supplier of various sources of energy as well as a consumer.

5. Committee findings point to no imminent need for expanding legislation dealing with the fuel crisis within the state. Industry and citizen cooperation is the most reasonable approach to having adequate fuels and energy available to the people of North Dakota as opposed to cumbersome state regulation.

MOTION

Senator Melland moved that the Fuel Study Committee appointed pursuant to Senate Resolution No. 3 to study the heating fuel shortages, be dissolved, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of Senate Concurrent Resolution No. 4077, Senate Bill No. 2421, House Bills Nos. 1001, 1004, 1015, 1026, 1123, 1144, 1148, 1215, 1235, 1314, 1392, 1492, 1534, 1535, and House Concurrent Resolutions Nos. 3003, 3006, 3011, 3035, 3043, 3051, 3074, 3086 and 3089 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-EIGHTH DAY

Bismarck, March 8, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Gerhard Harms, Bethel Lutheran Church, Bismarck.

"Our God and Father, as we begin reflecting on the work You have permitted us to accomplish, thank You for Your guidance. What we have done wrong, forgive; what we have done well, enlarge; what is left to be done, grant us understanding and wisdom.

"As the people to whom You have given the responsibility of leading government in this state, guide us, as we begin this new day, to accomplish that which pleases Your will, and is to the benefit of the people of this state and nation; for we pray in the name of Jesus Christ, our Master and Savior. Amen."

Roll Call: All Senators present except Longmire and Smykowski.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-sixth day after recess and forty-seventh day and recommends that the same be corrected as follows:

On page 911, in line 19 from the bottom of the page, after the word "page" delete the number "2" and insert in lieu thereof the number "1"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

Senate Chamber
FORTY-THIRD LEGISLATIVE ASSEMBLY
 State of North Dakota
 Bismarck

Honorable Wayne G. Sanstead
 Lieutenant Governor
 State of North Dakota
 State Capitol Building
 Bismarck, North Dakota 58501

Dear Lieutenant Governor Sanstead:

As the 43rd Senate Session draws to a close, I feel inclined to make a contribution to the furnishings of this Chamber.

At the beginning of the 42rd Session, I decided to have eight book racks constructed and properly finished to approximately match the Senate furniture. These were built by a journeyman cabinetmaker employed in one of my enterprises.

I fortunately had the use of one of them in the 42nd Session and at this time desire to present them to the Senate as part of the permanent property of this Chamber.

Sincerely yours,
 FRANCIS J. BUTLER
 State Senator
 District 21

MOTION

Senator Kautzmann moved that the rules be suspended, that Senate Concurrent Resolution No. 4077 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4077. A Concurrent Resolution directing the Legislative Council to carry out a comprehensive study and investigation of the State's correctional institutions.

Which has been read.

MOTIONS

Senator Kautzmann moved that Senate Concurrent Resolution No. 4077 be adopted, which motion prevailed.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4077 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nething moved that the Senate request the return of House Bill No. 1502 from the House, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1331. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to grain and seed warehouses, and regulations covering redelivery charges for all grain.

Which has been read.

MOTION

Senator Goldberg requested that he be excused from voting on House Bill No. 1331, because of personal interest.

Senator Litten moved that Senator Goldberg be excused from voting on House Bill No. 1331, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, page 858 of the Senate Journal, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 3; excused, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Berube	Iszler	Nasset	Schultz, C.
Butler	Jacobson	Nething	Schultz, J.
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Goodman	Litten	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Those voting in the negative were:

Barth	Larson	Rait	Strinden
Fritzell	Page	Shablow	

Absent and not voting:

Goldberg	Longmire	Mutch	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1331 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1339. A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense of state officers and employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 858 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz, C.
Berube	Iszler	Nething	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright

Absent and not voting:

Longmire	Mutch	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1339 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1350. A Bill for an Act to provide for a special education levy in school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 858 of the Senate Journal, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Schultz, C.
Berube	Jacobson	Page	Schultz, J.
Christensen	Jones	Peterson	Solberg
Erdman	Kautzmann	Pyle	Strand
Fritzell	Lee	Redlin	Stroup
Goldberg	Lips	Reiten	Tweten
Goodman	Litten	Roen	Wenstrom
Gronhovd	Melland	Sands	Wright
Hoffner	Nasset		

Those voting in the negative were:

Barth	Iszler	Rait	Shablow
Butler	Larson	Ringsak	Strinden
Coughlin	Morgan	Sandness	Thane
Freed	Naaden		

Absent and not voting:

Longmire	Mutch	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1350 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1351. A Bill for an Act to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to audits and examinations of the state bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 858 and 859 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz, C.
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nothing	Shablow
Butler	Jacobson	Page	Solberg
Christensen	Jones	Peterson	Strand
Coughlin	Kautzmann	Pyle	Strinden
Erdman	Larson	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goldberg	Litten	Ringsak	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	

Absent and not voting:

Longmire	Mutch	Roen	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1351 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1390. A Bill for an Act to provide for free college education for dependents of prisoners of war and soldiers missing in action in Vietnam.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 859 of the Senate Journal, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sandness
Barth	Jones	Nething	Schultz, J.
Berube	Kautzmann	Peterson	Shablow
Christensen	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Thane
Goodman	Litten	Reiten	Tweten
Gronhovd	Morgan	Ringsak	Wenstrom
Hoffner	Naaden	Sands	Wright
Holand			

Those voting in the negative were:

Butler	Goldberg	Page	Strinden
Coughlin	Iszler	Roen	Stroup
Fritzell	Melland	Schultz, C.	

Absent and not voting:

Longmire	Mutch	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1390 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Lips moved that House Bill No. 1399 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3034. A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

Which has been read.

Senator Barth moved that House Concurrent Resolution No. 3034, as amended on page 860 of the Senate Journal, be adopted, which motion prevailed.

Senator Litten moved that the vote by which House Concurrent Resolution No. 3034 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Concurrent Resolution No. 3084. A Concurrent Resolution urging coordination and cooperation among North Dakota's judiciary, state's attorneys, private attorneys, social service workers, and the clergy in an intensified effort toward elimination of abuses surrounding the support of dependent children; the establishment of paternity for children born out of wedlock; the reduction in the incidence of divorce, separation and desertion; and the preservation of family life in the State of North Dakota.

Which has been read.

Senator Iszler moved that House Concurrent Resolution No. 3084 be adopted, which motion prevailed.

Senator Litten moved that the vote by which House Concurrent Resolution No. 3084 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Litten moved that Senate Concurrent Resolution No. 4019 be moved to the foot of the calendar, which motion prevailed.

Senator Lips moved that House Bill No. 1003 be moved to the foot of the calendar, which motion prevailed.

Senator Nething moved that House Bill No. 1054 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1232. A Bill for an Act to amend and reenact section 27-05-03.1 and section 27-05-03.2 of the North Dakota Century Code, relating to retirement of supreme court judges and district court judges because of mental or physical disability.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 883 and 884 of the Senate Journal, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Iszler	Nasset	Schultz, C.
Berube	Jacobson	Nething	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goodman	Litten	Reiten	Twetten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Those voting in the negative were:

Sands

Absent and not voting:

Coughlin	Longmire	Smykowski	Strand
Goldberg	Mutch		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1232 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1344. A Bill for an Act to amend and reenact subsection A of section 11-18-05 of the North Dakota Century Code, relating to fees charged by registers of deeds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 884 and 885 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz, J.
Berube	Iszler	Nething	Shablow
Butler	Jacobson	Page	Solberg
Christensen	Jones	Peterson	Strand

Coughlin	Kautzmann	Rait	Strinden
Erdman	Larson	Redlin	Stroup
Freed	Lee	Reiten	Thane
Fritzell	Lips	Ringsak	Tweten
Goldberg	Litten	Roen	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Schultz, C.

Absent and not voting:

Longmire	Mutch	Pyle	Smykowski
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1344 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1432. A Bill for an Act defining "membership subscription plans" and requiring an affirmative response by members of such plans before acceptance of merchandise is acknowledged; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Goodman	Litten	Ringsak
Berube	Gronhovd	Nasset	Roen
Christensen	Hoffner	Page	Sandness
Freed	Iszler	Rait	Schultz, J.
Fritzell	Larson	Redlin	Wright

Those voting in the negative were:

Anderson	Kautzmann	Nething	Solberg
Butler	Lee	Peterson	Strand
Coughlin	Lips	Pyle	Strinden
Erdman	Melland	Reiten	Stroup
Goldberg	Morgan	Sands	Thane
Holand	Mutch	Schultz, C.	Tweten
Jacobson	Naaden	Shablow	Wenstrom
Jones			

Absent and not voting:

Longmire	Smykowski
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So the bill was declared lost.

Senator Litten moved that the vote by which House Bill No. 1432 was lost 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. 3017. A Concurrent Resolution for the amendment of the Constitution of the State of North Dakota relating to the retirement, discipline, and removal of supreme and district court judges.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended on page 885 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Sandness
Barth	Holand	Nasset	Schultz, C.
Berube	Iszler	Nothing	Schultz, J.
Butler	Jacobson	Page	Shablow
Christensen	Jones	Peterson	Solberg
Coughlin	Kautzmann	Pyle	Strinden
Erdman	Larson	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goldberg	Litten	Ringsak	Wenstrom
Goodman	Melland	Roen	Wright
Gronhovd	Morgan	Sands	

Those voting in the negative were:

Mutch

Absent and not voting:

Longmire Smykowski Strand

So the resolution and the title was agreed to.

Senator Litten moved that the vote by which House Concurrent Resolution No. 3017 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution No. 3021. A Concurrent Resolution to amend and reenact sections 56 and 67 of the Constitution of the State of North Dakota, relating to flexible sessions of the legislative assembly; and to repeal sections 55 and 60 of the Constitution of the State of North Dakota, relating to the sessions and procedures of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended, page 885 of the Senate Journal, the roll was called and there were ayes, 16; nays, 32; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Freed	Iszler	Redlin
Berube	Fritzell	Jones	Sands
Christensen	Gronhovd	Larson	Shablow
Erdman	Hoffner	Rait	Wenstrom

Those voting in the negative were:

Anderson	Lee	Nothing	Schultz, C.
Butler	Lips	Page	Schultz, J.
Coughlin	Litten	Peterson	Solberg
Goldberg	Melland	Pyle	Strinden
Goodman	Morgan	Reiten	Stroup
Holand	Mutch	Ringsak	Thane
Jacobson	Naaden	Roen	Tweten
Kautzmann	Nasset	Sandness	Wright

Absent and not voting:

Longmire Smykowski Strand

So the resolution was declared lost.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 3021 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Goldberg moved that House Concurrent Resolution No. 3011 be removed from the Consent Calendar, which motion prevailed.

Senator Goldberg moved that House Concurrent Resolution No. 3011 be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE CONCURRENT
RESOLUTIONS ON THE CONSENT CALENDAR**

House Concurrent Resolution No. 3003. A Concurrent Resolution calling for a continuing study of the Uniform Probate Code introduced in the Forty-third Legislative Assembly as House Bill No. 1040.

Which has been read.

House Concurrent Resolution No. 3006. A Concurrent Resolution directing the Legislative Council to continue the study directed by House Concurrent Resolution No. 3050 adopted by the Forty-second Legislative Assembly, relating to the revision and modernization of the criminal laws of this state, and directing the Legislative Council to seek available federal funds to assist the Council in carrying out the study.

Which has been read.

House Concurrent Resolution No. 3035. A concurrent resolution directing the Legislative Council to conduct a study of where interest earned on dedicated public funds is deposited.

Which has been read.

House Concurrent Resolution No. 3043. A Concurrent Resolution directing the Legislative Council to study and review the functions and utilization of the state communications system.

Which has been read.

House Concurrent Resolution No. 3051. A Concurrent Resolution directing the Legislative Council to study the aspects of implementation, operation, and utilization of a municipal bond purchase fund in the Bank of North Dakota for the purpose of purchasing general obligation and certain revenue bonds of political subdivisions.

Which has been read.

House Concurrent Resolution No. 3063. A Concurrent Resolution directing the Legislative Council to study vocational education.

Which has been read.

House Concurrent Resolution No. 3074. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility of state administration of the Occupational Safety and Health Act.

Which has been read.

House Concurrent Resolution No. 3089. A Concurrent Resolution calling for a Legislative Council study to determine how North Dakota can best care for and educate the deaf-blind children in the State.

Which has been read.

MOTION

Senator Strinden moved that House Concurrent Resolutions Nos. 3003, 3006, 3035, 3043, 3051, 3063, 3074, and 3089 be adopted, which motion prevailed.

MOTION

Senator Litten moved that the vote by which House Concurrent Resolutions Nos. 3003, 3006, 3035, 3043, 3051, 3063, 3074, and 3089 were adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Christensen: "Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Christensen."

Senator Christensen: "Mr. President, Ladies and Gentlemen of

the Senate. This afternoon we have been discussing House Bill No. 1432, the negative option to sell, there have been some charges made both in this chamber and outside this chamber from lobbyists and members of the assembly and it's very serious when charges are being made by the members of the House of Representatives. I think in view of the activities that have gone on against this bill it again points out to me the need for some type of a code of ethics or some type of standards or published regulations for those lobbyists, Senators and Representatives and all members of the legislative assembly should be set."

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4019. A concurrent resolution urging the United States Congress to exercise its power, granted under Article 3, Section 2, of the United States Constitution to limit the jurisdiction of the Supreme Court.

Which has been read.

Senator Mutch requested a recorded roll call vote, which request was denied.

Senator Naaden moved that Senate Concurrent Resolution No. 4019 be adopted, which motion failed.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4019 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

POINT OF PRIVILEGE

Senator Goodman: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Goodman."

Senator Goodman:

"I have heard two sides — I'd like to present a third side. I stated my feelings last week about resolutions. We consider too many that we have no right to consider, and also too many that we shouldn't even be subjected to.

"I feel the same way about Senate Concurrent Resolution No. 4019 and it has nothing to do with which side of this question I'm on.

"What is wrong is that this resolution is asking me, and you, to urge someone else to pass a law. And yet we are expected to vote yes or no, when we aren't even sure how that suggested law will be written.

"When the suggested law or bill is written, then we do have the responsibility to vote yes or no. On this particular resolution, we do not have that responsibility.

"I took the responsibility to go and vote on November 7th on the initiated measure for open abortion. And I voted No, I was one of 77% against abortion on demand. I am for strict laws on abortion.

But, this is not a measure, it's not a bill, it's not a suggested law. What is it?

Therefore, I feel I have two choices. Either leave the room, or Vote No. So I will vote No. And if someone condemns me for that No vote, I'll consider it their problem, not mine.

"I also would like these remarks printed in the Journal, not for my sake — I don't give a hoot, but just in case any person or group in the future, misinterprets what this entire Senate Body is doing today."

SENATOR GOODMAN

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the Amendments to House Bill No. 1290 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to House Bill No.

1290 as recommended by the Committee on Education be adopted, which motion prevailed.

MESSAGES TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:
House Bill No. 1073
House Bill No. 1200

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
House Bill No. 1009
House Bill No. 1030
House Bill No. 1031
House Bill No. 1090
House Bill No. 1095
House Bill No. 1317

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
House Bill No. 1083
House Bill No. 1152
House Bill No. 1205

House Concurrent Resolution No. 3053
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES 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:

House Bill No. 1534
House Concurrent Resolution No. 3003
House Concurrent Resolution No. 3006
House Concurrent Resolution No. 3011
House Concurrent Resolution No. 3035
House Concurrent Resolution No. 3043
House Concurrent Resolution No. 3051
House Concurrent Resolution No. 3063
House Concurrent Resolution No. 3074
House Concurrent Resolution No. 3089

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1535

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:
House Bill No. 1333
House Bill No. 1353
House Bill No. 1474
House Bill No. 1495

Which the Senate has indefinitely postponed.

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. 2179

And the President has appointed as a Conference Committee to act with a like committee from the House:

Senator Kautzmann

Senator Ringsak

Senator Rait

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2122

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2344

On which the Senate has adopted the Conference Committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1243

On which the Senate has adopted the Conference Committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: The Senate requests the return of:

House Bill No. 1502

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1012

House Bill No. 1055

House Bill No. 1058

House Bill No. 1091

House Bill No. 1110

House Bill No. 1114

House Bill No. 1136

House Bill No. 1162

House Bill No. 1176

House Bill No. 1184

House Bill No. 1214

House Bill No. 1252

House Bill No. 1265

House Bill No. 1276

House Bill No. 1279

House Bill No. 1324

House Bill No. 1370

House Bill No. 1384

House Bill No. 1388

House Bill No. 1391

House Bill No. 1426

House Bill No. 1433

House Bill No. 1479

House Bill No. 1516
House Bill No. 1519
Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1012
House Bill No. 1055
House Bill No. 1058
House Bill No. 1091
House Bill No. 1110
House Bill No. 1114
House Bill No. 1136
House Bill No. 1162
House Bill No. 1176
House Bill No. 1184
House Bill No. 1214
House Bill No. 1252
House Bill No. 1265
House Bill No. 1276
House Bill No. 1279
House Bill No. 1324
House Bill No. 1370
House Bill No. 1384
House Bill No. 1388
House Bill No. 1391
House Bill No. 1426
House Bill No. 1433
House Bill No. 1479
House Bill No. 1516
House Bill No. 1519

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1012
House Bill No. 1055
House Bill No. 1058
House Bill No. 1091
House Bill No. 1110
House Bill No. 1114
House Bill No. 1136
House Bill No. 1162
House Bill No. 1176
House Bill No. 1184
House Bill No. 1214
House Bill No. 1252
House Bill No. 1265
House Bill No. 1276
House Bill No. 1279
House Bill No. 1324
House Bill No. 1370
House Bill No. 1384
House Bill No. 1388
House Bill No. 1391
House Bill No. 1426
House Bill No. 1433
House Bill No. 1479
House Bill No. 1516
House Bill No. 1519

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2352
Senate Concurrent Resolution No. 4004
Senate Concurrent Resolution No. 4025
Senate Concurrent Resolution No. 4036
Senate Concurrent Resolution No. 4070

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2386
Senate Bill No. 2356

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO
SENATE BILL No. 2356

On page 1, line 2, insert triple parentheses before and after the first number "2" and insert in lieu thereof the number "3".

And renumber the lines accordingly.

HOUSE AMENDMENTS TO
SENATE BILL No. 2386

On page 1, line 18 of the engrossed bill, delete the word "nor" and insert in lieu thereof the word "or"

On page 1, line 19, delete the word "nor" and insert in lieu thereof the word "or"

On page 1, line 20, insert triple parentheses before and after the word "nor" and insert in lieu thereof the following: "or to any private individual, or"

And renumber the lines accordingly.

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1067
Senate Bill No. 2030

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On Senate Bill No. 2219
Rep. Kretschmar
Rep. Olson
Rep. Gronneberg

On Senate Bill No. 2286:
Rep. Stone
Rep. Lundene
Rep. Winkjer

Senate Concurrent Resolution No. 4008:
Rep. Ganser
Rep. Metzger
Rep. Weber

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 Bills Nos. 1158, 1166, 1380, and 1458.

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 not concur on the Senate amendments to House Bill No. 1304, and the House now does concur on the Senate amendments to House Bill No. 1304, and the Conference Committee previously appointed has been discharged.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2330

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit House Bill No. 1045 which the House has passed over the Governor's veto.

The vote on House Bill No. 1045 is: 79 ayes; 19 nays; 4 absent, not voting.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit House Bill No. 1206 which the House has passed over the Governor's veto.

The vote on House Bill No. 1206 is: 75 ayes; 25 nays; 2 absent, not voting.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 10:00 A.M., March 9, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

Senator Freed moved that the amendments to House Bill No. 1049 as recommended by the Committee on Judiciary as printed on pages 940 and 941 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that the amendments to House Bill No. 1102 as recommended by the Committee on Political Subdivisions as printed on pages 941 and 942 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1167 as recommended by the Committee on Education as printed on page 943 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1420 as recommended by the Committee on Judiciary as printed on page 944 of the Senate Journal be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1489 as recommended by the Committee on Natural Resources as printed on pages 944, 945 and 946 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2421

And find the same correctly engrossed.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Goldberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2356 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

Senate Bill No. 2356
Senator Kautzmann
Senator Jacobson
Senator Goldberg

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Morgan moved that the Senate do not concur in the House amendments to Senate Bill No. 2386 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

Senate Bill No. 2386
Senator Nasset
Senator Iszler
Senator Redlin

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1067 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1067 be amended as follows:

On page 2, line 2 of the engrossed bill, delete the triple parentheses around the word "shall" and also delete the word "may"

On page 2, line 3, delete the words "but shall close the meeting no later" and insert in lieu thereof the following: "However, the township board, either upon its own resolution, or upon receipt of a petition signed by twenty percent of the township voters who voted in the last township election, shall extend the meeting and voting hours to"

On page 2, line 4, delete the words "than" and the words "as determined by action of the"

On page 2, line 5, delete the following: "township board."
And renumber the lines accordingly.

For the Senate:

Senator Jones
Senator Iszler
Senator Barth

For the House:

Rep. H. Christensen
Rep. Austin
Rep. Dotzenrod

Senator Jones moved that the report be adopted, which motion prevailed.

MOTION

Senator Jones moved that the rules be suspended, that House Bill No. 1067 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1067. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the extension of voting hours at township elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the Conference Committee, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1067 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2421. A Bill for an Act to amend and reenact section 12-48-14 of the North Dakota Century Code, relating to the compensation of inmates at the state penitentiary.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 911 of the Senate Journal, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2421 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1001. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 912 and 913 of the Senate Journal, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1001 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Longmire moved that House Bill No. 1003 be moved to the foot of the calendar, which motion prevailed.

Senator Mutch moved that House Bill No. 1215 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1004. A Bill for an Act making an appropriation

for defraying the expenses of the commissioner of university and school lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 914 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright
Holand			

Absent and not voting:

Fritzell Mutch

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1004 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1015. A Bill for an Act to appropriate money for defraying expenses of the state water conservation commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 915 and 916 of the Senate Journal, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Naaden		

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1015 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1026. A Bill for an Act to amend and reenact sections 15-36-01, 15-36-08, 15-36-11, 15-38-17, 15-38-18, and 15-41-25 of the North Dakota Century Code, providing procedures for the establishment of criteria for teachers' certificates by the superintendent of public instruction and the teachers' professional practices

commission, and providing for the administration of such certificates; to repeal sections 15-36-04, 15-36-05, and 15-36-06 of the North Dakota Century Code, relating to first and second grade professional certificates and special certificates; and providing 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, 4; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Nasset	Sandness
Barth	Holand	Nothing	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Twetén
Goldberg	Longmire	Roén	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan		

Those voting in the negative were:

Iszler	Naaden	Schultz, C.	Strinden
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Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1026 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Nothing moved that the Senate reconsider the action by which the amendments to House Bill No. 1054 were adopted, which motion prevailed.

Senator Nothing moved that House Bill No. 1054 be further amended as follows:

On page 2, line 7, delete the triple parentheses and the number and period "8.", place beginning parentheses before the word "fourth", and place ending triple parentheses after the word "October" and insert immediately thereafter the following: "**eleventh day of November**"

Which motion prevailed.

Senator Nothing moved that the rules be suspended and that House Bill No. 1054 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1054. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting certain days as holidays, and providing that all state and political subdivision offices shall be open on election days.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nothing	Schultz, J.

Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Naaden	Sandness	Wright

Those voting in the negative were:
Fritzell Lips

Absent and not voting:
Mutch

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1054 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

Senator Holand moved that House Bill No. 1123 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1144. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to annexation petition hearings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Nasset	Schultz, C.
Barth	Jacobson	Nothing	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goldberg	Melland	Roen	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Naaden	Sandness	Wright
Holand			

Absent and not voting:
Hoffner Mutch

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1144 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1148. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1148 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1235. A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, relating to the involuntary dissolution of public school districts located in more than one county, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 915 of the Senate Journal, the roll was called and there were ayes, 49; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, C.
Barth	Iszler	Nething	Schultz, J.
Berube	Jacobson	Page	Shablow
Butler	Jones	Peterson	Smykowski
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner			

Those voting in the negative were:

Mutch Naaden

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Litten moved that the vote by which House Bill No. 1235 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Holand moved that House Bill No. 1290 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1314. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; providing for an appropriation; and providing for an effective date.

Which has been read.

Senator Goodman moved that House Bill No. 1314 be amended as follows:

"On page 1, line 21 of the engrossed bill, insert closing triple parentheses after the word "percent"

On page 1, line 22 of the engrossed bill, delete the triple parentheses after the word "to" and delete the words "property tax credit equal to the"

On page 1, line 23 of the engrossed bill, delete the words "tax levied upon"

On page 1, line 23 of the engrossed bill, delete the triple parentheses around the word "reduction"

On page 2, line 1 of the engrossed bill, delete the triple parentheses around the word "exemption"

On page 2, line 2 of the engrossed bill, delete the word "credit"

On page 2, line 9 of the engrossed bill, delete the triple parentheses around the word "Any"

On page 2, line 13 of the engrossed bill, after the word "thousand" add the words "five hundred"

On page 2, line 14 of the engrossed bill, delete the triple parentheses after the period

On page 2, line 15 of the engrossed bill, delete the triple parentheses around the word "exemption"

On page 2, line 16 of the engrossed bill, delete the word "credit" and delete the triple parentheses

On page 2, line 22 of the engrossed bill, delete the triple parentheses after the period and delete the remainder of the line

On page 2, delete lines 23 through 35 of the engrossed bill

On page 3, delete lines 1 through 4 of the engrossed bill

On page 4, after line 10 of the engrossed bill, insert the following new section:

"Prior to March 1, 1975, and of each year thereafter, the county auditor of each county shall certify to the state tax commissioner on forms prescribed by him the name and address of each person for whom the homestead credit provided for in section 57-02-08.1 was allowed for the preceding year, the amount of exemption allowed, the total of the tax mill rates of all taxing districts, exclusive of any state mill rates, that was applied to other real estate in such taxing districts for the preceding year, and such other information as may be prescribed by the tax commissioner.

The tax commissioner shall audit such certifications, make such corrections as may be required, and certify to the state treasurer for payment to each county on or before June 1, 1975, and of each year thereafter, fifty percent of the sum of the amounts computed by multiplying one-half of the exemption allowed for each such homestead in the county for the preceding year by the total of the tax mill rates, exclusive of any state mill rates, that was applied to other real estate in such taxing districts for that year.

The county treasurer upon receipt of the payment from the state treasurer shall forthwith apportion and distribute it to the county and to the local taxing districts of the county on the basis on which the general real estate tax for the preceding year is apportioned and distributed.

Supplemental certifications by the county auditor and by the state tax commissioner and supplemental payments by the state treasurer may be made after the dates prescribed herein to make such corrections as may be necessary because of errors therein or because of approval of any application for abatement filed by a person because the exemption provided for in section 57-02-08.1 was not allowed in whole or in part."

On page 861, Senate Journal, March 5, 1973, delete the figure "\$700,000.00" and insert in lieu thereof the figure "\$370,600.00"

On page 861, Senate Journal, March 5, 1973, delete the figure "\$10,000.00" and insert in lieu thereof the figure "\$5,000.00"

And renumber the lines and sections accordingly"

Which motion prevailed.

Senator Goodman moved that the rules be suspended, that House Bills No. 1314 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1314. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; providing for an appropriation; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 26; nays, 25; absent and not voting, 0.

Those voting in the affirmative were:

Barth	Hoffner	Lips	Sardness
Berube	Holand	Longmire	Schultz, J.
Christensen	Jacobson	Peterson	Shablow
Erdman	Jones	Rait	Strand
Fritzell	Kautzmann	Redlin	Tweten
Goodman	Larson	Sands	Wenstrom
Gronhovd	Lee		

Those voting in the negative were:

Anderson	Melland	Page	Smykowski
Butler	Morgan	Pyle	Solberg
Coughlin	Mutch	Reiten	Strinden
Freed	Naaden	Ringsak	Stroup
Goldberg	Nasset	Roen	Thane
Iszler	Nothing	Schultz, C.	Wright
Litten			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1314 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2095

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2003

Senate Bill No. 2022

Senate Bill No. 2032

Senate Bill No. 2044

Senate Bill No. 2062

Senate Bill No. 2071

Senate Bill No. 2077

Senate Bill No. 2086
 Senate Bill No. 2102
 Senate Bill No. 2104
 Senate Bill No. 2112
 Senate Bill No. 2126
 Senate Bill No. 2131
 Senate Bill No. 2163
 Senate Bill No. 2169
 Senate Bill No. 2171
 Senate Bill No. 2242
 Senate Bill No. 2244
 Senate Bill No. 2249
 Senate Bill No. 2260
 Senate Bill No. 2262
 Senate Bill No. 2268
 Senate Bill No. 2281
 Senate Bill No. 2300
 Senate Bill No. 2301
 Senate Bill No. 2315
 Senate Bill No. 2331
 Senate Bill No. 2345

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened at the call of the chair, pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
 Executive Office
 Bismarck

March 9, 1973

The Honorable Wayne Sanstead
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota
 Dear Mr. President:

I have made the following appointment which, under state law, is subject to State Senate confirmation:

State Board of Higher Education (Section 15-10)

Mrs. James (Eleanor P.) Grahl — March 6, 1973 - July 1, 1977

Attached is a brief biography of Mrs. Grahl.

Sincerely yours,
 ARTHUR A. LINK
 Governor

COMMUNICATION

A communication addressed to the President of the Senate from the Governor, listing the following appointment made subject to confirmation by the Senate was read.

The following referral was made of this appointment:

COMMITTEE ON EDUCATION

Mrs. James (Eleanor P.) Grahl, March 6, 1973 - July 1, 1977

PERSONAL PRIVILEGE

Senator Hoffner: "Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Hoffner."

"Yesterday, Thursday, March 8, I made a statement that an individual from Washington came to North Dakota and testified on

1432, but this stranger from Washington was not satisfied with just testifying on the bill he went to work lobbying against the bill. He went even further, he got a couple of well known North Dakota lobbyists to help him. I then said he is now registered as a lobbyist.

"A member of the committee said that Edward H. DeHart was invited to North Dakota by the committee to give information on Federal Trade Commission regulations. I suggest to the committee that if you want technical information on the Federal Trade Commission you should have had an individual from the Federal Trade Commission not a lobbyist representing book publishers who was obviously affected by the bill in question.

"I went to the Secretary of State and got a list of lobbyists. Mr. Edward H. DeHart registered as a lobbyist March 8, 1973 for Book of the Month Club, N. Y.; Doubleday Inc., Meridith Corp., Des Moines, Iowa; Readers Digest; RCA Records, Longines Symphonette.

"Now, if the bill was that important to have someone come in from Washington then the committee should have posted the Hearing and given the people of North Dakota a chance to be heard again.

"I'm not going to talk about the merits of 1432 even though I think it is a good consumer protection bill. I am going to talk about something that has been happening during this legislative session and others that I have served in which should be given public attention. Most lobbyists have done a real service not only to the firms they represent, but also to the legislators. As a result they have gained the confidence of the legislators, and I think that is fine, but what I do object to is, when some of these lobbyists band together to kill a consumer protection bill such as 1432. What chance do the people have?

"If lobbyists are going to band together they should band together to ask that the legislature pass a good code of ethics for lobbyists. A good code of ethics not only protects the people, but it also protects the lobbyists."

SECOND READING OF A HOUSE BILL

House Bill No. 1392. A Bill for an Act to amend and reenact subsection 1 of section 15-39.1-04 of the North Dakota Century Code, to add persons to be covered by Teacher's Fund for Retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 912 of the Senate Journal, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Izler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Twetten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1392 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE
House Chamber

Mr President: I have the honor to return:

House Bill No. 1502

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Nething moved that House Bill No. 1502 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1399. A Bill for an Act making an appropriation for personal property tax revenue replacement if certain real property assessments and taxes are invalidated, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 1; nays, 49; absent and not voting, 1.

Those voting in the affirmative were:

Christensen

Those voting in the negative were:

Anderson	Iszler	Naaden	Schultz C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Peterson	Smykowski
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goldberg	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Holand			

Absent and not voting:

Nething

So the bill was declared lost.

Senator Litten moved that the vote by which House Bill No. 1399 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1492. A Bill for an Act to amend and reenact section 40-45-02 of the North Dakota Century Code, relating to police pension fund mill levies.

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, 4; absent and not voting, 0.

Those voting in the affirmative were:

Absent and not voting:

Anderson	Holand	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Thane
Goldberg	Longmire	Reiten	Tweten

Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

Those voting in the negative were:

Butler	Iszler	Ringsak	Strinden
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1492 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1534. A Bill for an Act to amend and reenact sections 39-20-04, 39-20-05, and 39-20-06 of the North Dakota Century Code, relating to the procedures applicable to the revocation of a driver's license under the implied consent provisions of the chemical test law, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Berube	Iszler	Naaden	Schultz, C.
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Coughlin	Kautzmann	Page	Smykowski
Frdman	Larson	Peterson	Solberg
Freed	Lee	Pyle	Strand
Fritzell	Lips	Redlin	Strinden
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Roen	Tweten
Gronhovd	Melland	Sands	Wenstrom
Hoffner	Morgan		

Those voting in the negative were:

Barth	Ringsak	Stroup	Wright
Rait			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1534 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

Senator Coughlin moved that House Bill No. 1535 be laid over one legislative day, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3011. A Concurrent Resolution directing the Legislative Council to conduct an interim study to determine a means to coordinate the efforts of various state agencies concerned with, and engaged in, the study of freight rates in North Dakota.

Which has been read.

Senator Strinden moved that House Concurrent Resolution No. 3011 be adopted, which motion failed.

Senator Litten moved that the vote by which House Concurrent Resolution No. 3011 was failed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

Senator Rait moved that the Senate reconsider the action by which House Bill No. 1399 was indefinitely postponed, which motion failed.

**SECOND READING OF A
HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3086. A Concurrent Resolution supporting the adoption of reasonable railroad freight rates for the transportation of North Dakota's small grains westbound to export markets.

Which has been read.

Senator Gronhovd moved that House Concurrent Resolution No. 3086 be adopted.

Senator Christensen requested a roll call vote on House Concurrent Resolution No. 3086, which request was granted.

ROLL CALL

The question being on the adoption of House Concurrent Resolution No. 3086, the roll was called and there were ayes, 41; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sands
Barth	Jacobson	Nasset	Sandness
Berube	Jones	Nothing	Schultz, C.
Christensen	Kautzmann	Page	Schultz, J.
Coughlin	Larson	Peterson	Shablow
Erdman	Lee	Pyle	Smykowski
Freed	Lips	Rait	Strand
Fritzell	Longmire	Redlin	Strinden
Goodman	Melland	Reiten	Thane
Gronhovd	Morgan	Ringsak	Wright
Hoffner			

Those voting in the negative were:

Butler	Litten	Roen	Stroup
Goldberg	Mutch	Solberg	Twetten
Iszler			

Absent and not voting:
Wenstrom

So the Resolution passed and the title was agreed to.

Senator Litten moved that the vote by which House Concurrent Resolution No. 3086 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

Senator Lips moved that House Bill No. 1003 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1502. A Bill for an Act to amend and reenact section 57-15-44 of the North Dakota Century Code, relating to clarification of city tax levy for public buildings.

Which has been read.

Senator Nothing moved that House Bill No. 1502 be amended as follows:

On page 2, delete lines 1 through 5 and insert in lieu thereof the following: "to be filed not less than sixty days before said election.

If the majority of electors vote that said levy shall not continue, it may not again be levied without a majority vote of the electors at a later regular election which question may be submitted upon petition of electors as above provided for or by decision of the governing board."

And renumber the lines accordingly.

Which motion prevailed.

Senator Nothing moved that the rules be suspended and that House Bill No. 1502 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1502. A Bill for an Act to amend and reenact section 57-15-44 of the North Dakota Century Code, relating to clarification of city tax levy for public buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 44; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Erdman	Larson	Peterson	Smykowski
Freed	Lee	Pyle	Solberg
Fritzell	Lips	Rait	Strand
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom

Those voting in the negative were:

Butler	Iszler	Strinden	Wright
Coughlin	Sands		

Absent and not voting:
Mutch

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1502 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Lt. Governor

State of North Dakota

Bismarck, North Dakota

Knowing of your deep concern for traffic safety, I wish to bring to your attention my alarm over the rejection of legislation providing for a state motor vehicle inspection system. We urge your reconsideration of legislation that will allow a comprehensive approach to highway safety in North Dakota. Continued absence of activity in this area of highway safety will force me to recommend that the sanctions contained in the Highway Safety Act of 1966 be imposed against North Dakota which include loss of all highway safety funds as well as loss of 10 percent of federal highway construction funds. I regret that such action appears necessary but the NHTSA considers motor vehicle inspection to be an important element of the state's highway safety program.

FRANK D. ALTOBELLI, Acting Director,
Office of Standards Development and
Implementation
National Highway Traffic Safety
Administration
U. S. Department of Transportation
Washington, DC 20590

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1537

House Bill No. 1539

House Concurrent Resolution No. 3056

House Concurrent Resolution No. 3065

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Goldberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2075 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 2075
 Senator Mutch
 Senator Reiten
 Senator Gronhovd

Senator Butler moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1050, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 1050
 Senator J. Schultz
 Senator Lee
 Senator Shablow

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1030, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 1030
 Senator Tweten
 Senator Kautzmann
 Senator Peterson

Senator Holand moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1090, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 1090
 Senator Tweten
 Senator Nasset
 Senator Hoffner

Senator Goldberg moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1317, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 1317
 Senator Goldberg
 Senator Nething
 Senator Gronhovd

FIRST READING OF HOUSE BILLS

House Bill No. 1537. A Bill for an Act to provide for an income tax credit or refund for sales taxes paid on food; and to repeal sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, relating to sales and use tax exemptions on certain food products.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1539. A Bill for an Act to amend and reenact sections 11-09-19, 11-09-22, and 11-09-24 of the North Dakota Century Code, relating to the appointment of sheriffs, county judges,

and superintendents of schools in counties adopting a short form of county managership.

Which was read the first time and referred to the Committee on Political Subdivisions.

FIRST READING OF
HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3056. A Concurrent Resolution directing the Legislative Council to study and review statutes relating to labor laws in the public and private sector of North Dakota's economy.

Which was read the first time.

House Concurrent Resolution No. 3065. A Concurrent Resolution directing the Legislative Council to study the feasibility of granting some form of tax relief to beginning farmers and ranchers.

Which was read the first time.

MOTIONS

Senator Litten moved that House Concurrent Resolutions Nos. 3056 and 3065 be not referred to a committee, but placed on the Consent Calendar, which motion prevailed.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that after the reading of House Bills Nos. 1002, 1005, 1007, 1014, 1049, 1102, 1167, 1290, 1420, 1489, and House Concurrent Resolutions Nos. 3056 and 3065 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-NINTH DAY

Bismarck, March 9, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ronald Schultz, Zion Lutheran Church, Bismarck.

"To You God the Father, Son and Holy Spirit, to You the Creator of heaven and earth, the God of history who shapes all history to Your glory, to You we pray with all boldness and confidence because Your Son, Jesus Christ, has removed all barriers between us when He entered history, born of a woman and yet still true God, to change the course of history by His unmatched perfect life, His scandalous death on the crossed timbers and His astounding resurrection to life again. To You, God, we pray because Your Holy Spirit will translate our requests to You — even our requests which are too deep for words or expression.

"We request You to send Your guiding wisdom into each of our hearts today as we set out to make a little history by the actions we take or do not take on the issues and bills set before us this day. We pray that we might recognize the continual working of Your divine plans as we set our goals and policies for North Dakota. Help us, we pray, to carry out the responsibilities of our office and help us to make wise and just decisions here today and every day. Give us strength to stand by our principles and may we all see Your blessings upon the men who stand for sound principles and who will risk everything as they act according to their convictions.

"For these things and whatsoever else we need we ask as we pray: Our Father You are in heaven, may Your Holy Name be made holy by our actions, may Your Son, Jesus Christ, come into each of our hearts bringing the reassurance of the forgiveness of our sins. Let us see Your good and gracious will carried out in this session of the Senate and in our individual lives. Give us today all that we need to sustain our lives, food, clothing,

good and faithful rulers, honor, and all else that we need for this life. Forgive us our corruption as we forgive those who act corruptly toward us, and lead us not into corruption, but spare us from all danger and results of corruption. For Yours is the Government and the Power and the Glory to do as we ask today and every day, forever and ever. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-seventh day after recess and the forty-eighth day and recommends that the same be corrected as follows:

On page 960, in line 12 from the top of the page, delete the numerals "1050" and insert in lieu thereof the numerals "1054"

On page 963, in line 14 from the bottom of the page, delete the numerals "3011"

On page 964, after line 17, insert "Senator Mutch requested a recorded roll call vote, which request was denied."

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MOTION

Senator Litten moved that House Bill No. 1045 be placed on second reading and final passage for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1045. A Bill for an Act to repeal chapter 54-49 of the North Dakota Century Code, relating to the membership, powers, and duties of the natural resources and environmental management council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, over the Governor's veto, the roll was called and there were ayes, 37; nays, 14; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Lee	Page	Schultz, J.
Butler	Lips	Peterson	Smykowski
Coughlin	Litten	Pyle	Solberg
Freed	Melland	Reiten	Strand
Goldberg	Morgan	Ringsak	Strinden
Goodman	Mutch	Roen	Stroup
Holand	Naaden	Sands	Thane
Iszler	Nasset	Sandness	Tweten
Jacobson	Nothing	Schultz, C.	Wright
Kautzmann			

Those voting in the negative were:

Barth	Fritzell	Larson	Redlin
Berube	Gronhovd	Longmire	Shablow
Christensen	Hoffner	Rait	Wenstrom
Erdman	Jones		

So the bill passed over the Governor's veto, and the title was agreed to.

MOTION

Senator Litten moved that House Bill No. 1206 be placed on second reading and final passage for the purpose of its reconsid-

eration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1206. A Bill for an Act to amend and reenact section 54-17-05 of the North Dakota Century Code, relating to majority approval of acts approved or authorized by members of the industrial commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, over the Governor's veto, the roll was called and there were ayes, 40; nays, 11; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz, J.
Butler	Kautzmann	Nething	Smykowski
Coughlin	Lee	Page	Solberg
Freed	Lips	Peterson	Strand
Fritzell	Litten	Pyle	Strinden
Goldberg	Longmire	Reiten	Stroup
Goodman	Melland	Ringsak	Thane
Holand	Morgan	Roen	Tweten
Iszler	Mutch	Sands	Wenstrom
Jacobson	Naaden	Schultz, C.	Wright

Those voting in the negative were:

Barth	Erdman	Larson	Sandness
Berube	Gronhovd	Rait	Shablow
Christensen	Hoffner	Redlin	

So the bill passed over the Governor's veto, and the title was agreed to.

PERSONAL PRIVILEGE

Senator Nething:

"Each of us can respect a man who has his personal convictions. However, I respectfully disagree with the Governor of North Dakota when he makes a decision based on hearsay rather than the facts that were presented to the Legislature. The veto message found on pages 1160 - 1161 of the House Journal is completely without foundation, vague and ambiguous, and is loaded with comments made without any legislator having an opportunity to make inquiry of the person making the statement.

"For example, the message shares a comment from a letter of a private physician who remains nameless, yet makes no mention of the testimony of the Director of Alcoholism and Drug Abuse in our State Health Department who addressed himself to the same subject but with a different point of view. I might also add with a point of view based on facts.

"Another weakness in his reasoning is the information presented from a national magazine which gave us excerpts from an article stating information contrary to facts brought to the committee. This is an insult to our intelligence. He had the committee records. Why didn't he use that information? Perhaps it was because he couldn't use the facts and arrive at the illogical conclusion he wanted.

"A third area of weakness in his reasoning is to cite a statement from a local beer tavern operator which was made at the time when a hearing was held threatening his license to sell beer. Anyone can make any statement he wants to as long as it isn't libel or slander. But to rely on such a statement made by an individual who has had eight patrons arrested within the past 22 months for violation of city ordinance because they were in his establishment,

and attempting to tell us that we should heed the words used for his personal interest defies any logical thought process we utilize.

"Now, Mr. President and ladies and gentlemen of the Senate, the Governor severely criticized the majority of this Legislature for not approving his make-work project for students. I submit to you that the job possibilities that would have been provided by permitting 19 and 20 year olds to work in businesses dispensing alcoholic beverages would be far better as year-around employment than any other make-work scheme. Incidentally, these jobs would have been available without a 2 million dollar appropriation from the State of North Dakota.

"Fellow Senators, it is a rather bleak day when the chief executive makes reference to the slower learner in our schools who happens to be 19 when graduation day arrives. I submit to you that the student starting school pursuant to state law and completing his course of study as set out by the Department of Public Instruction is either 17 or 18 when he graduates.

"Yes, Mr. President and ladies and gentlemen of the Senate, we have observed one man, utilizing hearsay rather than facts to replace the judgment of the majority of the Legislature. One man has inferred, 'Sorry, my young friends, I solicited your vote, but you are not old enough to assume the responsibility of an adult'. I strongly disagree to this hypocrisy and am looking forward to the Governor's political party justifying this position to the 19 and 20 years olds of North Dakota."

MOTION

Senator Ringsak moved that Senator Nething's remarks be printed in the Journal, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1057 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator Sandness
Senator Smykowski
Senator Redlin

For the House:

Rep. Hentges
Rep. Kermott
Rep. Linderman

Senator Sandness moved that the report be adopted, which motion failed.

MOTION

Senator Sandness moved that the President appoint a committee of three to act with a like committee from the House as a New Conference Committee on House Bill No. 1057, which motion prevailed.

The President appointed as a new Conference Committee on:

House Bill No. 1057:
Senator Stroup
Senator Smykowski
Senator Christensen

MOTIONS

Senator Litten moved that the rules be suspended, that House Bills Nos. 1290, 1002, 1005, 1007, 1014, 1049, 1102, 1167, 1420 and 1489 be placed at the head of the calendar, which motion prevailed.

Senator Litten moved that House Concurrent Resolutions Nos. 3056 and 3065 be placed at the head of the Consent Calendar, which motion prevailed.

Senator Strinden moved that House Concurrent Resolutions Nos. 3056 and 3065 be removed from the Consent Calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3056. A Concurrent Resolution directing the Legislative Council to study and review statutes relating to labor laws in the public and private sector of North Dakota's economy.

Which has been read.

Senator Strinden moved that House Concurrent Resolution No. 3056 be indefinitely postponed, which motion prevailed.

Senator Litten moved that the vote by which House Concurrent No. 3056 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution No. 3065. A Concurrent Resolution directing the Legislative Council to study the feasibility of granting some form of tax relief to beginning farmers and ranchers.

Which has been read.

Senator Strinden moved that House Concurrent Resolution No. 3065 be indefinitely postponed, which motion failed.

Senator Jones moved that House Concurrent Resolution No. 3065 be adopted, which motion prevailed.

Senator Litten moved that the vote by which House Concurrent Resolution No. 3065 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1290. A Bill for an Act to provide that retired teachers may elect benefits under the teachers' fund for retirement, to provide for contributions to the fund, and to provide an alternative increase in benefits for annuitants of the teachers' insurance and retirement fund who elect not to come under the new program.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 943 of the Senate Journal, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1290 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1002. A Bill for an Act to appropriate money for the expenses of the legislative branch of government, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 937 of the Senate Journal, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goldberg	Longmire	Ringsak	Tweten
Goodman	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Litten moved that the vote by which House Bill No. 1002 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1005. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 948 and 949 of the Senate Journal, the roll was called and there were ayes, 43; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, J.
Barth	Holand	Nasset	Shablow
Berube	Jacobson	Nothing	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goldberg	Litten	Ringsak	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd	Melland	Sandness	

Those voting in the negative were:

Butler	Mutch	Sands	Strinden
Iszler	Naaden	Schultz, C.	

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1005 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4077

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Concurrent Resolution No. 3003
 House Concurrent Resolution No. 3006
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3043
 House Concurrent Resolution No. 3051
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3074
 House Concurrent Resolution No. 3084
 House Concurrent Resolution No. 3089
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1232
 House Bill No. 1331
 House Bill No. 1339
 House Bill No. 1344
 House Bill No. 1350
 House Bill No. 1351
 House Bill No. 1390
 House Bill No. 1429
 House Concurrent Resolution No. 3017
 House Concurrent Resolution No. 3034
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1432
 House Concurrent Resolution No. 3021
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return herewith the following
 House Bill No. 1067, on which the Senate has adopted the conference committee report.

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. 2356
 Senate Bill No. 2386

and the President has appointed as a conference committee to act with a like committee from the House:

On Senate Bill No. 2356
 Senator Kautzman
 Senator Jacobson
 Senator Goldberg

On Senate Bill No. 2386
 Senator Nasset
 Senator Iszler
 Senator Redlin

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2003
 Senate Bill No. 2022
 Senate Bill No. 2032
 Senate Bill No. 2044
 Senate Bill No. 2062

Senate Bill No. 2071
 Senate Bill No. 2077
 Senate Bill No. 2086
 Senate Bill No. 2095
 Senate Bill No. 2102
 Senate Bill No. 2104
 Senate Bill No. 2112
 Senate Bill No. 2126
 Senate Bill No. 2131
 Senate Bill No. 2163
 Senate Bill No. 2169
 Senate Bill No. 2171
 Senate Bill No. 2242
 Senate Bill No. 2244
 Senate Bill No. 2249
 Senate Bill No. 2260
 Senate Bill No. 2262
 Senate Bill No. 2268
 Senate Bill No. 2281
 Senate Bill No. 2300
 Senate Bill No. 2301
 Senate Bill No. 2315
 Senate Bill No. 2331
 Senate Bill No. 2345

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2003
 Senate Bill No. 2022
 Senate Bill No. 2032
 Senate Bill No. 2044
 Senate Bill No. 2062
 Senate Bill No. 2071
 Senate Bill No. 2077
 Senate Bill No. 2086
 Senate Bill No. 2095
 Senate Bill No. 2102
 Senate Bill No. 2104
 Senate Bill No. 2112
 Senate Bill No. 2126
 Senate Bill No. 2131
 Senate Bill No. 2163
 Senate Bill No. 2169
 Senate Bill No. 2171
 Senate Bill No. 2242
 Senate Bill No. 2244
 Senate Bill No. 2249
 Senate Bill No. 2260
 Senate Bill No. 2262
 Senate Bill No. 2268
 Senate Bill No. 2281
 Senate Bill No. 2300
 Senate Bill No. 2301
 Senate Bill No. 2315
 Senate Bill No. 2331
 Senate Bill No. 2345

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1144

House Bill No. 1148
 House Bill No. 1492
 House Bill No. 1534
 House Concurrent Resolution No. 3086
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1001
 House Bill No. 1004
 House Bill No. 1015
 House Bill No. 1026
 House Bill No. 1054
 House Bill No. 1235
 House Bill No. 1314
 House Bill No. 1392
 House Bill No. 1502

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1045 which the Senate has passed over the Governor's veto.

The vote on House Bill No. 1045 is: 37 ayes, 14 nays, 0 absent, not voting.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1206 which the Senate has passed over the Governor's veto.

The vote on House Bill No. 1206 is : 40 ayes, 11 nays, 0 absent, not voting.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1399
 House Concurrent Resolution No. 3011
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

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. 1030
 Senator Tweten
 Senator Kautzmann
 Senator Peterson

House Bill No. 1050
 Senator J. Schultz
 Senator Lee
 Senator Shablow

House Bill No. 1090
 Senator Tweten
 Senator Nasset
 Senator Hoffner

House Bill No. 1317
 Senator Goldberg
 Senator Nething
 Senator Gronhovd

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2003
Senate Bill No. 2022
Senate Bill No. 2032
Senate Bill No. 2044
Senate Bill No. 2062
Senate Bill No. 2071
Senate Bill No. 2077
Senate Bill No. 2086
Senate Bill No. 2095
Senate Bill No. 2102
Senate Bill No. 2104
Senate Bill No. 2112
Senate Bill No. 2126
Senate Bill No. 2131
Senate Bill No. 2163
Senate Bill No. 2169
Senate Bill No. 2171
Senate Bill No. 2242
Senate Bill No. 2244
Senate Bill No. 2249
Senate Bill No. 2260
Senate Bill No. 2262
Senate Bill No. 2268
Senate Bill No. 2281
Senate Bill No. 2300
Senate Bill No. 2301
Senate Bill No. 2315
Senate Bill No. 2331
Senate Bill No. 2345

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

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. 2075

And the President has appointed as a Conference Committee to act with a like committee from the House:

Senator Mutch
Senator Reiten
Senator Gronhovd

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1057

On which the Senate has not adopted the Conference Committee report and the President has appointed as a new Conference Committee:

Senator Stroup
Senator Smykowski
Senator Christensen

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2421

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
House Concurrent Resolution No. 3065
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
House Bill No. 1002
House Bill No. 1005
House Bill No. 1290
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
House Concurrent Resolution No. 3056
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2003
Senate Bill No. 2022
Senate Bill No. 2032
Senate Bill No. 2044
Senate Bill No. 2062
Senate Bill No. 2071
Senate Bill No. 2077
Senate Bill No. 2086
Senate Bill No. 2095
Senate Bill No. 2102
Senate Bill No. 2104
Senate Bill No. 2112
Senate Bill No. 2126
Senate Bill No. 2131
Senate Bill No. 2163
Senate Bill No. 2169
Senate Bill No. 2171
Senate Bill No. 2242
Senate Bill No. 2244
Senate Bill No. 2249
Senate Bill No. 2260
Senate Bill No. 2262
Senate Bill No. 2268
Senate Bill No. 2281
Senate Bill No. 2300
Senate Bill No. 2301
Senate Bill No. 2315
Senate Bill No. 2331
Senate Bill No. 2345

Were delivered to the Governor for his approval at the hour of 3:45 o'clock p.m., March 9, 1973.

SENATOR JACOBSON, Chairman

MESSAGE FROM THE HOUSE House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1033

House Bill No. 1077
 House Bill No. 1079
 House Bill No. 1092
 House Bill No. 1097
 House Bill No. 1111
 House Bill No. 1132
 House Bill No. 1158
 House Bill No. 1166
 House Bill No. 1175
 House Bill No. 1188
 House Bill No. 1202
 House Bill No. 1220
 House Bill No. 1284
 House Bill No. 1319
 House Bill No. 1320
 House Bill No. 1334
 House Bill No. 1347
 House Bill No. 1368
 House Bill No. 1380
 House Bill No. 1487
 House Bill No. 1509
 House Bill No. 1510
 House Bill No. 1515
 House Bill No. 1526

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1033
 House Bill No. 1077
 House Bill No. 1079
 House Bill No. 1092
 House Bill No. 1097
 House Bill No. 1111
 House Bill No. 1132
 House Bill No. 1158
 House Bill No. 1166
 House Bill No. 1175
 House Bill No. 1188
 House Bill No. 1202
 House Bill No. 1220
 House Bill No. 1284
 House Bill No. 1319
 House Bill No. 1320
 House Bill No. 1334
 House Bill No. 1347
 House Bill No. 1368
 House Bill No. 1380
 House Bill No. 1487
 House Bill No. 1509
 House Bill No. 1510
 House Bill No. 1515
 House Bill No. 1526

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1033
 House Bill No. 1077
 House Bill No. 1079
 House Bill No. 1092

House Bill No. 1097
 House Bill No. 1111
 House Bill No. 1132
 House Bill No. 1158
 House Bill No. 1166
 House Bill No. 1175
 House Bill No. 1188
 House Bill No. 1202
 House Bill No. 1220
 House Bill No. 1284
 House Bill No. 1319
 House Bill No. 1320
 House Bill No. 1334
 House Bill No. 1347
 House Bill No. 1368
 House Bill No. 1380
 House Bill No. 1487
 House Bill No. 1509
 House Bill No. 1510
 House Bill No. 1515
 House Bill No. 1526

Which the President has signed:

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1041

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:
 House Bill No. 1041

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1041

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1095, 1217, 1254, 1327, 1378, and 1395, refused to concur in the Senate amendment to House Bills Nos. 1050 and 1317 and the Speaker has appointed a conference committee to act with a like committee from the Senate:

On House Bill No. 1050:
 Rep. Herman
 Rep. Gackle
 Rep. Langley

On House Bill No. 1317:
 Rep. Herman
 Rep. Rued
 Rep. Orange

ROY GILBREATH, Chief Clerk
 House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bills Nos.

1030 and 1090 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On House Bill No. 1030:

Rep. Strinden
Rep. Eagles
Rep. Laughlin

On House Bill No. 1090:

Rep. Erickson
Rep. Eagles
Rep. McGauvran

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On Senate Bill No. 2179

Rep. Eagles
Rep. Atkinson
Rep. Orange

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2146
Senate Bill No. 2344
House Bill No. 1057

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. 2265
Senate Bill No. 2367
Senate Concurrent Resolution No. 4053

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2115
Senate Bill No. 2288
Senate Bill No. 2297
Senate Bill No. 2310

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2014
Senate Bill No. 2145
Senate Bill No. 2324
Senate Bill No. 2334
Senate Bill No. 2357
Senate Bill No. 2362
Senate Concurrent Resolution No. 4024

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2007
Senate Bill No. 2025
Senate Bill No. 2075

Senate Bill No. 2099
 Senate Bill No. 2113
 Senate Bill No. 2196
 Senate Bill No. 2203
 Senate Bill No. 2250
 Senate Bill No. 2269
 Senate Bill No. 2311

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2007

On page 1, line 16, delete the numerals "2,085,951" and insert in lieu thereof the numerals "2,122,761"

On page 1, line 19, delete the numerals "302,290" and insert in lieu thereof the numerals "325,540"

On page 1, line 20, delete the numerals "247,000" and insert in lieu thereof the numerals "256,164"

On page 1, line 21, delete the numerals "234,380" and insert in lieu thereof the numerals "244,140"

On page 1, line 22, delete the numerals "2,869,621" and insert in lieu thereof the numerals "2,948,605"

On page 2, line 13, delete the numerals "3,416,576" and insert in lieu thereof the numerals "3,495,560"

HOUSE AMENDMENTS TO SENATE BILL NO. 2025

On page 1, line 13, of the engrossed bill delete the word "men" and insert in lieu thereof the word "**persons**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2075

On page 1, line 4 of the engrossed bill, after the word "sold" insert the following: ", and declaring an emergency"

On page 2, after line 3, insert the following new section:

"SECTION 2. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2099

On page 2, line 6 of the engrossed bill place triple parentheses before and after the word "ten" and insert in lieu thereof the words "**twenty-five**"

On page 2, line 8 before the word "five" insert the word "**twenty-**" and also in line 8 place triple parentheses before and after the word "hundred"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2113

On page 2, line 12, following the word "**Veterans**", delete the remainder of the line and insert in lieu thereof the words "**who are North Dakota residents**"

On page 2, delete lines 13 and 14

On page 2, line 15, delete the words "**of the United States**"

On page 2, delete lines 34 and 35

On page 3, delete lines 1 through 29

On page 3, line 30, delete the number "5" and insert in lieu thereof the number "3"

On page 3, after line 33, insert the following subsection:

"4. Notwithstanding the preference provisions in subsection 1, 2, and 3, public employment preference for veterans by agencies or governmental agencies, as defined herein, which now have, or which may hereafter have, an established personnel system under which it maintains a register of persons eligible for employment and from which it certifies a prescribed number of

names to that particular agency or governmental agency, shall be governed by the following:

- a. No distinction or discrimination shall be made in the administration of the examination because the applicant may be a veteran.
- b. Upon completion of the examination with a passing grade, the applicant shall be informed of a veteran's rights to employment preference as hereinafter provided.
- c. The applicant shall be required to furnish proof of his status as a veteran and, if disabled, proof of his disability, as defined herein.
- d. Upon receipt of proof required in subsection c, the examiner shall add five points for a nondisabled veteran and ten points for a disabled veteran to the examination grade of the applicant, and the total shall be the veteran's examination grade.
- e. Upon request for the prescribed number of eligible persons from the eligibility registry, such number of eligible persons shall be certified from the top number of eligible persons and with such certified list of eligible persons there shall also be submitted a statement as to which of those so certified are veterans, disabled veterans, or nonveterans.
- f. In the event the certified list of eligible persons includes either veterans or disabled veterans, the appointing or employing authority of that particular agency or governmental agency shall make a selection for the available position as follows:
 - (1) A disabled veteran, without regard to his examination grade, shall first be entitled to the position and, in the absence of justifiable cause, documented in writing, for not making such selection, shall be so appointed or employed. If such list includes two or more disabled veterans, then the one with the highest examination grade shall first be entitled to the position and, in the absence of justifiable cause, documented in writing, for not making such selection, shall be so appointed or employed;
 - (2) When such certified list of eligible persons does not include one or more disabled veterans and consists only of veterans, then the one with the highest examination grade shall first be entitled to the position and, in the absence of justifiable cause, documented in writing, shall be so appointed or employed; and
 - (3) When such certified list of eligible persons includes non-veterans and veterans, but not disabled veterans, then the one with the highest examination grade, whether a non-veteran or a veteran, shall first be entitled to the position and, in the absence of justifiable cause, shall be so appointed or employed; and if the one with the highest examination grade is a veteran and is not appointed or employed, there must be justifiable cause documented in writing for not making such appointment or employment."

On page 3, line 34, delete the number "6" and insert in lieu thereof the number "5"

On page 4, line 1, delete the word and comma " , teacher,"

On page 4, line 3, before the period insert the following: "or when teachers' contracts are to be renewed"

On page 4, line 8, after the word "The" insert the word "unrepaired"

And renumber the lines, pages, and subsections accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2196

On page 1, line 3 delete the word "individuals"

On page 1, line 4 delete the words "and fiduciaries" and insert in lieu thereof the following: "income received under the United States Civil Service Retirement Act, firemen's relief associations, and policemen's pension funds, and providing a limitation"

On page 1, line 14 after the word "Act" insert the following: "**firemen's relief associations authorized by chapters 18-05 and 18-11, or policemen's pension funds authorized by chapter 40-45, provided, however, that the adjustment provided in this subdivision shall be reduced by any amount received pursuant to the Federal Social Security Act**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2203

On page 2, line 33, delete the words "**or equipment dealers**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2250

On page 1, delete lines 18 through 20, and insert in lieu thereof the following:

"Any snowmobile purchased after July 1, 1973, must be titled under the provisions of chapter 39-05 in order to be operated under the provisions of this section. Any snowmobile purchased prior to July 1, 1973, may be titled under the provisions of chapter 39-05."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2269

On page 1, line 15 after the word "institutions" insert the following: "**and homes for the aged and infirm licensed pursuant to section 50-18-01**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2311

On page 2, line 16 after the word "**every**" insert the word and comma "**clerk,**"

On page 3, line 27 after the word "**every**" insert the word and comma "**clerk,**"

On page 3, line 30 after the word "**every**" insert the word and comma "**clerk,**"

And renumber the lines accordingly.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2356

Senate Bill No. 2386

On Senate Bill No. 2356

Rep. Kloubec

Rep. Metzger

Rep. Gengler

On Senate Bill No. 2386

Rep. Gunderson

Rep. Murphy

Rep. Lundene

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 10:00 A.M., March 12, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

MONDAY, MARCH 12, 1973

1005

FORTY-NINTH DAY AFTER RECESS
AND FIFTIETH DAY

Bismarck, March 12, 1973

The Senate convened at 10:00 a.m., pursuant to recess taken,
the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 8, 1973, I signed the following bills:

Senate Bill No. 2036
Senate Bill No. 2092
Senate Bill No. 2100
Senate Bill No. 2103
Senate Bill No. 2114
Senate Bill No. 2118
Senate Bill No. 2124
Senate Bill No. 2127
Senate Bill No. 2128
Senate Bill No. 2130
Senate Bill No. 2142
Senate Bill No. 2144
Senate Bill No. 2153
Senate Bill No. 2155
Senate Bill No. 2158
Senate Bill No. 2162
Senate Bill No. 2164
Senate Bill No. 2172
Senate Bill No. 2199
Senate Bill No. 2232
Senate Bill No. 2241
Senate Bill No. 2255
Senate Bill No. 2277
Senate Bill No. 2280
Senate Bill No. 2291
Senate Bill No. 2322
Senate Bill No. 2336
Senate Bill No. 2382
Senate Bill No. 2387
Senate Bill No. 2414

Sincerely yours,
ARTHUR A. LINK
Governor

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2007 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:
Senate Bill No. 2007
Senator Wenstrom
Senator C. Schultz
Senator Erdman

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2025, which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2025 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2025. A Bill for an Act relating to the investment of endowment funds by the institutions under the control of the board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1002 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nething	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz, C.	

Absent and not voting:

Anderson	Peterson	Pyle	Roen
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2025 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2099, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2099 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2099. A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of sales to residents of adjoining states and Canada.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1002 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Sandness	Wenstrom
Gronhovd	Melland	Schultz, C.	Wright
Hoffner	Morgan		

Those voting in the negative were:

Sands

Absent and not voting:

Anderson Peterson Pyle Roen

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2099 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Tweten moved that the Senate do not concur in the House amendments to Senate Bill No. 2113 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

Senate Bill No. 2113

Senator Tweten

Senator Sandness

Senator Rait

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2196, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2196 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2196. A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for income received under the United States Civil Service Retirement Act, firemen's relief associations, and policemen's pension funds, and providing a limitation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1004 of the Senate Journal, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski

Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright

Those voting in the negative were:
Strinden

Absent and not voting:

Freed	Melland	Pyle	Roen
Holand	Peterson		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2196 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2203, which motion prevailed.

Senator Mutch moved that the rules be suspended and that Senate Bill No. 2203 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2203. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to movement of certain vehicles on the highways of this state and setting limitations

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1004 of the Senate Journal, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, C.
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Smykowski
Butler	Jones	Nothing	Solberg
Christensen	Kautzmann	Page	Strand
Erdman	Larson	Rait	Strinden
Fritzell	Lee	Redlin	Stroup
Goldberg	Lips	Reiten	Thane
Goodman	Litten	Ringsak	Tweten
Gronhovd	Longmire	Sands	Wenstrom
Hoffner	Morgan	Sandness	

Those voting in the negative were:

Shablow	Wright		
Absent and not voting:			
Coughlin	Melland	Pyle	Roen
Freed	Peterson		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2250, which motion prevailed.

Senator Mutch moved that the rules be suspended and that Senate Bill No. 2250 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2250. A Bill for an Act to amend and reenact section 39-24-02 of the North Dakota Century Code, relating to the registration and titling of snowmobiles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1004 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, J.
Barth	Jacobson	Nasset	Shablow
Berube	Jones	Nething	Smykowski
Butler	Kautzmann	Page	Solberg
Christensen	Larson	Rait	Strand
Coughlin	Lee	Redlin	Strinden
Erdman	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goodman	Longmire	Sands	Tweten
Gronhovd	Melland	Sandness	Wenstrom
Hoffner	Morgan	Schultz, C.	Wright
Holand	Mutch		

Absent and not voting:

Freed	Peterson	Pyle	Roen
Goldberg			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2250 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Butler moved that the Senate do not concur in the House amendments to Senate Bill No. 2269 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2269:

Senator Anderson
 Senator Wright
 Senator Rait

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2311, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2311 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2311. A Bill for an Act to amend and reenact subsections 5 and 6 of section 57-39.2-01 of the North Dakota Century Code, relating to sales conducted at auction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1004 of the Senate Journal, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Longmire	Schultz, J.
Barth	Iszler	Melland	Shablow

Berube	Jacobson	Nasset	Solberg
Butler	Jones	Nothing	Strand
Christensen	Kautzmann	Page	Strinden
Erdman	Larson	Rait	Stroup
Freed	Lee	Redlin	Tweten
Fritzell	Lips	Reiten	Wenstrom
Gronhovd	Litten	Ringsak	Wright

Those voting in the negative were:

Coughlin	Naaden	Sandness	Smykowski
Morgan	Sands	Schultz, C.	Thane
Mutch			

Absent and not voting:

Goldberg	Holand	Pyle	Roen
Goodman	Peterson		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2311 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Ringsak moved that House Bill No. 1007 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1014. A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 940 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright

Absent and not voting:

Peterson	Pyle	Roen
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1014 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1001, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1001:

Senator Thane

Senator Melland
 Senator Erdman

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1002, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1002:
 Senator Strinden
 Senator Coughlin
 Senator Larson

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1004, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1004:
 Senator C. Schultz
 Senator Page
 Senator Larson

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1005, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1005:
 Senator Longmire
 Senator Wenstrom
 Senator Erdman

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1015, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1015:
 Senator Lips
 Senator Naaden
 Senator Pyle

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened, pursuant to recess taken, the President presiding.

COMMUNICATIONS
 STATE OF NORTH DAKOTA
 Executive Office
 Bismarck

March 12, 1973

The Honorable Wayne Sanstead
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota 58501
 Dear Mr. President:

I have made the following appointments which, under state law, are subject to State Senate confirmation:

Director of Institutions (54-21-06)

Albert R. Hausauer, Bismarck, April 1, 1973 -

State Social Service Board (50-06-02)

Mrs. James T. (Darlene) Leinen, Williston, March 12, 1973 -
 April 6, 1975

Sincerely yours,
 ARTHUR A. LINK
 Governor

A communication addressed to the President of the Senate from the Governor listing appointments made subject to confirmation by the Senate was read.

The following referrals were made of these appointments:

COMMITTEE ON STATE AND FEDERAL GOVERNMENT
Senator Stroup, Chairman

DIRECTOR OF INSTITUTIONS (SECTION 54-21-06)

Albert R. Hausauer, Bismarck, April 1, 1973 -

COMMITTEE ON SOCIAL WELFARE AND VETERANS AFFAIRS
Senator Ringsak, Chairman

STATE SOCIAL SERVICE BOARD (SECTION 50-06-02)

Mrs. James T. (Darlene) Leinen, Williston, March 12, 1973 -
April 6, 1975

SECOND READING OF HOUSE BILLS

House Bill No. 1049. A Bill for an Act to provide for membership in the public employees' retirement system for supreme and district court judges; to provide for the gradual discontinuance of the present judges' retirement program; to create and enact subsection 13 of section 54-52-01 and section 54-52-06.1 of the North Dakota Century Code, relating to the public employees' retirement system and the amount of a judge's contribution and matching contribution thereto; to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme and district court judges; to amend and reenact subsection 3 of section 27-17-01, relating to judicial retirement salary; to amend and reenact subsections 2 and 12 of section 54-52-01 and sections 54-52-02, 54-52-05, 54-52-06, 54-52-10, 54-52-11, and 54-52-13 of the North Dakota Century Code, relating to the public employees' retirement system; to provide a statement of legislative intent; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 940 and 941 of the Senate Journal, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Schultz, J.
Barth	Holand	Morgan	Shablow
Butler	Iszler	Nasset	Smykowski
Christensen	Jacobson	Nething	Solberg
Erdman	Jones	Page	Strand
Freed	Kautzmann	Peterson	Stroup
Fritzell	Lee	Redlin	Thane
Goldberg	Lips	Reiten	Tweten
Goodman	Litten	Sandness	Wenstrom
Gronhovd	Longmire		

Those voting in the negative were:

Berube	Mutch	Rait	Strinden
Coughlin	Naaden	Schultz C.	Wright
Larson			

Absent and not voting:

Pyle	Ringsak	Roen	Sands
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1049 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Reiten: Mr President. I rise on a point of personal privilege.

Mr. President: State your privilege Senator Reiten.

Senator Reiten: "I am going to speak a little about basketball and as a resident of Minot, I had the pleasure, I think, I am going to call it a pleasure, an honor, of welcoming back to Minot our basketball players and there seemed to have been a feeling that they had lost the tournament. I told them that they had not lost the tournament and that they had won second place, that their goal had been high, and they almost reached it, and there is a great lesson in life here, that if we set high goals, we never lose. We always win because we move ahead. There was another team that was at the tournament that also set a very high goal. The basketball team from Fort Yates and they succeeded in their goal. These people, these players were great competitors, they never gave up, they had great desire and yet, on the other hand, they were very courteous and they showed great sportsmanship. The basketball team from Fort Yates, in my estimation, and I think in everybody's, was a great credit to the sport of basketball. They were a great credit to sports in general and they were a great credit to the people of North Dakota. Senator Barth should be very proud of these residents of his district. The people of North Dakota should be very proud of this basketball team and as a Senator from Minot, and as Mayor of Minot, I want to say, from our people, great congratulations to the basketball team from Fort Yates. They were a wonderful group of boys and they did our state a great credit. Thank you."

Senator Barth: "Mr. President, ladies and gentlemen of the Senate. I feel that I need to respond. Today, I stand here a very humble person. I made some predictions early in the session. I remember having a conversation with Senator Wenstrom, and I said, 'Look out for Fort Yates', and he said, 'Oh no. It can't be done.' It was done. Also, since Senator Solberg has become a member of this august body, he has indulged in some poetry, and I couldn't help but sit down after the Fort Yates game and write a few words of poetry myself. They certainly are not, perhaps, put as well as Senator Solberg's, but I did write a little poetry so I will read it to you.

"They said Minot 'Why not?'"

"They said Fort Yates 'will open the Gates'"

"The fouls were few"

"The Court was new"

"Swisher said 'Boys let's go'"

"Never did they say no"

"32 minutes plus 3, plus 3, plus 3,"

"They played long and hard you see"

"Fort Yates, North Dakota people are truly proud"

"Senator Barth can speak out loud"

"Fort Yates you can really handle that ball"

"That's why you won it all."

MOTION

Senator Redlin moved that the remarks of Senators Reiten and Barth be printed in the Journal, which motion prevailed.

MOTION

Senator Goldberg moved that the Senate reconsider the action by which the Senate refused to concur with the House Amendments to Senate Bill No. 2356, which motion prevailed.

MOTION

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2356, which motion prevailed.

Senator Goldberg moved that the Conference Committee on Senate Bill No. 2356 be discharged, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2356 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2356. A Bill for an Act to amend and reenact sections 6-03-13.1, 6-03-13.2 and 6-03-13.3 of the North Dakota Century Code, relating to drive-in facilities of banks, their locations, and providing for the approval, in certain instances, of the comptroller of the currency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 968 of the Senate Journal, the roll was called and there were ayes, 39; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Ringsak
Barth	Hoffner	Morgan	Sands
Berube	Holand	Mutch	Schultz, J.
Butler	Iszler	Nasset	Solberg
Christensen	Jones	Nething	Strand
Coughlin	Kautzmann	Page	Stroup
Erdman	Lee	Peterson	Thane
Freed	Lips	Rait	Tweten
Fritzell	Litten	Redlin	Wenstrom
Goodman	Longmire	Reiten	

Those voting in the negative were:

Goldberg	Naaden	Shablow	Strinden
Jacobson	Sandness	Smykowski	Wright
Larson	Schultz, C.		

Absent and not voting:

Pyle Roen

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2356 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Goldberg: "Mr. President. I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Goldberg."

Senator Goldberg: "2356, that we just passed, is a bill which takes care of a limited number of people in the State of North Dakota, and since I was unable to argue about the merits of the meaty bill which was Senate Bill No. 2148, I would like to explain to the Senate the stance that the banking industry of this state takes when it comes to this kind of legislation. I don't know of any industry in the state that got better organized and did a better job of lobbying to build the fence a little higher than they already had, to restrict themselves from the possibility of competitive situations. Senate Bill No. 2148, which was the original so-called branch-banking bill, would not materially have hurt any single bank in the state but it would have helped a lot of consumers and people that use banks. There are currently 57 of these facilities that we are talking about in 2356 and also 2148. At least 50 percent of them are being operated illegally, and I might explain to the members of the Senate that I have asked the State Banking Commissioner, and the Attorney General and others in charge with enforcement, to see that these people do what they are supposed to do under the provisions of the law. What I am talking about is, there are a lot of

banks, particularly in rural areas, that have drive-in facilities in smaller communities where they are now carrying on complete banking operations. They are actually making loans in drive in facilities in the smaller communities. Many of these bankers said don't mention that, we are doing it, nobody is saying anything about it, don't rock the boat.

"Well, members of the Senate, the boat is going to get rocked and it is going to get rocked hard because the people of North Dakota are not getting the kind of service in these small communities that they should get because a small percentage of bankers, who like to sit back and clip the coupons, invest in bonds that are tax free of interest, don't make any loans to the community, get themselves about twenty percent loaned out, that is what some of them are doing. Wanting to prohibit the extension of banking services to the general public, and for these reasons, I regret that the original bill did not pass; that is suffered the defeat that it did. The bill that we just passed really relates more directly to one single community in the state. There are a couple of communities that may or may not be able to utilize the provisions of the bill. I have never seen more misinformation and more emotional stress placed on any piece of legislation that I have in this area, and I suggest that in a few years from now, the Attorney General and the Banking Commissioner will do the job that they are supposed to do under the law with respect to these drive-in facilities. These same people that objected to this kind of legislation will be in here asking for this kind of legislation in the next session. Personally, I see nothing wrong with competition. It is tough to compete in the banking business. We have too many banks in the State of North Dakota and I am told that there are somewhere between 13 to 16 further applications for new bank charters in the state, and as I pointed out, as far as the Bank of North Dakota and others are concerned, these people are carrying on services now that are not being carried on by the smaller banks because they don't have the resources to do it and the only way we can become more capital-free or a more capital-plus state, is to allow more freedom of competition and allow the general consuming public to be entitled to full banking services which today, they are not.

MOTION

Senator Melland moved that Senator Goldberg's remarks be printed in the Journal, which motion prevailed.

House Bill No. 1102. A Bill for an Act to amend and reenact section 58-05-02 of the North Dakota Century Code, relating to townships abolishing the post of township assessor or contracting with a county or any other political subdivision or individual for the assessment duties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 941 and 942 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz, J.
Barth	Izler	Naaden	Shablow
Berube	Jacobson	Nething	Smykowski
Butler	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane
Goldberg	Litten	Ringsak	Tweten

Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright
Hoffner	Morgan	Schultz, C.	

Absent and not voting:

Christensen	Nasset	Pyle	Roen
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1102 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

Senator Holand moved that House Bills Nos. 1167 and 1123 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1420. A Bill for an Act to amend and reenact subsection 11 of section 4-22-02, the beginning paragraphs of subsections 1, 2, and 3 of section 10-04-10, section 10-19-52, subsection 1 of section 10-28-20, sections 12-46-13, 12-46-16, 14-03-02, subsection 1 of section 14-03-17, sections 14-07-15, 14-09-22, 14-10-01, 14-10-05, 14-10-11, 14-10-16, subsection 16 of section 15-29-08, sections 15-44-04, 15-47-13, 16-16-18, 23-17-02, 23-17-03, 26-12-20, 27-11-03, 27-11-25, 27-19-02, 27-19-11, subsection 1 of section 27-20-02, subsection 5 of section 27-20-36, subsection 4 of section 27-20-53, sections 27-21-02, 28-01-14, 28-01-25, 29-01-28, 30-11-01, 32-03-39, 39-03-04, 39-06-08, 39-06-09, 39-06-10, 43-02-10, 43-04-31, 43-04-38, 43-05-11, subsection 6 of section 43-11-01, the first sentence of subsection 1 of section 43-11-27, sections 43-13-17, 43-15-15, 43-15-33, 43-17-18, 43-19-1-16, 43-25-07, 43-26-06, 43-30-05, 43-31-07, 43-33-05, 43-33-07, 43-34-03, subsections 1 and 13 of section 47-24-01, subsection 1 of section 50-02-04, section 54-52-05, and subsection 2 of section 54-52-01 of the North Dakota Century Code, relating to persons eighteen years old and over, and making them adults for all purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 944 of the Senate Journal, the roll was called and there were ayes, 39; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Goodman	Melland	Schultz, C.
Barth	Gronhovd	Morgan	Schultz, J.
Berube	Hoffner	Mutch	Shablow
Butler	Holand	Naaden	Smykowski
Christensen	Jones	Nasset	Strand
Coughlin	Kautzmann	Nething	Stroup
Erdman	Larson	Page	Thane
Freed	Lips	Peterson	Tweten
Fritzell	Litten	Reiten	Wenstrom
Goldberg	Longmire	Sands	

Those voting in the negative were:

Iszler	Rait	Sandness	Strinden
Jacobson	Redlin	Solberg	Wright
Lee	Ringsak		

Absent and not voting:

Pyle	Roen
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1420 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Holand moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1350, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1350
 Senator Tweten
 Senator Nasset
 Senator Hoffner

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1351, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1351
 Senator Fritzell
 Senator Sandness
 Senator Redlin

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2033 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2033
 Senator Holand
 Senator Jones
 Senator Barth

SECOND READING OF HOUSE BILLS

House Bill No. 1489. A Bill for an Act to amend and reenact sections 61-16-22 and 61-16-35 of the North Dakota Century Code, relating to financing of special improvements in water management districts; and to repeal section 61-16-23 of the North Dakota Century Code, relating to the county's authority to make a general tax levy to pay a deficiency resulting from special improvements in water management districts.

Which has been read.

Senator Fritzell moved that House Bill No. 1489 be further amended as follows:

In the Senate amendments, as printed on page 944 of the Senate Journal, in the second sentence of Section 61-16-22, following the words "proposed project, and," delete the triple parentheses around the words "under conditions specified in" and immediately after delete the following: "**if the board of commissioners so determines under**"

Renumber the lines accordingly.

Which motion prevailed.

Senator Fritzell moved that the rules be suspended, that House Bill No. 1489 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1489. A Bill for an Act to amend and reenact sections 61-16-22 and 61-16-35 of the North Dakota Century Code, relating to financing of special improvements in water management districts; and to repeal section 61-16-23 of the North Dakota Century Code, relating to the county's authority to make a general tax levy to pay a deficiency resulting from special improvements in water management districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 944 and 945 of the Senate Journal, and from the floor, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sandness
Barth	Hoffner	Nasset	Schultz, J.
Berube	Holand	Nething	Shablow
Butler	Jones	Peterson	Solberg
Christensen	Kautzmann	Rait	Strand
Erdman	Larson	Redlin	Stroup
Freed	Lee	Reiten	Tweten
Fritzell	Lips	Ringsak	Wenstrom
Goldberg	Litten	Sands	Wright
Goodman	Longmire		

Those voting in the negative were:

Coughlin	Morgan	Page	Strinden
Iszler	Mutch	Schultz, C.	Thane
Jacobson	Naaden	Smykowski	

Absent and not voting:

Pyle Roen

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1489 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1535. A Bill for an Act making an appropriation and providing for the improvement of the south plaza of the state capitol building, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 44; absent and not voting, 2.

Those voting in the affirmative were:

Berube	Rait	Schultz, C.	Shablow
Larson			

Those voting in the negative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Holand	Mutch	Schultz, J.
Butler	Iszler	Naaden	Smykowski
Christensen	Jacobson	Nasset	Solberg
Coughlin	Jones	Nething	Strand
Erdman	Kautzmann	Page	Strinden
Freed	Lee	Peterson	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sands	Wright

Absent and not voting:

Pyle Roen

So the bill was declared lost.

Senator Litten moved that the vote by which House Bill No. 1535 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Lips moved that the Conference Committee on House Bill No. 1002 be discharged, which motion prevailed.

Senator Ringsak moved that House Bill No. 1007 be placed at the head of the calendar, which motion prevailed.

Senator Litten moved that action on House Bill No. 1007 be delayed until after recess, which motion prevailed.

Senator Mutch moved that House Bill No. 1215 be placed at the foot of the calendar, which motion prevailed.

Senator Lips moved that House Bill No. 1003 be placed at the foot of the calendar, which motion prevailed.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senator Barth introduced:

Senate Concurrent Resolution No. 4078. A Concurrent Resolution congratulating the Fort Yates Warriors basketball team on winning the 1973 North Dakota Class A Basketball Championship.

Was read the first time.

MOTION

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution No. 4078 be not printed as a bill, but printed in the Journal, not referred to committee, but placed on the calendar for second reading and final passage, which motion prevailed.

Page No. 1

SENATE CONCURRENT RESOLUTION No. 4078

Introduced through Committee on Delayed Bills
by Senator Barth

1 A concurrent resolution congratulating the Fort Yates Warriors
2 basketball team on winning the 1973 North Dakota State Class
3 A Basketball Championship.

4
5 WHEREAS, the Fort Yates Warriors, the State's smallest
6 Class A school, came from behind several times to defeat the
7 State's largest Class A school, Minot, 79-78 in a championship
8 finale which went three dramatic overtime periods; and

9 WHEREAS, this is the first time in the history of the
10 Class A Tournament that the championship game has gone into
11 three overtime periods; and

12 WHEREAS, the mighty Warriors are only the third team
13 ever to win championships in both Class A and Class B, win-
13a ning

14 Class B championships in 1956 and again in 1964; and

15 WHEREAS, Fort Yates placed two of its outstanding players,
16 Wyman Archambault, whose 17-foot, fallaway jump shot with
16a just

17 two seconds remaining in regulation play sent the game into
18 overtime, and Darrell Eaglestaff, the leading scorer in the
19 championship game with 29 points, on the All-Tournament
19a Team;

20 and

21 WHEREAS, this was the fifth year in his six seasons at
22 Fort Yates that coach Clark Swisher has led the Warriors into
23 a state tournament, a success record almost unparalleled in
23a North

24 Dakota coaching ranks;

Page No. 2

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
1a OF THE
2 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING
2a THEREIN:
3

4 That the Legislative Assembly extends to all the members
 5 of the Fort Yates Warriors basketball team, and their coach,
 6 Clark Swisher, its heartiest congratulations upon not only
 7 winning the 1973 State Class A Basketball Championship, but
 8 also in showing the determination and courage they did to
 9 fight back against almost impossible odds in the championship
 10 game to take the title; and
 11 BE IT FURTHER RESOLVED, that copies of this resolution
 12 be presented to coach Clark Swisher and to each member of
 13 the championship team.

SECOND READING OF A
 SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4078. A Concurrent Resolution congratulating the Fort Yates Warriors basketball team on winning the 1973 North Dakota Class A Basketball Championship.

Which has been read.

Senator Barth moved that Senate Concurrent Resolution No. 4078 be adopted, which motion prevailed.

Senator Litten moved that the vote by which Senate Concurrent Resolution No. 4078 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTIETH DAY

Bismarck, March 12, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain A. Benjamin Dove, Jr., First Presbyterian Church, Mandan.

"O Lord our God, we often pray for you to be with us — and we know You are. So in these moments we pray that we may stand with You against the insistent clamors of selfish or short-sighted interests — our own or anyone else's!

"Thank You for the wide and rolling beauty of the Dakotas — and for the wonder and potential of a representative government.

"Help this body to use effectively the precious days and hours remaining in this session.

"Refresh and encourage them with the assurance that You are as concerned as they are that good responses be found for the problems and the opportunities we face.

"Grant that, amid the inevitable and **healthy** conflict of ideas and convictions in this chamber, there will **still** prevail an atmosphere of deserved trust and mutual respect. If necessary anger rises in support of justice, grant it will be laced with equal **wisdom** and **humility**.

"Support with Your own might and love these, Your servants and ours!

"In Christ's name we pray. Amen."

Roll Call: All Senators present except Pyle and Roen.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-eighth day after recess and the forty-ninth day and recommends that the same be corrected as follows:

On page 992, in line 25 from the top of the page, correct the spelling of the word "to"

On page 987, delete all of lines 12 through 48 and insert in lieu thereof the following:

"Senator Butler moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1050, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

House Bill No. 1050
 Senator J. Schultz
 Senator Lee
 Senator Shablow

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1030, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

House Bill No. 1030
 Senator Tweten
 Senator Kautzmann
 Senator Peterson

Senator Holand moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1090, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

House Bill No. 1090
 Senator Tweten
 Senator Nasset
 Senator Hoffner

Senator Goldberg moved that the President appoint a committee of three to act with a like committee from the House on a Conference Committee on House Bill No. 1317, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee, on:

House Bill No. 1317
 Senator Goldberg
 Senator Nething
 Senator Gronhøvd"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand moved that the Senate do not concur in the House amendments to Senate Bill No. 2183 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on

Senate Bill No. 2183
 Senator Holand
 Senator Solberg
 Senator Hoffner

MOTIONS

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2223, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate

Bill No. 2223 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2223. A Bill for an Act to create and enact a new subsection to section 15-47-38 and to amend and reenact section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Schultz, C.
Barth	Holand	Naaden	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nething	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Rait	Stroup
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goldberg	Melland	Ringsak	Wenstrom
Goodman	Morgan	Sands	Wright
Gronhovd			

Those voting in the negative were:

Strinden

Absent and not voting:

Lee	Pyle	Roen	Sandness
Longmire			

So the bill passed and the title was agreed to.

MOTIONS

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2013, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2013 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2013. A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

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, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Mutch	Sandness
Barth	Holand	Naaden	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nething	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Rait	Strinden
Freed	Lee	Redlin	Stroup
Fritzell	Lips	Reiten	Thane

Goldberg	Litten	Ringsak	Wenstrom
Goodman	Melland	Roen	Wright
Gronhovd	Morgan	Sands	

Those voting in the negative were:
Schultz, C.

Absent and not voting:
Longmire Pyle Tweten

So the bill passed and the title was agreed to.

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2108, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2108 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2108. A Bill for an Act to create and enact sections 34-13-13.1 and 34-13-16 of the North Dakota Century Code, relating to regulation of employment agency contracts by the state labor commissioner, refunds in certain instances of fees paid to employment agencies, and defining temporary and permanent employment; and providing a penalty.

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, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:
Pyle

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Nething moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1054, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1054

Senator Nething
Senator Goodman
Senator Shablow

Senator Butler moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2027, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2027

Senator Anderson
Senator Wright
Senator Rait

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1539 has had the same under consideration and recommends that the same do pass.

SENATOR NETHING, Chairman

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3090. A Concurrent Resolution directing the Legislative Council to conduct a study of the questions of taxation and jurisdiction as it pertains to Indians and non-Indians on an Indian reservation lying wholly or partly within the State of North Dakota.

Which was read the first time and referred to the Legislative Council Resolutions Committee.

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2028, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2028 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2028. A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to the mailing of notice of increased assessments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, J.
Berube	Jacobson	Nasset	Shablow
Butler	Jones	Nothing	Smykowski
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Roen	Wright
Hoffner	Morgan		

Absent and not voting:

Goldberg	Sands	Schultz, C.	Tweten
Pyle			

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Jacobson moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2035, which motion prevailed.

The President appointed as a Conference Committee on

Senate Bill No. 2035

Senator Stroup

Senator Anderson

Senator Christensen

Senator Morgan moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2051, which motion prevailed.

The President appointed as a Conference Committee on
 Senate Bill No. 2051
 Senator Nasset
 Senator Smykowski
 Senator Barth

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2125, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2125 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2125. A Bill for an Act to provide a real property tax exemption for improvements to commercial buildings and structures.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Ringsak
Barth	Hoffner	Morgan	Sandness
Berube	Holand	Naaden	Schultz, J.
Butler	Jacobson	Nasset	Shablow
Christensen	Jones	Nething	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Lee	Peterson	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Wenstrom
Goldberg	Longmire	Reiten	Wright
Goodman			

Those voting in the negative were:

Iszler	Mutch	Smykowski	Thane
Larson	Schultz, C.		

Absent and not voting:

Pyle	Roen	Sands	Tweten
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So the bill passed and the title was agreed to.

MOTIONS

Senator Goldberg moved that the Senate do concur in the House amendments to Senate Bill No. 2170, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2170 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2170. A Bill for an Act to amend and reenact section 65-09-01 of the North Dakota Century Code relating to liability of uninsured employer; section 65-09-02 of the 1971 Supplement to the North Dakota Century Code relating to time for filing original claims for compensation and employer to furnish payroll report; section 65-09-03 of the North Dakota Century Code relating to order of bureau to contain amount of premium and penalty, filing of record of proceedings and entering judgment; section 65-09-04 of the North Dakota Century Code relating to determination of premiums, penalties and interest on wages to be paid by employer; and providing a penalty.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Schultz, C.
Barth	Holand	Mutch	Schultz, J.
Berube	Iszler	Naaden	Shablow
Butler	Jacobson	Nasset	Smykowski
Christensen	Jones	Nothing	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Sandness	Wright

Absent and not voting:

Pyle	Roen	Sands
------	------	-------

So the bill passed and the title was agreed to.

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2177, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2177 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2177. A Bill for an Act to create and enact sections 57-52-10.1 and 57-54-07.1; to amend and reenact subsections 5 and 8 of section 57-52-03, sections 57-52-12, 57-52-19, subsection 4 of section 57-53-01, sections 57-53-05, 57-53-08, 57-54-03, 57-54-07, 57-54-11, 57-54.1-15 and 57-56-02 of the North Dakota Century Code, relating to provisions of the motor fuel, special fuels, importers for use, aviation fuel and motor fuel tax refunds; and providing for a penalty.

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, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Ringsak
Barth	Holand	Morgan	Sands
Berube	Iszler	Naaden	Sandness
Butler	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nothing	Shablow
Erdman	Kautzmann	Page	Strand
Freed	Larson	Peterson	Stroup
Fritzell	Lee	Rait	Tweten
Goldberg	Lips	Redlin	Wenstrom
Goodman	Litten	Reiten	Wright
Gronhovd	Longmire		

Those voting in the negative were:

Coughlin	Schultz, C.	Solberg	Thane
Mutch	Smykowski	Strinden	

Absent and not voting:

Pyle	Roen
------	------

So the bill passed and the title was agreed to.

MOTIONS

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2189, which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2189 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2189. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota by the North Dakota state hospital.

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, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goldberg	Longmire	Roen	Twetten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:
Pyle

So the bill passed and the title was agreed to.

MOTIONS

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2258, which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2258 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2258. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota and used by the North Dakota state hospital.

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, 50; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane

Goldberg	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch		

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1007. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions.

Which has been read.

Senator Ringsak moved that House Bill No. 1007 be further amended as follows:

On page 4, after line 1 insert the following:

1 A Learning and planning building "850,000"

On page 4, line 12 delete "8,998,111" and insert in lieu thereof "9,848,111"

On page 4, line 14 delete "6,929,784" and insert in lieu thereof "7,778,784"

On page 5, line 11, delete "18,914,200" and insert in lieu thereof, "19,764,200"

On page 5, line 13, delete "24,598,190" and insert in lieu thereof "25,448,190"

Renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Lips moved that House Bill No. 1007 be further amended as follows:

On page 2, line 6, delete "98,460" and insert in lieu thereof "198,460"

On page 2, line 8, delete "2,204,975" and insert in lieu thereof "2,304,975"

On page 2, line 10, delete "2,156,525" and insert in lieu thereof "2,256,525"

On page 5, line 11, delete "19,764,200" and insert in lieu thereof "19,864,200"

On page 5, line 13, delete "25,448,190" and insert in lieu thereof "25,548,190"

Renumber the lines accordingly.

Which motion prevailed.

MOTION

Senator Lips moved that the rules be suspended, that House Bill No. 1007 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1007. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, pages 938 and 939 of the Senate Journal, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sandness
Barth	Iszler	Naaden	Schultz, C.
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Erdman	Larson	Peterson	Solberg
Freed	Lee	Rait	Strand
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom
Hoffner	Morgan	Sands	Wright

Those voting in the negative were:

Coughlin Strinden

Absent and not voting:

Pyle

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Litten moved that the vote by which House Bill No. 1007 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1339, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1339:

Senator Smykowski
 Senator Morgan
 Senator Redlin

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Holand moved that the Senate do not concur in the House amendments to Senate Bill No. 2026 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2026:

Senator Holand
 Senator Nasset
 Senator Hoffner

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2013
 Senate Bill No. 2028
 Senate Bill No. 2108
 Senate Bill No. 2125
 Senate Bill No. 2170
 Senate Bill No. 2177
 Senate Bill No. 2189
 Senate Bill No. 2223
 Senate Bill No. 2258

And refused to concur in the House amendment to:

Senate Bill No. 2027
 Senate Bill No. 2035

Senate Bill No. 2051

Senate Bill No. 2183

And the President has appointed as a Conference Committee to act with a like committee from the House, on:

House Bill No. 2027

Senator Anderson

Senator Wright

Senator Rait

House Bill No. 2035

Senator Stroup

Senator Anderson

Senator Christensen

House Bill No. 2051

Senator Nasset

Senator Smykowski

Senator Barth

Senate Bill No. 2183

Senator Holand

Senator Solberg

Senator Hoffner

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2025

Senate Bill No. 2099

Senate Bill No. 2196

Senate Bill No. 2203

Senate Bill No. 2250

Senate Bill No. 2311

And refused to concur in the House amendment to:

Senate Bill No. 2007

Senate Bill No. 2113

Senate Bill No. 2269

And the President has appointed as a Conference Committee to act with a like committee from the House, on:

Senate Bill No. 2007

Senator Wenstrom

Senator C. Schultz

Senator Erdman

Senate Bill No. 2113

Senator Tweten

Senator Sandness

Senator Rait

Senate Bill No. 2269

Senator Anderson

Senator Wright

Senator Rait

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2098

Senate Bill No. 2175

Senate Bill No. 2378

Senate Bill No. 2401

Senate Concurrent Resolution No. 4005

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4010
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4030
 Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4039
 Senate Concurrent Resolution No. 4048
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2013
 Senate Bill No. 2033
 Senate Bill No. 2051
 Senate Bill No. 2170
 Senate Bill No. 2258

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO
 SENATE BILL No. 2013

On page 2, after line 33, insert the following:

"SECTION 4. LEGISLATIVE COUNCIL STUDY OF OPERATION AND MANAGEMENT, APPROPRIATION.) There is hereby appropriated from the undivided profit and surplus of the state mill and elevator, or such other account as may be designated by the manager of the state mill and elevator, the sum of \$30,000.00, or so much thereof as may be necessary, to the legislative council for the purpose of a study through its committee on budget of the operations, management, accounting systems, and programs of the state mill and elevator. Such funds shall be transferred to the state treasury and credited to the appropriation of the legislative council at such time as may be requested by the chairman of the council. The legislative council shall procure an experienced and well-qualified independent management services firm for the technical and professional assistance necessary to properly and productively carry out the provisions of this Act, and the state mill and elevator shall provide such aid, information, and assistance as the council, or a committee thereof, may request."

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2033

On page 7, line 25 of the engrossed bill after the word "**Overtime**" insert the words "**and double**"

On page 7, line 26 after the word "**plates**" delete the following: "**, or improper**"

On page 7 delete line 27

On page 7, line 30 after the word "**on**" insert the word "**open**" and also after the word "**highway**" insert the following: "**in violation of section 39-10-47**"

On page 7, delete lines 32 and 33

On page 7, line 34 delete the numeral "**8**" and insert in lieu thereof the numeral "**7**" and also after the word "**unattended**" insert the words "**on an open highway**"

On page 7, line 35 delete the numeral "**9**" and insert in lieu thereof the numeral "**8**"

On page 8, delete all of lines 3 through 14 and insert in lieu thereof the following:

- “(9) **Knowingly operating without required reflectors or clearance lamps** 2 points
- (10) **Knowingly operating with improperly mounted reflectors or clearance lamps** 1 point
- (11) **Knowingly operating with improper reflectors, clearance lamps, or marker lamps** 1 point
- (12) **Knowingly having improper lighting on a vehicle parked on an open highway at night** 2 points
- (13) **A violation of section 39-09-02, or equivalent ordinance, where the charge is speeding from ten to fifteen miles per hour in excess of the lawful speed limit** 3 points”

On page 8, line 15 delete the numeral “17” and insert in lieu thereof the numeral “14”

On page 8, line 17 delete the numeral “18” and insert in lieu thereof the numeral “15”

On page 8, line 20 delete the numeral “19” and insert in lieu thereof the numeral “16”

On page 8, line 23 delete the numeral “20” and insert in lieu thereof the numeral “17”

On page 8, line 26 delete the numeral “21” and insert in lieu thereof the numeral “18”

On page 9, delete all of lines 11 through 13

On page 9, line 14, delete the numeral “5” and insert in lieu thereof the numeral “4”

On page 9, line 18 delete the numeral “6” and insert in lieu thereof the numeral “5”

On page 10, line 2 delete the words “four points” and insert in lieu thereof the words “one point” and also in the same line delete the word “twelve-month” and insert in lieu thereof the word “three-month”

On page 10, line 3 after the word “record” insert the following: “for a moving violation or a violation listed in paragraphs 13 through 18 of subdivision a of subsection 3 of section 10 of this Act”

On page 10, line 4 delete the word “twelve-month” and insert in lieu thereof the word “three-month”

On page 14, line 19 delete the beginning triple parentheses before the word “No”

On page 14, line 20 delete the ending triple parentheses after the period

On page 20, line 27 insert triple parentheses before and after the word “is” and also before the word “in” insert the following: “he knows to be”

On page 20, line 28 after the word “which” insert the following: “he knows”

On page 20, line 30 after the word “which” insert the following: “he knows”

On page 21, line 2 after the word “which” insert the following: “he knows”

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2051

On page 1, line 1 of the engrossed bill delete everything after the word “Act”

On page 1, line 2 delete all of the line

On page 1, line 3, delete everything before and including the semicolon

On page 2 delete lines 29 through 35

On page 3 delete lines 1 through 27

On page 5, line 31 delete the word "prescribed" and insert in lieu thereof the word "prescribe"

On page 8, line 13 delete the word "cause" and insert in lieu thereof the word "caused"

And renumber the lines, pages and sections accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2170

On page 5, line 24, delete the words: "wages subject to such" and delete the comma ","

On page 5, line 24, before the word "paid" insert the words "due or"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2258

On page 1, line 15 of the engrossed bill, delete all of the line up to the final word "the " and insert in lieu thereof the following: "A tract of land in"

On page 1, line 19 delete the remainder of the line following the semicolon and insert in lieu thereof the following: "The south seven hundred seventy-five and five-tenths feet of the east six hundred sixty feet of the northwest quarter of said section, except the south one hundred fifteen and five-tenths feet thereof. This tract contains ten acres more or less."

On page 1, delete lines 20 through 24 of the engrossed bill

On page 2, delete lines 1 through 15 of the engrossed bill

On page 2, after line 15 insert the following: "Prior to execution of the sale herein authorized, the purchaser shall arrange for a survey of said tract and agreement between the purchaser and the state health officer shall be reached as to said tract's precise location, boundaries, and legal description in accordance with the express intent of this Act. The description thereby agreed upon shall be contained in the terms of the contract."

And renumber the lines accordingly.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2149

Senate Bill No. 2379

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2294

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Thane moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 2294

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2294

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2312

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2027

Senate Bill No. 2028

Senate Bill No. 2035

Senate Bill No. 2108

Senate Bill No. 2125

Senate Bill No. 2177

Senate Bill No. 2183

Senate Bill No. 2189

Senate Bill No. 2223

Senate Bill No. 2283

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2027

On page 1, line 2 after the numeral and comma "57-02-31," insert the word "and" and also in line 2 delete everything after the numeral "57-02-34"

On page 1, line 3 delete everything before the word "of"

On page 1, line 4 after the word "procedures" delete the comma and insert in lieu thereof the word "and"

On page 1, line 5 delete everything after the first word "dates"

On page 1, line 6 delete the word "equalization"

On page 2, line 13 delete the triple parentheses before and after the word "June" and delete the word "April"

On page 3, line 18 delete the triple parentheses before and after the word "June" and delete the word "March"

On page 3 delete all of lines 24 through 35

On page 4 delete all of lines 1 through 35

On page 5, delete all of lines 1 through 35

On page 6 delete all of lines 1 through 35

On page 7 delete all of lines 1 through 25

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2028

On page 1, line 12 place beginning triple parentheses before the first word "or" and delete the words "township, city, or"

On page 1, line 13 place ending triple parentheses after the word "equalization" and delete the words ", or any combination thereof,"

On page 1, line 14 delete the word "net" and after the word "land" insert the words "together with any improvements thereon"

On page 1, line 15 place beginning triple parentheses before the word "fifteen" and delete the triple parentheses before the word "of" and insert ending triple parentheses after the word "of" and insert in lieu thereof the words "one hundred dollars over" and place beginning triple parentheses before the word "any"

On page 1, line 17 place ending triple parentheses after the word "of" and delete the triple parentheses after the word "it" and delete "**, and such fifteen**"

On page 1, delete all of line 18

On page 1, line 19 delete "**or more of such valuation**"

On page 1, line 21 place triple parentheses around the word "given" and insert in lieu thereof the word "**delivered**" and delete the words "**or board**"

On page 1, line 22 after the word "owner" insert the words "**or mailed to him**" and delete the triple parentheses before the word "**The**"

On page 1, line 24 place beginning triple parentheses before the word "be" and after the ending triple parentheses insert the following: "**also show the estimated market value of the property that, the assessor used in making the assessment for the current year and for the year in which the last assessment was made and shall also show the date prescribed by law for the meeting of the local equalization board of the assessment district in which the property is located and the meeting date of the county equalization board.**"

On page 2, line 1 delete the word "sent" and insert in lieu thereof the words "**mailed or delivered to the property owner**" and also in line 1 delete the words "final day" and insert in lieu thereof the words "**meeting date of the local equalization board**"

On page 2, delete all of line 2

On page 2, line 3 after the word "mailed" insert the words "**or delivered**"

On page 2, line 3 delete the word "governmental agency" and insert in lieu thereof the words "**assessment district for which the assessor is employed**"

On page 2, line 4 delete everything before the period

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2035

On page 3, line 4 delete the words "**no smaller than countywide in size**"

On page 3, line 12 after the word "size" insert the following: "**, except that any district which is smaller than countywide in size established prior to January 1, 1973, may, in lieu of merging with the new countywide district, continue to exist, within its established boundaries, independently of such countywide district if its board of commissioners files with the state water commission written notice of such intention on or before January 1, 1974**"

On page 3, line 13 after the word "county" insert the words "**, and does not choose to remain independent of the countywide district**"

On page 7, line 18 delete the triple parentheses before the word "in" and delete the triple parentheses after the word "situated"

On page 8, line 21 delete the triple parentheses before the word "in" and insert beginning triple parentheses before the word "conservation" and insert ending triple parentheses after the word "control" and insert in lieu thereof the word "**management**"

On page 8, line 22 delete the triple parentheses after the word "situated" and delete the words "**included in a water management district**"

On page 11, line 8 delete the triple parentheses before the word "is" and delete the triple parentheses after the word "of" and delete the word "**includes**"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2108

On page 1, line 1 of the engrossed bill, delete the remainder of the bill after the words "A BILL" and insert in lieu thereof

the following: "For an Act to create and enact sections 34-13-13.1 and 34-13-16 of the North Dakota Century Code, relating to regulation of employment agency contracts by the state labor commissioner, refunds in certain instances of fees paid to employment agencies, and defining temporary and permanent employment; and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. Section 34-13-13.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

34-13-13.1. CLASS ONE AND CLASS TWO LICENSEES' CONTRACTS AND FEES APPROVED BY LABOR COMMISSIONER — TEMPORARY AND PERMANENT EMPLOYMENT DEFINED — WHEN FEE REFUND DUE EMPLOYEE — CAUSE OF ACTION BY EMPLOYEE.)

1. For the purposes of this section, temporary employment is employment for three months or less, and permanent employment is employment for more than three months.
2. If an employment position terminates or the employee is otherwise released before the end of the temporary employment period, the employee shall receive a refund of all service charges paid in excess of twenty percent of the gross wages actually received prior to termination or release. Nothing contained in this section restricts an agency from receiving full service charges at the time of the referral, subject to the refund herein provided.
3. This section applies to all class one and class two licensees as defined in section 34-13-11. Every class one and class two licensee shall submit copies of all contracts and fee schedules used by such agency or agent to the commissioner of labor for approval. No contract or fee between a class one and class two licensee and an employer or an employee shall be valid without the commissioner's approval. In approving or disapproving such contracts and fees, the commissioner shall issue a written determination. This determination shall be subject to review and appeal under chapter 28-32.
4. This section does not apply to contracts wherein the service charge does not exceed one hundred dollars.
5. Any employee who is damaged by a violation of this section shall be entitled to receive from the licensee the entire amount of service charges he has paid the licensee.

SECTION 2. Section 34-13-16 of the North Dakota Century Code is hereby created and enacted to read as follows:

34-13-16. PENALTY.) Any person who violates the provisions of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment for not to exceed one year, or by both such fine and imprisonment."

And renumber the lines and pages accordingly.

**HOUSE AMENDMENTS TO
SENATE BILL No. 2125**

On page 1, line 1, delete everything after "A BILL" and insert in lieu thereof the following: "for an Act to provide a real property tax exemption for improvements to commercial buildings and structures.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION AND FINDING OF PUBLIC PURPOSE.) The legislative assembly hereby declares and finds that

the present method of assessment and taxation of real property discourages the investment of private capital in the rehabilitation and remodeling of commercial buildings and structures with the result that such properties have been allowed by their owners to decay, become in need of repair, modernization, and replacement, and that such conditions have resulted in a decreased tax base. The legislative assembly further finds that it is in the public interest and for the welfare of the state of North Dakota, its political subdivisions, and its citizens to encourage the investment of private capital in improvements to commercial buildings and structures, thereby encouraging the production of wealth, improving the volume of employment, and preserving and increasing the property tax base. It is the intent of the legislative assembly that the exemptions from taxation provided for in this Act provide an alternative to the property tax exemptions provided for in chapters 40-57 and 40-57.1.

SECTION 2. IMPROVEMENT DEFINED.) In this Act, unless the context or subject matter otherwise requires, the term "improvement" means the renovation, remodeling, or alteration, but not the replacement, of an existing building or structure for use for commercial purposes, and use for commercial purposes shall not include use for residential purposes. An addition constructed to an existing building or structure to enlarge it shall not be regarded as an improvement for the purposes of this Act.

SECTION 3. TAX EXEMPTION FOR IMPROVEMENTS TO COMMERCIAL BUILDINGS AND STRUCTURES — PROPERTY OWNER'S CERTIFICATE.) Improvements to commercial buildings and structures as defined in this Act may be exempt from assessment and taxation for three years from the date of commencement of making the improvements. The exemption provided by this Act shall apply only to that part of the valuation resulting from the improvements which is over and above the assessed valuation, exclusive of the land, placed upon the building or structure for the last assessment period immediately preceding the date of commencement of the improvements. Any person, corporation, association, or organization owning real property and claiming an exemption pursuant to the provisions of this Act shall file with the assessor a certificate setting out the facts upon which the claim for exemption is based. The assessor shall furnish a copy of the certificate to the county director of tax equalization. The assessor shall determine whether the improvements qualify for the exemption, and if he determines that the exemption should apply, upon approval of the governing body, the exemption shall be valid for the three year period and shall not terminate upon the sale or exchange of the property but shall be transferable to subsequent owners for such three year period. If the certificate is not filed as herein provided, the assessor shall regard the improvements as nonexempt and shall assess them as such. The decision of the assessor shall be subject to correction, abatement, and appeal in the manner provided by law for other assessments."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2177

On page 1, line 3 of the engrossed bill delete the numerals "57-52-04,"

On page 1, line 4 delete the numerals "57-53-02,"

On page 1, line 5 delete the last comma and numerals ", 57-56-01"

On page 3a delete lines 11 through 28

On page 4, line 2 delete the last word "five" and insert in lieu thereof the word "two"

On page 5, line 6 delete comma and words “ , jet aviation”

On page 5 delete lines 8 through 18

On page 8, line 12 delete everything after the word “therein”

On page 8, delete all of line 13

On page 8, line 14 delete everything before the semi-colon

On page 9, line 35 delete the word “five” and insert in lieu thereof the word “two”

On page 10, line 13 after the period insert the following:

“The state tax commissioner, in his discretion for good cause shown, may waive all or any part of the penalty provided by this section.”

On page 10, delete lines 30 through 35

On page 11, delete lines 1 through 11

On page 11, line 23 delete the triple parentheses before the comma

On page 11, line 24 delete the triple parentheses after the first word “fuel”

On page 11, line 29 after the word “gasoline” insert the following:

“ , jet aviation motor fuel”

And renumber the lines, pages and sections accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2183

On page 1, line 23, of the engrossed bill after the word “of” insert the words “two-thirds of” and also on line 23, place triple parentheses around the word “entire”

On page 2, delete lines 5 through 9 and insert in lieu thereof the following:

“a. Conviction of a crime involving moral turpitude, or an act of gross immorality satisfactorily shown to have been committed by the teacher;

b. Willful refusal to obey reasonable directions of his superior or the board;”

On page 2, line 14, after the word “disability” insert the following:
“that renders him unfit or unable to perform his duties as a teacher”

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2189

On page 1, line 10 of the engrossed bill, delete the first comma and the remainder of the line, and insert in lieu thereof the following: “is hereby authorized to sell and convey certain land described herein and owned by the state of North Dakota, under conditions hereinafter stated, at public sale according to section 54-01-05.2. Before advertising the sale of such land, an appraisal of such property shall be obtained from a duly qualified appraiser. The property, if sold, shall be sold to the highest bidder for cash which, in no event, shall be less than the appraised value. The state health officer is hereby authorized to reject any or all bids. The”

On page 1, delete lines 11 through 13

On page 1, line 14, delete the word “which”

On page 2, after line 7, insert the following:

“Prior to execution of the sale herein authorized, the purchaser shall arrange for a survey of said tract and agreement between the purchaser and the state health officer shall be reached as to said tract’s precise location, boundaries, and legal description in accordance with the express intent of this Act. The legal description thereby agreed upon shall be contained in the terms of the contract.”

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2223

On page 5, line 2, of the engrossed bill after the word "contract" insert the following: " , as provided in section 15-47-27,"

On page 5, line 5, following the word "time" insert the following: " , which shall not be later than April seventh,"

On page 5, line 29, following the period insert the following:

"Final notice of the determination not to renew a contract shall be given in writing by April fifteenth as provided in section 15-47-27."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2283

On page 3, line 17, delete the numerals "1,080,000.00" and insert in lieu thereof the numerals "585,000.00"

On page 3, after line 20, insert the following line:

"Administration \$25,000.00"

On page 3, delete lines 21, 22, 23, and 24

On page 3, line 25, delete the numerals "1,000,000.00" and insert in lieu thereof the numerals "560,000.00"

On page 3, line 26, delete the numerals "1,080,000.00" and insert in lieu thereof the numerals "585,000.00"

On page 3, line 27, delete the numerals "500,000.00" and insert in lieu thereof the numerals "280,000.00"

On page 3, line 29, delete the numerals "580,000.00" and insert in lieu thereof the numerals "305,000.00"

And renumber the pages and lines accordingly.

MESSAGES 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:

House Concurrent Resolution No. 3090

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2294

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2294

Was delivered to the Governor for his approval at the hour of 2:36 o'clock p.m., March 12, 1973.

SENATOR JACOBSON, Chairman

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to:

House Bill No. 1001

House Bill No. 1002

House Bill No. 1004

House Bill No. 1005

House Bill No. 1015

House Bill No. 1331

House Bill No. 1350

House Bill No. 1351

And the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, on:

House Bill No. 1001

Rep. Wagner

Rep. Al Hausauer

Rep. Opedahl

House Bill No. 1002

Rep. Bridston

Rep. Solberg

Rep. Peterson

House Bill No. 1004

Rep. Jenkins

Rep. H. Johnson

Rep. Kingsbury

House Bill No. 1005

Rep. Miedema

Rep. Mertens

Rep. Olin

House Bill No. 1015

Rep. Jenkins

Rep. Hartl

Rep. Fleming

House Bill No. 1331

Rep. Liebhan

Rep. Vander Vorst

Rep. Wilkie

House Bill No. 1350

Rep. Erickson

Rep. Eagles

Rep. McGauvran

House Bill No. 1351

Rep. Hentges

Rep. Berg

Rep. Solberg

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 refused to concur in the Senate amendments, to:

House Bill No. 1002

And discharged the Conference Committee appointed, and now concurs in the Senate amendments to:

House Bill No. 1002

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to:

Senate Bill No. 2033

And the President has appointed as a Conference Committee to act with a like committee from the House:

Senator Holand

Senator Jones

Senator Barth

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action by which it refused to concur in the House amendments to:

Senate Bill No. 2356

And discharged the Conference Committee appointed, and now concurs in the House amendments to:

Senate Bill No. 2356

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4078

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1014

House Bill No. 1049

House Bill No. 1102

House Bill No. 1420

House Bill No. 1489

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1535

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered the action by which it adopted the Conference Committee Report on House Bill No. 1057, and that the Conference Committee previously appointed continue to serve.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On Senate Bill No. 2075:

Rep. Timm

Rep. Rau

Rep. Langley

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1085

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1026, 1031, 1054, 1232, 1235, 1290, 1344, 1390, 1502, and House Concurrent Resolution No. 3017 and 3034.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1392 and subsequently failed to pass the bill.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as conference committees to act with like committees from the House, on House Bills Nos. 1001, 1002, 1004, 1005, 1005, 1015, 1350 and 1351:

On House Bill No. 1001:

Senator Melland
Senator Thane
Senator Erdman

On House Bill No. 1002:

Senator Strinden
Senator Coughlin
Senator Larson

On House Bill No. 1004:

Senator C. Schultz
Senator Page
Senator Larson

On House Bill No. 1005:

Senator Longmire
Senator Wenstrom
Senator Erdman

On House Bill No. 1015:

Senator Lips
Senator Naaden
Senator Pyle

On House Bill No. 1350:

Senator Tweten
Senator Nasset
Senator Hoffner

On House Bill No. 1351:

Senator Fritzell
Senator Sandness
Senator Redlin

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it concurred in the Senate amendments to House Bill No. 1054.

The House now does not concur on the Senate amendments to House Bill No. 1054, and requests that a conference committee be appointed to act with a like committee from the House.

The Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Rep. A. Hausauer
Rep. Kloubec
Rep. Linderman

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1339 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Rep. Hentges
Rep. Scofield
Rep. Meyer

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2007
Senate Bill No. 2033
Senate Bill No. 2113
Senate Bill No. 2269

On Senate Bill No. 2007

Rep. Olin
Rep. L. Hausauer
Rep. Mertens

On Senate Bill No. 2033

Rep. Stone
Rep. Lundene
Rep. Kretschmar

On Senate Bill No. 2113

Rep. A. Hausauer
Rep. Dotzenrod
Rep. Ganser

On Senate Bill No. 2269

Rep. Dornacker
Rep. Royse
Rep. Winge

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1030

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to

House Bill No. 1009

House Bill No. 1017

ROY GILBREATH, Chief Clerk

MESSAGE 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. 1054

House Bill No. 1339

On House Bill No. 1054

Senator Nething
Senator Goodman
Senator Schablow

On House Bill No. 1339

Senator Smykowski
Senator Morgan
Senator Redlin

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2026

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2026

In amendment D of the re-engrossed bill as adopted by the House, following the word "shall be levying at least a" delete the word "fifty" and insert in lieu thereof the word "seventy-five"

On page 8 of the re-engrossed bill, delete all of line 28 and on line 29 delete the following: "twenty-mill school district levy,"

On page 10, line 11 of the re-engrossed bill, after the period insert the following: "Provided, however, that the authorization for unlimited levies under this subsection shall terminate on July 1, 1975, and any school district making such levies prior to that date shall be required to comply with the tax levy limitations otherwise provided by law after that date."

On page 11, after line 22 of the re-engrossed bill, insert the following:

"SECTION 12. ELIGIBILITY FOR RECEIPT OF FOUNDATION PROGRAM PER PUPIL PAYMENTS.) The superintendent of public instruction shall only make disbursements pursuant to this Act to school districts for schools where school boards certify to the superintendent of public instruction that, except for vocational and special education programs and new programs related to new facilities, courses of study eliminated in the last two years, no new programs will be implemented during the biennial period covered by the appropriation set forth in this Act."

And renumber the pages, lines, and sections accordingly.

HOUSE AMENDMENTS TO SENATE BILL NO. 2026

- A. On page 1, line 3 of the re-engrossed bill, after the word "program" insert the words "and to provide for mill levy reductions in school districts having unlimited mill levies"
- B. On page 2, line 28 of the re-engrossed bill, delete the word "forty" and insert the word "twenty"
- B. On page 3, line 6, of the re-engrossed bill, delete the word "twenty" and insert the word "fifteen"
- C. On page 3, line 24, of the re-engrossed bill, place beginning triple parentheses before the word "all" and place ending triple parentheses after the comma
- D. On page 4, line 25, of the re-engrossed bill, after the period insert the following new sentence: "No high school district shall receive less for general school operating purposes in total state and local payments for any year of the 1973-75 biennium than such district received from combined state and local sources for general school operating purposes during the 1972-73 school year, unless such reduction is caused by a loss in enrollment, and the state payment shall be increased by such amount as may be necessary to ensure that each district receives such amount, however, a high school district shall be levying at least a fifty percent increase for its general fund to be eligible for these payments."
- E. On page 4, line 35 of the re-engrossed bill, following the period insert the following, "Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the Superintendent of Public Instruction, earned in another high school district shall be included to meet the minimum four

required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses."

- F. On page 6, line 33, of the re-engrossed bill, delete the figures ".88" and insert the figures ".90"
- F. On page 7, line 9, of the re-engrossed bill delete the figures ".92" and insert the figures ".90"
- A. On page 11, line 1 of the re-engrossed bill, delete the words "It is the"
- A. On page 11, delete lines 2 through 7 of the re-engrossed bill
- A. On page 11, after line 7 of the re-engrossed bill insert the following new section:

"SECTION 9. MILL LEVY REDUCTIONS IN SCHOOL DISTRICTS HAVING UNLIMITED LEVIES.) Any school district having increased mill levies pursuant to the authority of section 57-15-14 and the board of education of the city of Fargo shall reduce the mills levied for general fund purposes by not less than fifteen mills from the number of mills levied for taxable year 1972. This reduction shall be effective for the 1973-75 biennium."

And renumber the pages, lines, and sections accordingly.

MESSAGES TO THE HOUSE

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. 2026

and the President has appointed as a conference committee to act with a like committee from the House,

Senator Holand
Senator Nasset
Senator Hoffner

LEO LEIDHOLM, Secretary

House Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1007

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess until 9:00 A.M., March 13, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTIETH DAY AFTER RECESS

Bismarck, March 13, 1973

The Senate convened at 9:00 a.m., pursuant to recess taken, the President presiding.

MOTION

Senator Morgan moved that the Conference Committee appointed to act with a like committee from the House on Senate Bill No. 2051 be discharged, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Morgan moved that the President appoint a new committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2051, which motion prevailed.

The President appointed as a Conference Committee, on:
Senate Bill No. 2051
Senator Wright
Senator Iszler
Senator Barth

Senator Morgan moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1331, which motion prevailed.

The President appointed as a Conference Committee, on:
House Bill No. 1331
Senator Iszler
Senator Smykowski
Senator Redlin

IN HONOR AND MEMORY

Senator Litten moved that the President appoint a committee of two to represent the North Dakota State Senate at the funeral of the Honorable Floyd Poyzer, State Representative from the 22nd District, which motion prevailed.

The President appointed as such committee, Senators Pyle and Goldberg.

Senator Litten requested that the Senate stand in silence for one minute in honor and memory of Representative Floyd Poyzer, which request was granted, and the Senate stood in silence for one minute in honor and memory of Representative Poyzer.

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had House Concurrent Resolution No. 3090 under consideration and recommends that the same do pass.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF A
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3090. A Concurrent Resolution directing the Legislative Council to conduct a study of the questions of taxation and jurisdiction as it pertains to Indians and non-Indians on an Indian reservation lying wholly or partly within the State of North Dakota.

Which has been read.

Senator Rait moved that House Concurrent Resolution No. 3090 be adopted, which motion prevailed.

MOTION

Senator Holand moved that House Bill No. 1123 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1123. A Bill for an Act to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of school boards and to eliminate the unanimity requirement for hiring relatives to teach.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 45; absent and not voting, 6.

Those voting in the negative were:

Anderson	Hoffner	Morgan	Schultz, J.
Barth	Holand	Naaden	Shablow
Berube	Iszler	Nasset	Smykowski
Butler	Jacobson	Page	Solberg
Christensen	Jones	Peterson	Strand
Coughlin	Larson	Rait	Strinden
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Sands	Tweten
Goldberg	Longmire	Sandness	Wenstrom
Goodman	Melland	Schultz C.	Wright
Gronhovd			

Absent and not voting:

Kautzmann	Nething	Ringsak	Roen
Mutch	Pyle		

So the bill was declared lost.

CONSIDERATION OF A MESSAGE
FROM THE HOUSE

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2283, which motion failed.

MOTION

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2283 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:
Senate Bill No. 2283

Senator Melland
Senator Longmire
Senator Erdman

MOTION

Senator Goldberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2074 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:
 Senate Bill No. 2074
 Senator Jacobson
 Senator Kautzmann
 Senator Gronhovd

MOTION

Senator Goldberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2400 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:
 Senate Bill No. 2400
 Senator Nething
 Senator Kautzmann
 Senator Gronhovd

MOTIONS

Senator Nething moved that the Senate do concur in the House amendments to Senate Bill No. 2393, which motion prevailed.

Senator Nething moved that the rules be suspended and that Senate Bill No. 2393 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2393. A Bill for an Act to amend and reenact Section 46-05-03 of the North Dakota Century Code relating to the fees to be paid for the publication of legal notices.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Jacobson	Nething	Schultz, J.
Barth	Jones	Page	Shablow
Berube	Larson	Peterson	Smykowski
Butler	Lee	Rait	Solberg
Christensen	Lips	Redlin	Strand
Coughlin	Litten	Reiten	Strinden
Freed	Longmire	Roen	Stroup
Fritzell	Morgan	Sands	Tweten
Goodman	Mutch	Sandness	Wenstrom
Gronhovd	Naaden	Schultz C.	Wright
Iszler			

Absent and not voting:

Erdman	Holand	Nasset	Ringsak
Goldberg	Kautzmann	Pyle	Thane
Hoffner	Melland		

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committees to whom was referred Senate Bill No. 2075 has had the same under consideration and recommends that the Senate concur with the House amendments and recommends that Senate Bill No. 2075 be further amended as follows:

On page 1, line 22 of the engrossed bill insert beginning triple parentheses before "an" and insert ending triple parentheses after "adult" and insert in lieu thereof "a person over twenty-one years of age"

On page 2, line 3 delete "an adult" and insert in lieu thereof "a person over twenty-one years of age"

And renumber the lines accordingly.

For the Senate:
 Senator Mutch
 Senator Reiten
 Senator Gronhovd

For the House:
 Rep. Timm
 Rep. Rau
 Rep. Langley

Senator Mutch moved that the report be adopted, which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2075 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2075. A Bill for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to the employment of musicians under twenty-one years of age in establishments where alcoholic beverages are sold, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 1002 of the Senate Journal, the roll was called and there were ayes, 31; nays, 7; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Shablow
Barth	Iszler	Naaden	Smykowski
Berube	Jacobson	Nothing	Strand
Butler	Lee	Page	Strinden
Coughlin	Lips	Peterson	Stroup
Freed	Litten	Reiten	Tweten
Fritzell	Longmire	Roen	Wright
Goodman	Morgan	Schultz, J.	

Those voting in the negative were:

Christensen	Rait	Sands	Solberg
Larson	Redlin	Sandness	
Absent and not voting:			
Erdman	Jones	Nasset	Schultz C.
Goldberg	Kautzmann	Pyle	Thane
Hoffner	Melland	Ringsak	Wenstrom
Holand			

So the bill passed and the title was agreed to.

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2219 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:
 Senator Freed
 Senator Jones
 Senator Barth

For the House:
 Rep. Kretschmar
 Rep. Olson
 Rep. Gronneberg

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1030 has had the same under consideration and recommends that the Senate recedes from its amendments pertaining to Page 2, lines 16 through 22; that the House accedes to the Senate amendments with the exception of Page 2, line 16 through 22 and that House Bill No. 1030 be further amended as follows:

On page 2, delete lines 16 through 22 and insert in lieu thereof:

"SECTION 4. EXECUTIVE DIRECTOR OF DIVISION OF VOCATIONAL REHABILITATION — DUTIES — RELATIONSHIP OF DEPARTMENT TO STATE BOARD.) The state board shall be responsible for vocational rehabilitation. The executive director of the division of vocational rehabilitation shall be appointed in accordance with established personnel standards and on the basis of his education, training, experience, and demonstrated ability. In carrying out his duties under this chapter, the executive director of the division of vocational rehabilitation, with the approval of the state board:"

And renumber the lines accordingly.

For the Senate:

Senator Tweten
Senator Kautzmann
Senator Peterson

For the House:

Rep. Strinden
Rep. Eagles
Rep. Laughlin

Senator Tweten moved that the report be adopted, which motion prevailed.

Senator Tweten moved that the rules be suspended, that House Bill No. 1030 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1030. A Bill for an Act to transfer the responsibility for the state division of vocational rehabilitation from the state board of public school education to the social service board of North Dakota; and to amend and reenact sections 15-20.1-01, 15-20.1-04, 15-20.1-05, and 15-20.1-21, relating to the division of vocational rehabilitation; and to repeal sections 15-20.1-12, 15-20.1-13, 15-20.1-14, 15-20.1-15, 15-20.1-16, 15-20.1-17, 15-20.1-18, 15-20.1-19, and 15-20.1-20 of the North Dakota Century Code, relating to the division of vocational rehabilitation under the board of public school education.

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, 3; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jacobson	Nothing	Smykowski
Butler	Larson	Page	Solberg
Christensen	Lee	Rait	Strand
Coughlin	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Roen	Tweten
Goodman	Morgan	Sandness	Wright

Those voting in the negative were:

Jones	Peterson	Sands
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Absent and not voting:

Erdman	Holand	Nasset	Schultz C.
Goldberg	Kautzmann	Pyle	Thane
Hoffner	Melland	Ringsak	Wenstrom

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1037 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:
 Senator Freed
 Senator Jones
 Senator Peterson

For the House:
 Rep. Kretschmar
 Rep. Olson
 Rep. Dotzenrod

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1398 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:
 Senator J. Schultz
 Senator Sands
 Senator Berube

For the House:
 Rep. Stone
 Rep. Royse
 Rep. Jacobson

Senator J. Schultz moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1007, which motion prevailed.

The President appointed as a Conference Committee

On House Bill No. 1007:

Senator Longmire
 Senator Coughlin
 Senator Larson

MOTION

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1014, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

House Bill No. 1014

Senator Lips
 Senator Page
 Senator Erdman

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:

House Concurrent Resolution No. 3092

ROY GILBREATH, Chief Clerk

**FIRST READING OF A
HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3092. A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Which was read the first time.

Senator Litten moved that the rules be suspended, that House Concurrent Resolution No. 3092, as printed on pages 1309 and 1310 of the House Journal, be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF A
HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3092. A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Jacobson	Nothing	Schultz, J.
Barth	Jones	Page	Shablow
Berube	Larson	Peterson	Smykowski
Butler	Lee	Rait	Solberg
Christensen	Lips	Redlin	Strand
Coughlin	Litten	Reiten	Strinden
Freed	Longmire	Roen	Stroup
Fritzell	Morgan	Sands	Tweten
Goodman	Mutch	Sandness	Wright
Gronhovd	Naaden		

Absent and not voting:

Erdman	Iszler	Nasset	Schultz C.
Goldberg	Kautzmann	Pyle	Thane
Hoffner	Melland	Ringsak	Wenstrom
Holand			

So the resolution passed and the title was agreed to.

MOTION

Senator Butler moved that the Senate do not concur in the House amendments to Senate Bill No. 2380 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2380

Senator Butler

Senator Goodman

Senator Shablow

MOTION

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1049, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

House Bill No. 1049

Senator Longmire

Senator Ringsak
Senator Barth

Senator Litten moved that the Senate recess, subject to the call of the chair, which motion prevailed.

The Senate convened at the call of the chair, pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 9, 1973, I signed the following:

Senate Bill No. 2182
Senate Bill No. 2231
Senate Bill No. 2235
Senate Bill No. 2246

Sincerely yours,
ARTHUR A. LINK
Governor

MOTIONS

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2006, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2006 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2006. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof 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, 40; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz C.
Barth	Izler	Mutch	Schultz, J.
Berube	Jacobson	Naaden	Shablow
Butler	Jones	Nasset	Solberg
Coughlin	Larson	Page	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright

Absent and not voting:

Christensen	Kautzmann	Pyle	Smykowski
Goldberg	Nething	Ringsak	Stroup
Hoffner	Peterson	Roen	

So the bill passed and the title was agreed to.

MOTIONS

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2008, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2008 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2008. A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

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, 40; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz C.
Barth	Iszler	Mutch	Schultz, J.
Berube	Jacobson	Naaden	Shablow
Butler	Jones	Nasset	Solberg
Coughlin	Larson	Page	Strand
Erdman	Lee	Rait	Strinden
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goodman	Longmire	Sands	Wenstrom
Gronhovd	Melland	Sandness	Wright

Absent and not voting:

Christensen	Kautzmann	Pyle	Smykowski
Goldberg	Nething	Ringsak	Stroup
Hoffner	Peterson	Roen	

So the bill passed and the title was agreed to.

MOTIONS

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2010, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2010 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, 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, 40; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz C.
Barth	Holand	Morgan	Schultz, J.
Berube	Iszler	Mutch	Shablow
Butler	Jacobson	Nasset	Solberg
Christensen	Jones	Page	Strand
Coughlin	Larson	Rait	Strinden
Erdman	Lee	Redlin	Thane
Freed	Lips	Reiten	Tweten
Fritzell	Litten	Sands	Wenstrom
Goodman	Longmire	Sandness	Wright

Absent and not voting:

Goldberg	Naaden	Pyle	Smykowski
Hoffner	Nething	Ringsak	Stroup
Kautzmann	Peterson	Roen	

So the bill passed and the title was agreed to.

MOTIONS

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2002 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2002:

Senator Strinden
Senator Coughlin
Senator Larson

MOTIONS

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2004 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2004:

Senator Melland
Senator Thane
Senator Erdman

MOTIONS

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2011 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2011:

Senator Thane
Senator Naaden
Senator Larson

MOTIONS

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2012 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2012:

Senator Lips
Senator Melland
Senator Larson

MOTIONS

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2015 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2015:

Senator Wenstrom
Senator Thane
Senator Larson

MOTIONS

Senator Butler moved that the Senate do concur in the House amendments to Senate Bill No. 2318, which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2318 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2318. A Bill for an Act to amend and reenact

subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for farm structures and improvements.

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, 28; nays, 10; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Fritzell	Litten	Sandness
Barth	Goodman	Longmire	Schultz, J.
Berube	Gronhovd	Melland	Shablow
Butler	Jacobson	Page	Strand
Christensen	Larson	Rait	Tweten
Erdman	Lee	Redlin	Wenstrom
Freed	Lips	Reiten	Wright

Those voting in the negative were:

Coughlin	Mutch	Schultz C.	Strinden
Iszler	Naaden	Solberg	Thane
Jones	Sands		

Absent and not voting:

Goldberg	Morgan	Peterson	Roen
Hoffner	Nasset	Pyle	Smykowski
Holand	Nething	Ringsak	Stroup
Kautzmann			

So the bill passed and the title was agreed to.

MOTIONS

Senator Freed moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4069, which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Concurrent Resolution No. 4069 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4069. A Concurrent Resolution requesting the Congress of the United States to propose an amendment to the United States Constitution for ratification by the states which will guarantee the right of the unborn human to life throughout its intrauterine development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency.

Which has been read.

Senator Freed moved that Senate Concurrent Resolution No. 4069 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1291 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1291 be amended as follows:

On page 1, line 17 of the engrossed bill after the word "exceed" delete the word "four" and insert in lieu thereof the word "three"

On page 2, line 5 delete the figure "43,200.00" and insert in lieu thereof the figure "32,400.00"

And renumber the lines accordingly.

For the Senate:

Senator Pyle

Senator Naaden
Senator Larson

For the House:

Rep. Dick
Rep. Leibhan
Rep. Gronneberg

Senator Pyle moved that the report be adopted, which motion prevailed.

MOTION

Senator Lips moved that the rules be suspended, that House Bill No. 1291 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1291. A Bill for an Act to create and enact section 4-08-10.1 of the North Dakota Century Code, relating to premiums for boys' and girls' clubwork at county achievement days, and providing 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, 37; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Anderson	Iszler	Morgan	Schultz C.
Barth	Jacobson	Mutch	Schultz, J.
Berube	Jones	Naaden	Shablow
Butler	Larson	Page	Solberg
Christensen	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Thane
Fritzell	Longmire	Sands	Wenstrom
Goodman	Melland	Sandness	Wright
Gronhovd			

Absent and not voting:

Coughlin	Kautzmann	Pyle	Smykowski
Goldberg	Nasset	Ringsak	Stroup
Hoffner	Nething	Roen	Twetén
Holand	Peterson		

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Holand moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1392, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1392:

Senator Strand
Senator Berube
Senator Solberg

1973-1975 INTERIM COMMITTEE APPOINTMENTS

The President announced the following 1973-1975 Interim Committee Appointments:

LEGISLATIVE COUNCIL

Senator C. Warner Litten
Senator C. Morris Anderson
Senator Robert Melland
Senator Robert Nasset
Senator Lee Christensen
Senator S. F. Hoffner
Senator Walter C. Erdman

CAPITOL GROUNDS PLANNING COMMISSION

Senator Emil Kautzmann
 Senator Jay Schultz
 Senator Phillip Berube

COMBINED LAW ENFORCEMENT COUNCIL

Senator Robert Stroup

MULTISTATE TAX COMPACT ADVISORY COMMITTEE

Senator Francis J. Butler
 Senator Evan Lips
 Senator George Rait

HERITAGE COMMISSION

Senator Litten recommended that Senator Jones be appointed to the Heritage Commission.

Senator Lips moved that a unanimous ballot be cast for Senator Jones as a member of the Heritage Commission, which motion prevailed.

EDUCATION COMMISSION OF THE STATES

Senator Litten recommended that Senator Thane be appointed to the Education Commission of the States.

Senator Lips moved that a unanimous ballot be cast for Senator Thane as a member of the Education Commission of the States, which motion prevailed.

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. 2002
 Senate Bill No. 2004
 Senate Bill No. 2006
 Senate Bill No. 2008
 Senate Bill No. 2010
 Senate Bill No. 2011
 Senate Bill No. 2012
 Senate Bill No. 2015
 Senate Bill No. 2074
 Senate Bill No. 2318
 Senate Bill No. 2380
 Senate Bill No. 2393
 Senate Bill No. 2400
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4072

ROY GILBREATH, Chief Clerk

**HOUSE AMENDMENTS TO
 SENATE BILL No. 2002**

On page 2, line 22, delete the numerals "6,188,498" and insert in lieu thereof the numerals "6,341,350"

On page 2, line 23, delete the numerals "863,300" and insert in lieu thereof the numerals "913,875"

On page 2, line 24, delete the numerals "699,240" and insert in lieu thereof the numerals "732,612"

On page 2, line 25, delete the numerals "509,630" and insert in lieu thereof the numerals "632,717"

On page 2, line 26, delete the numerals "8,260,668" and insert in lieu thereof the numerals "8,620,554"

On page 2, line 28, delete the numerals "5,180,159" and insert in lieu thereof the numerals "5,540,045"

On page 2, line 32, delete the numerals "5,408,559" and insert in lieu thereof the numerals "5,768,445"

On page 2, line 34, delete the numerals "240,609" and insert in lieu thereof the numerals "238,610"

On page 3, line 3, delete the numerals "402,009" and insert in lieu thereof the numerals "400,010"

On page 3, line 5, delete the numerals "288,009" and insert in lieu thereof the numerals "286,010"

On page 3, line 7, delete the numerals "298,007" and insert in lieu thereof the numerals "296,008"

On page 3, line 9, delete the numerals "57,597" and insert in lieu thereof the numerals "57,694"

On page 3, line 13, delete the numerals "101,537" and insert in lieu thereof the numerals "101,634"

On page 3, line 15, delete the numerals "59,537" and insert in lieu thereof the numerals "59,634"

On page 3, line 18, delete the numerals "75,537" and insert in lieu thereof the numerals "75,634"

On page 3, line 20, delete the numerals "53,326" and insert in lieu thereof the numerals "72,482"

On page 3, line 23, delete the numerals "21,640" and insert in lieu thereof the numerals "26,200"

On page 3, line 24, delete the numerals "100,666" and insert in lieu thereof the numerals "124,382"

On page 3, line 25, delete the numerals "30,000" and insert in lieu thereof the numerals "34,990"

On page 3, after line 25, insert the following:

"Land, structures, and improvements 14,250"

On page 3, line 26, delete the numerals "70,666" and insert in lieu thereof the numerals "103,642"

On page 3, line 28, delete the numerals "104,571" and insert in lieu thereof the numerals "104,096"

On page 3, line 29, delete the numerals "25,680" and insert in lieu thereof the numerals "28,000"

On page 3, line 30, delete the numerals "31,040" and insert in lieu thereof the numerals "33,600"

On page 3, line 31, delete the numerals "11,800" and insert in lieu thereof the numerals "12,500"

On page 3, line 32, delete the numerals "173,091" and insert in lieu thereof the numerals "178,196"

On page 3, line 34, delete the numerals "78,091" and insert in lieu thereof the numerals "83,196"

On page 4, line 1, delete the numerals "97,613" and insert in lieu thereof the numerals "97,433"

On page 4, line 5, delete the numerals "155,963" and insert in lieu thereof the numerals "155,783"

On page 4, line 7, delete the numerals "125,963" and insert in lieu thereof the numerals "125,783"

On page 4, line 9, delete the numerals "207,905" and insert in lieu thereof the numerals "206,607"

On page 4, line 10, delete the numerals "54,535" and insert in lieu thereof the numerals "59,800"

On page 4, line 11, delete the numerals "51,372" and insert in lieu thereof the numerals "70,900"

On page 4, line 13, delete the numerals "359,812" and insert in lieu thereof the numerals "383,307"

On page 4, line 14, delete the numerals "85,000" and insert in lieu thereof the numerals "108,495"

On page 4, line 22, delete the numerals "8,280,004" and insert in lieu thereof the numerals "8,675,889"

On page 4, line 23, delete the numerals "8,838,380" and insert in lieu thereof the numerals "8,866,865"

On page 4, line 24, delete the numerals "17,118,384" and insert in lieu thereof the numerals "17,542,754"

On page 6, after line 4, insert the following:

"SECTION 4. MAIN EXPERIMENT STATION.) In addition to the appropriations and authorizations provided by this Act, there is hereby appropriated \$386,410.00 for the Main Experiment Station from the general fund in the state treasury during the biennium beginning July 1, 1973, and ending June 30, 1975, to be used only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of federal funds by the Experiment Station pursuant to the Hatch Act. Such reduction during each year of the biennium shall be determined by subtracting the amounts under the Hatch Act each year from the amounts received during the fiscal year ended June 30, 1973. Funds shall be made available pursuant to this contingency appropriation only upon approval of the state board of higher education and with written notification by such board to the director of accounts and purchases.

SECTION 5. LEGISLATIVE INTENT.) It is the intent of the Legislative Assembly that the special programs in the Extension Division, known as Special Program — Nutritional, ABM Impact Area Development, and Man Power Project, which are totally federally funded shall not be continued when federal funds are no longer forth coming."

And renumber the pages and lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2004

On page 1, after line 23, insert the following:

"Program budgeting 50,000"

On page 2, line 1, delete the numerals "821,070" and insert in lieu thereof the numerals "871,070"

On page 2, line 21, delete the numerals "895,982" and insert in lieu thereof the numerals "945,982"

On page 2, line 23, delete the numerals "4,927,270" and insert in lieu thereof the numerals "4,977,270"

On page 3, after line 3, insert the following:

"SECTION 4. CENTRAL DATA PROCESSING.) The director of the Office of Data Processing shall require all requests for new applications and up-dating of present applications to be justified in writing on forms subscribed by the Director of Data Processing. The responsibility of providing this justification shall rest with the data processing coordinator of each department or agency. If in the judgment of the Director of Data Processing that justification submitted is not sufficient to justify the data processing activity and costs in order that effectiveness can be measured the Director of Data Processing shall have the authority to refuse services to the department or agency. The Director of Data Processing shall report to the Legislative Council's Committee on the Budget periodically so that they may review his findings."

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2006

On page 2, line 17, delete the numerals "111,949" and insert in lieu thereof the numerals "123,949"

On page 2, line 19, delete the numerals "36,000" and insert in lieu thereof the numerals "40,000"

On page 2, line 23, delete the numerals "156,949" and insert in lieu thereof the numerals "168,949"

On page 2, line 24, delete the numerals "803,109" and insert in lieu thereof the numerals "815,000"

On page 2, line 26, delete the numerals "1,210,193" and insert in lieu thereof the numerals "1,222,193"

And when so amended recommends the same do pass.

HOUSE AMENDMENTS TO SENATE BILL No. 2008

On page 1, line 9, delete the figure "140,237,728" and insert in lieu thereof the figure "140,287,728"

On page 2, line 1, delete the figure "50,000" and insert in lieu thereof the figure "100,000"

On page 2, line 2, delete the figure "140,237,728" and insert in lieu thereof the figure "140,287,728"

And when so amended recommends the same do pass.

HOUSE AMENDMENTS TO SENATE BILL No. 2010

On page 4, after line 13 of the engrossed bill insert the following sections:

"SECTION 6. STATE HOSPITAL.) Funds shall be disbursed pursuant to the \$75,000.00 appropriated to the state hospital for the emergency generator only after the state hospital has made proper application for an emergency generator under the excess property program of the North Dakota office of civil defense, and has been informed that such equipment is not available or not available within a reasonable length of time, under such program. If a generator becomes available under the excess property program, funds to the extent necessary may be expended from the appropriation for installation of the generator. Copies of applications, replies to such applications, and correspondence relating to the state hospital's application for the generator shall be filed with the director of the department of accounts and purchases and the legislative council committee on budget before expenditures are made pursuant to the appropriation.

SECTION 7. STATE HEALTH DEPARTMENT.) There is hereby appropriated to the state health department, for the biennium beginning July 1, 1973, and ending June 30, 1975, out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$169,000.00 or so much thereof as may be necessary for the division of disease control to assume the inpatient and outpatient care of persons afflicted or suspected of being afflicted with tuberculosis. Administrative costs shall not exceed \$10,000.00 of such amount."

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2011

On page 1, line 20, delete the numerals "100,036" and insert in lieu thereof the numerals "110,036"

On page 2, line 2, delete the numerals "193,679" and insert in lieu thereof the numerals "203,679"

On page 2, line 21, delete the numerals "1,339,079" and insert in lieu thereof the numerals "1,373,079"

On page 2, line 31, delete the numerals "2,057,375" and insert in lieu thereof the numerals "2,091,375"

On page 2, line 32, delete the numerals "2,728,156" and insert in lieu thereof the numerals "2,772,156"

HOUSE AMENDMENTS TO SENATE BILL No. 2012

On page 2, after line 1 of the engrossed bill, insert the following line:

"Grafton State School 141,300"

On page 2, line 4, delete the numerals "87,008,839" and insert in lieu thereof the numerals "87,150,139"

On page 2, line 5, delete the numerals "64,223,468" and insert in lieu thereof the following numerals "64,364,768"

On page 3, line 26, delete the word "and"

On page 3, line 31, delete the period and insert a semicolon and the word "and" in lieu thereof, and insert the following subsection and section:

"4. No additional persons be employed in area social service centers during the 1973-75 biennium, except in those instances where vacancies occur or where a position is funded, but vacant at the close of the current biennium.

SECTION 7. APPROPRIATION.) There is hereby appropriated to the social service board from the general fund in the state treasury, from moneys not otherwise appropriated, \$228,000.00, or so much thereof as may be necessary, during the biennium beginning July 1, 1973, and ending June 30, 1975, for providing additional financial assistance for welfare costs in counties with Indian residents. It is the intent of the legislative assembly that, to the extent that the social service board determines that needs exist, amounts not to exceed the following may be made available to the following counties:

Benson	\$ 63,840
Rolette	136,800
Sioux	27,360

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2015

On page 1, line 3, after the word "Dakota" insert the following: "; and authorizing the state laboratories department to issue revenue bonds, the proceeds of which are appropriated for construction of a department building, and appropriating funds for amortizing bonds

On page 2, line 4, delete the numerals "128,684" and insert in lieu thereof the numerals "130,520"

On page 2, line 9, delete the numerals "206,714" and insert in lieu thereof the numerals "208,520"

On page 2, line 9, delete the numerals "206,714" and insert in lieu thereof the numerals "208,550"

On page 2, line 18, delete the numerals "206,714" and insert in lieu thereof the numerals "208,550"

On page 2, line 19, delete the numerals "1,266,295" and insert in lieu thereof the numerals "1,228,131"

On page 2, after line 34, insert the following:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the state laboratories department serve the public in the capacity of a consumer affairs office.

SECTION 5. LABORATORIES COMMISSION MAY ISSUE BONDS FOR CONSTRUCTION OF A BUILDING — PAYMENT OF BONDS — APPROPRIATION.)

1. For the purpose of paying the cost of construction of a building to house the state laboratories department, the state laboratories commission may borrow money on the credit of the revenue to be derived from fees collected by the department pursuant to law. In anticipation of such collections, the commission may issue negotiable bonds in a total amount not to exceed \$750,000, and may provide for the payment of those bonds and the rights of holders

thereof, provided that bonds issued under this section shall not be an indebtedness of the state of North Dakota. Bonds issued under this section shall be payable serially, and may be issued in one or more series, may bear such date or dates, may mature at such times but not later than ten years from the date of issuance of the first series, may be in such denomination or denominations, may be in such form either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption with or without premium, and may bear such rate or rates of interest as may be provided by resolution of the commission. Bonds issued under this section shall have all of the qualities and incidents of negotiable paper, and shall not be subject to taxation by the state of North Dakota, or by any county, municipality, or other political subdivision thereof. Bonds issued under this subsection may be purchased by the Bank of North Dakota, with approval of the industrial commission.

2. There is hereby created a laboratories department sinking fund in the state treasury to which shall be credited the proceeds of fees collected and appropriated by this section. Notwithstanding the provisions of section 19-01-07, so much of the proceeds from fees collected by the state laboratories department as may be necessary for payment of the principal and interest on bonds issued under this section during the 1973-75 biennium are hereby appropriated to and shall be deposited by the laboratories commission in the laboratories department sinking fund.
3. The proceeds of any bonds issued under the authority of this section are hereby appropriated to the state laboratories commission for construction of a building to house the laboratories department. Construction and furnishing of the building shall be contracted for and supervised by the state laboratories commission or its designee."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2074

On page 3, after line 5, insert the following words: "**Except that a cemetery association shall deposit not less than 80% of the sale price of vaults and markers in a trust fund as provided for in 23-06-03.1.**"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2318

On page 2, line 1 of the engrossed bill, after the word "**exemption**" insert the following: "**as applied to a residence**"

On page 2, line 2, delete everything after the word "**only**" and insert in lieu thereof the words "**a residence**"

On page 2, line 3, delete "**tures and improvements**" and delete the word "**are**" and insert in lieu thereof the word "**is**"

On page 2, line 8, after the word "**farmer**" delete the period and words "**. For the purposes of** and insert in lieu thereof "**; for**" and delete "**subsec.**"

On page 2, line 9 delete "**tion,**" and insert in lieu thereof the word "**purpose**" and after the word "**tract**" insert the words "**or contiguous tracts**"

On page 2, line 10, delete the words "**which contains**" and insert in lieu thereof the word "**containing**"

On page 2, line 25, after the semi-colon insert the following: **"and the term also includes an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer as defined above the residence in which he lives and for which the exemption is claimed;"**

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2380

On page 1, line 15 delete the words **"acquisition or"**

On page 2, line 12 delete the triple parentheses before the number **"3."**

On page 2, line 13 delete the triple parentheses after the period

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2393

On page 2, line 30 of the engrossed bill following the ending triple parentheses, insert the following: **"All tabulated matter, including ballots, shall be at the standard six-point, eleven pica line rate of twenty-seven cents for single tabulation and thirty-six cents for double tabulation, regardless of the length of line or size of type. However (in no instance shall the line be less than ten and one-half picas nor the type size larger than nine-point. Published ballots or publications which by their nature require open display shall be computed on the basis of twelve lines per column inch, six-point type, and at one hundred fifty percent of the six-point straight matter rate for first publication only."**

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2400

On page 1, line 5 of the engrossed bill delete everything before the semi-colon

On page 1, line 13 delete the numeral **"1975"** and insert in lieu thereof the numeral **"1973"**

On page 4, line 19 delete the word **"fale"** and insert in lieu thereof the word **"false"**

On page 4, line 25 delete the words **"FOR SCHOOLS"**

On page 5, line 5 delete the words **"allocated and"** and insert in lieu hereof the words **"deposited in the county general fund"**

On page 5, delete all of lines 6 through 8

On page 5, line 9 delete everything before the period

On page 5 delete all of lines 10 through 15

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION No. 4068

On page 1, line 1, delete everything after the words **"A concurrent resolution"** and insert in lieu thereof the following:

"requesting the Director of Institutions to evaluate the teaching programs at Marmot High School as they relate to the public school system.

WHEREAS, Marmot High School at the State Industrial School uses an educational program unique to its function; and

WHEREAS, the rehabilitation of the student is of paramount concern; and

WHEREAS, it is desirable that a full evaluation be made of the effectiveness of the programs and of any transition problems which may be caused for students entering and leaving the Industrial School;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Director of Institutions is hereby requested to carry out a study of the teaching programs at Marmot High School (State Industrial School) to determine whether such programs are adequately fulfilling the needs of the students at the high school, and to determine whether such students have problems in making a transition in transferring to and from Marmot High School. The Director of Institutions may apply for a grant from the Law Enforcement Council to finance this study. The Superintendent of the State Industrial School and the Superintendent of Public Instruction are requested to give such aid and assistance as may be needed. The Director of Institutions is requested to render a report of his study to the Superintendent of the State Industrial School and the Superintendent of Public Instruction, and file a copy with the Legislative Council, prior to the convening of the Forty-fourth Legislative Assembly."

And renumber the lines, and pages accordingly.

**HOUSE AMENDMENTS TO
SENATE CONCURRENT RESOLUTION No. 4069**

On page 1, line 2 of the resolution delete the word "adopt" and insert in lieu thereof the word "propose"

On page 1, line 5 after the word "mother" and before the period insert the following: ", and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency"

On page 2, line 5 delete the word "adopt" and insert in lieu thereof the word "propose" and also after the word "amendment" insert the following: "for ratification by the states"

And renumber the lines and pages accordingly.

**HOUSE AMENDMENTS TO
SENATE CONCURRENT RESOLUTION No. 4072**

On page 1, line 3 delete everything after the word "Administration"

On page 1, line 4 delete the word "Development"

On page 1, delete all of lines 10 through 15

On page 1, line 19 delete everything after the word "opportunity"

On page 1, line 20 delete everything before the semi-colon

On page 2, line 1 delete everything after the words "Congress to" and insert in lieu thereof the words "re-evaluate the programs that have benefited our"

On page 2, delete all of line 2

On page 2, line 3 delete "able to"

On page 2, line 6 delete "-to-moderate"

On page 2, after line 7 insert the following:

BE IT FURTHER RESOLVED, that we commend the White House for its fiscal policy of keeping spending in the two hundred fifty billion range; and

BE IT FURTHER RESOLVED, that we strongly urge Congress to eliminate much of our waste overseas and at home; and

BE IT FURTHER RESOLVED, that we urge Congress to reassess the priorities of spending, and in so doing provide greater funds for the elderly and low income people in rural America.

And renumber the lines accordingly.

**MESSAGES FROM THE HOUSE
House Chamber**

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, on

Senate Bill No. 2026
Rep. Knudson
Rep. Erickson
Rep. Jacobson

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:
House Bill No. 1429

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: It is an honor to inform you that the Speaker has made a change in the Conference Committee appointed on:
House Bill No. 1464

Rep. Jacobson replaces Rep. Tinjum.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered the action by which House Bill No. 1392 lost, and subsequently by which the House concurred in the Senate amendments.

The House now refused to concur in the Senate amendments to:

House Bill No. 1392

And has appointed the following to a Conference Committee to act with a like committee from the Senate:

Rep. Larson
Rep. Hildebrand
Rep. McGauvran

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. 2096
Senate Concurrent Resolution No. 4033

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 1037
House Bill No. 1291
House Bill No. 1398

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Concurrent Resolution No. 4078

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. 1420
House Bill No. 1439

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker

has appointed as a Conference Committee to act with a like committee from the Senate, on:

Senate Bill No. 2027

Rep. Dornacker

Rep. Royse

Rep. Winge

Senate Bill No. 2035

Rep. Hentges

Rep. Winkjer

Rep. Bassingthwaite

Senate Bill No. 2051

Rep. K. Johnson

Rep. Murphy

Rep. Livingston

Senate Bill No. 2183

Rep. Hendrickson

Rep. Raymond

Rep. McGauvran

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to:

House Bill No. 1007

House Bill No. 1014

House Bill No. 1049

And the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, on:

House Bill No. 1007

Rep. Hausauer

Rep. Tweten

Rep. Mertens

House Bill No. 1014

Rep. Wagner

Rep. Solberg

Rep. Kingsbury

House Bill No. 1049

Rep. Hilleboe

Rep. Jenkins

Rep. Bassingthwaite

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

**FIFTIETH DAY AFTER RECESS AND THE
FIFTY-FIRST AND FIFTY-SECOND DAYS**

Bismarck, March 14, 1973

The Senate convened pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2009
Senate Bill No. 2020
Senate Bill No. 2045
Senate Bill No. 2097
Senate Bill No. 2137
Senate Bill No. 2151
Senate Bill No. 2154
Senate Bill No. 2185
Senate Bill No. 2204
Senate Bill No. 2243
Senate Bill No. 2252
Senate Bill No. 2317
Senate Bill No. 2321
Senate Bill No. 2364
Senate Bill No. 2375
Senate Bill No. 2376
Senate Bill No. 2406
Senate Bill No. 2413

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2009
Senate Bill No. 2020
Senate Bill No. 2045
Senate Bill No. 2097
Senate Bill No. 2137
Senate Bill No. 2151
Senate Bill No. 2154
Senate Bill No. 2185
Senate Bill No. 2204
Senate Bill No. 2243
Senate Bill No. 2252
Senate Bill No. 2317
Senate Bill No. 2321
Senate Bill No. 2364
Senate Bill No. 2375
Senate Bill No. 2376

Senate Bill No. 2406

Senate Bill No. 2413

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2009

Senate Bill No. 2020

Senate Bill No. 2045

Senate Bill No. 2097

Senate Bill No. 2137

Senate Bill No. 2151

Senate Bill No. 2154

Senate Bill No. 2185

Senate Bill No. 2204

Senate Bill No. 2243

Senate Bill No. 2252

Senate Bill No. 2317

Senate Bill No. 2321

Senate Bill No. 2364

Senate Bill No. 2375

Senate Bill No. 2376

Senate Bill No. 2406

Senate Bill No. 2413

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1010

House Bill No. 1084

House Bill No. 1094

House Bill No. 1109

House Bill No. 1210

House Bill No. 1226

House Bill No. 1253

House Bill No. 1263

House Bill No. 1278

House Bill No. 1312

House Bill No. 1315

House Bill No. 1338

House Bill No. 1352

House Bill No. 1360

House Bill No. 1361

House Bill No. 1363

House Bill No. 1386

House Bill No. 1428

House Bill No. 1434

House Bill No. 1458

House Bill No. 1493

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1010

House Bill No. 1084

House Bill No. 1094

House Bill No. 1109

House Bill No. 1210

House Bill No. 1226

House Bill No. 1253
House Bill No. 1263
House Bill No. 1278
House Bill No. 1312
House Bill No. 1315
House Bill No. 1338
House Bill No. 1352
House Bill No. 1360
House Bill No. 1361
House Bill No. 1363
House Bill No. 1386
House Bill No. 1428
House Bill No. 1434
House Bill No. 1458
House Bill No. 1493

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1010
House Bill No. 1084
House Bill No. 1094
House Bill No. 1109
House Bill No. 1210
House Bill No. 1226
House Bill No. 1253
House Bill No. 1263
House Bill No. 1278
House Bill No. 1312
House Bill No. 1315
House Bill No. 1338
House Bill No. 1352
House Bill No. 1360
House Bill No. 1361
House Bill No. 1363
House Bill No. 1386
House Bill No. 1428
House Bill No. 1434
House Bill No. 1458
House Bill No. 1493

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2009
Senate Bill No. 2020
Senate Bill No. 2045
Senate Bill No. 2097
Senate Bill No. 2137
Senate Bill No. 2151
Senate Bill No. 2154
Senate Bill No. 2185
Senate Bill No. 2204
Senate Bill No. 2243
Senate Bill No. 2252
Senate Bill No. 2317
Senate Bill No. 2321
Senate Bill No. 2364
Senate Bill No. 2375
Senate Bill No. 2376

Senate Bill No. 2406
 Senate Bill No. 2413
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2009
 Senate Bill No. 2020
 Senate Bill No. 2045
 Senate Bill No. 2097
 Senate Bill No. 2137
 Senate Bill No. 2151
 Senate Bill No. 2154
 Senate Bill No. 2185
 Senate Bill No. 2204
 Senate Bill No. 2243
 Senate Bill No. 2252
 Senate Bill No. 2317
 Senate Bill No. 2321
 Senate Bill No. 2364
 Senate Bill No. 2375
 Senate Bill No. 2376
 Senate Bill No. 2406
 Senate Bill No. 2413

Were delivered to the Governor for his approval at the hour of 4:10 o'clock p.m., March 13, 1973.

SENATOR JACOBSON, Chairman

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. 1392
 Senator Solberg
 Senator Strand
 Senator Berube

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2006
 Senate Bill No. 2008
 Senate Bill No. 2010
 Senate Bill No. 2318
 Senate Concurrent Resolution No. 4069

And refused to concur in the House amendment to:

Senate Bill No. 2002
 Senate Bill No. 2004
 Senate Bill No. 2011
 Senate Bill No. 2012
 Senate Bill No. 2015

And the President has appointed as a Conference Committee to act with a like committee from the House, on:

Senate Bill No. 2002
 Senator Strinden
 Senator Coughlin
 Senator Larson

Senate Bill No. 2004

Senator Melland
Senator Thane
Senator Erdman

Senate Bill No. 2011

Senator Thane
Senator Naaden
Senator Larson

Senate Bill No. 2012

Senator Lips
Senator Melland
Senator Larson

Senate Bill No. 2015

Senator Wenstrom
Senator Thane
Senator Larson

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2393

And refused to concur in the House amendment to:

Senate Bill No. 2074

Senate Bill No. 2283

Senate Bill No. 2380

Senate Bill No. 2400

And the President has appointed as a Conference Committee to act with a like committee from the House, on:

Senate Bill No. 2074

Senator Jacobson
Senator Kautzmann
Senator Gronhovd

Senate Bill No. 2283

Senator Melland
Senator Longmire
Senator Erdman

Senate Bill No. 2380

Senator Butler
Senator Goodman
Senator Shablow

Senate Bill No. 2400

Senator Nething
Senator Kautzmann
Senator Gronhovd

LEO LEIDHOLM, Secretary

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. 1007

Senator Longmire
Senator Coughlin
Senator Larson

House Bill No. 1014

Senator Lips
Senator Page
Senator Erdman

House Bill No. 1049
 Senator Longmire
 Senator Ringsak
 Senator Barth

House Bill No. 1331
 Senator Iszler
 Senator Smykowski
 Senator Redlin

LEO LEIDHOLM, Secretary
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Wright and Senator Iszler to replace Senator Nasset and Senator Smykowski on the Conference Committee, on:

Senate Bill No. 2051

LEO LEIDHOLM, Secretary
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1030
 House Bill No. 1037
 House Bill No. 1291
 House Bill No. 1398

On which the Senate has adopted the Conference Committee report.

LEO LEIDHOLM, Secretary
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2075
 Senate Bill No. 2219

On which the Senate has adopted the Conference Committee report.

LEO LEIDHOLM, Secretary
 Senate Chamber

Mr. Speaker: I have the honor to return:
 House Bill No. 1123
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3092
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGEES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2421

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2001
 Senate Bill No. 2005
 Senate Bill No. 2116

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2001

On page 1, line 22, delete the numerals "20,729,078" and insert in lieu thereof the numerals "20,757,878"

On page 2, line 2, delete the numerals "26,499,402" and insert in lieu thereof the numerals "26,528,202"

On page 2, line 3, delete the numerals "8,376,776" and insert in lieu thereof the numerals "8,083,558"

On page 2, line 4, delete the numerals "18,122,626" and insert in lieu thereof the numerals "18,444,644"

On page 2, line 7, delete the numerals "19,247,626" and insert in lieu thereof the numerals "19,569,644"

On page 2, line 26, delete the numerals "1,256,000" and insert in lieu thereof the numerals "1,212,620"

On page 2, line 27, delete the numerals "16,035,247" and insert in lieu thereof the numerals "15,991,867"

On page 3, after line 33, insert the following:
"Computer terminal 56,173"

On page 3, line 35, delete the numerals "3,633,888" and insert in lieu thereof the numerals "3,690,061"

On page 4, line 2, delete the numerals "2,669,540" and insert in lieu thereof the numerals "2,725,713"

On page 4, line 5, delete the numerals "2,819,540" and insert in lieu thereof the numerals "2,875,713"

On page 4, line 15, delete the numerals "192,000" and insert in lieu thereof the numerals "215,000"

On page 4, line 16, delete the numerals "5,197,676" and insert in lieu thereof the numerals "5,220,676"

On page 4, line 18, delete the numerals "1,718,859" and insert in lieu thereof the numerals "1,747,019"

On page 4, line 22, delete the numerals "2,203,455" and insert in lieu thereof the numerals "2,231,615"

On page 4, line 24, delete the numerals "1,652,759" and insert in lieu thereof the numerals "1,680,919"

On page 4, line 27, delete the numerals "1,748,759" and insert in lieu thereof the numerals "1,776,919"

On page 4, after line 32, insert the following:
"Computer terminal 56,173"

On page 4, line 33, delete the numerals "3,491,657" and insert in lieu thereof the numerals "3,547,830"

On page 4, line 35, delete the numerals "2,547,705" and insert in lieu thereof the numerals "2,603,878"

On page 5, line 3, delete the numerals "2,797,205" and insert in lieu thereof the numerals "2,853,378"

On page 5, line 17, delete the numerals "56,084,121" and insert in lieu thereof the numerals "56,526,265"

On page 5, line 18, delete the numerals "28,622,444" and insert in lieu thereof the numerals "26,880,732"

On page 5, line 19, delete the numerals "84,706,565" and insert in lieu thereof the numerals "83,406,997"

On page 5, line 21, insert after the word "treasury" the words "and income from increased enrollments"

On page 6, line 24, after the period insert the following:

"It is the further intent that the legislature will not approve any special assessments for projects that do not directly serve the institution, wherever located in the state.

SECTION 7. NORTH DAKOTA STATE UNIVERSITY.) In addition to the appropriations and authorizations provided by this

Act, there is hereby appropriated \$313,202 for the North Dakota State University from the general fund in the state treasury during the biennium beginning July 1, 1973, and ending June 30, 1975, to be used only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of federal funds by the North Dakota State University pursuant to the Bankhead-Jones Act. Such reduction during each year of the biennium shall be determined by subtracting the amounts received under the Bankhead-Jones Act each year from the amounts received during the fiscal year ended June 30, 1972. Funds shall be made available pursuant to this contingency appropriation only upon approval of the state board of higher education and with written notification by such board to the director of accounts and purchases."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The budget for the University of North Dakota is increased \$28,800 for the purpose of hiring a coordinator. The estimated income is reduced \$293,218 due to their over estimation for that amount. The increase in the salary and wages line of Mayville State College is to allow for transition of the presidency. The additional monies appropriated for computer terminals at Dickinson State College and Valley City State College is for the installation and operation for the 1973-75 biennium. The Minot State College budget, plant improvements, is increased for the purpose of paying for storm sewers. The budget of North Dakota State University, plant improvements, is reduced because of funds remaining which were not used during the past biennium.

HOUSE AMENDMENTS TO SENATE BILL No. 2005

Amendment A

On page 1, line 19, delete the numerals "2,000,000" and insert in lieu thereof the numerals "3,000,000"

On page 1, line 21, delete the numerals "2,003,260" and insert in lieu thereof the numerals "3,003,260"

AMENDMENT B

On page 1, line 24, delete the numerals "475,820" and insert in lieu thereof the numerals "494,970"

On page 2, line 1, delete the numerals "183,085" and insert in lieu thereof the numerals "185,283"

On page 2, line 6, delete the numerals "874,817" and insert in lieu thereof the numerals "896,165"

On page 2, line 7, delete the numerals "406,966" and insert in lieu thereof the numerals "428,314"

Amendment C

On page 2, line 26, delete the numerals "3,932,488" and insert in lieu thereof the numerals "3,432,488"

On page 2, line 27, delete the numerals "6,901,263" and insert in lieu thereof the numerals "6,401,263"

On page 2, line 28, delete the numerals "5,982,705" and insert in lieu thereof the numerals "5,545,205"

On page 2, line 29, delete the numerals "918,558" and insert in lieu thereof the numerals "856,058"

It is further recommended that if any one of the above amendments are not adopted that proposed amendment D be withdrawn and that Senate Bill No. 2005 be re-referred to the Committee on Appropriations for the sole purpose of amending the total figures.

Amendment D

On page 2, line 30, delete the numerals "7,010,059" and insert in lieu thereof the numerals "7,947,559"

On page 2, line 31, delete the numerals "13,380,671" and insert in lieu thereof the numerals "12,964,519"

On page 2, line 32, delete the numerals "20,390,730" and insert in lieu thereof the numerals "20,912,078"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of the increase in special education, subdivision 1, is to increase the payment for the ongoing program and to cover more children.

Subdivision 2 — The increase in salaries and wages consists of \$9,070 to provide adequate funds for fringe benefits and \$10,080 for a new film technician to handle the department's increased film distribution volume. The increase in fees and services will provide additional funds for the rental of additional educational materials.

Subdivision 4 — The purpose of the amendment is to reduce grants, benefits, and claims by \$500,000 so that the amount remains the same as the appropriation for the past biennium.

HOUSE AMENDMENTS TO SENATE BILL No. 2116

On page 1, line 1 of the engrossed bill, after the words "A BILL" delete the remaining words, lines, sections, and pages, and insert in lieu thereof the following: "for an Act to establish a state personnel system based on merit; and providing an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. PURPOSE OF CHAPTER.) The general purpose of this chapter is to establish for the state a system of personnel administration that meets the requirements of the federal government merit principles and scientific methods, governing the appointment, promotion, transfer, layoff, removal, and discipline of its officers and employees, and other incidents of state employment. Except as otherwise provided in this chapter, all appointments and promotions to positions in the state service shall be made on the basis of merit and fitness, to be ascertained by examinations.

SECTION 2. DEFINITIONS.) As used in this chapter, unless the context clearly requires otherwise:

1. "Appointing authority" means department and agency heads having power to make appointments to positions in the state service.
2. "Class" or "class of positions" means a group of positions in the state classified service sufficiently alike in duties, authority, and responsibilities that the same qualifications may reasonably be required for, and the same schedule of pay can be equitably applied to, all positions in the group.
3. "Board" means the public employee relations board.
4. "Department" means the personnel department referred to in this chapter.
5. "Administrator" means the administrator of the personnel department.
6. "Division of the service" means a state department or any division or branch thereof, any agency of the state government, or any branch of the state service, all the positions in which are under the same appointing authority.
7. "Eligible" means a person whose name is on a list.
8. "Employment list" means a list of persons who have been found qualified by an entrance test for appointment to a position in a particular class.

9. "Entrance test" means a test for positions in a particular class, admission to which is not limited to persons employed in the state service.
10. "List" means an employment list, or promotion list.
11. "Promotion list" means a list of persons who have been found qualified by a promotional test for appointment to a position in a particular class.
12. "Promotion test" means a test for positions in a particular class, admission to which is limited to employees in the classified service who have held a position in another class for a period of not less than six months.
13. "Regular employee" means an employee who has been appointed to a position in the classified service in accordance with this chapter after completing his trial service period.
14. "State service" means all offices and positions in the employ of the state other than those of commissioned, warrant, and enlisted personnel in the military and naval services thereof, and those under the agencies set out in section 54-42-06, North Dakota Century Code.

SECTION 3. PUBLIC EMPLOYEE RELATIONS BOARD — QUALIFICATIONS OF MEMBERS.) Effective July 1, 1973, there is hereby created a five-member public employee relations board, composed of three members, one each to be appointed by the governor, the secretary of state and the attorney general, respectively; and two members to be elected by the employees of the state. Each member shall serve for a term of five years, and may succeed himself, but the members first appointed by the governor, the secretary of state, and the attorney general, respectively, shall be designated to serve one, two and three year terms, and the members first elected by the state employees shall be designated to serve four and five year terms. Any vacancy in office shall be filled in the same manner as the selection of the person vacating the office, and for the unexpired term. Each member of the board elected by the state employees shall be a citizen of the state known to be in sympathy with the application of merit principles to public employment and shall be of recognized standing and known interest in public administration and in the development of efficient methods of selecting and administering personnel. Neither of the members of the board elected by the state employees shall hold, or be a candidate for, any public office or appointive public office of a partisan nature, or position in a political party, within six months immediately preceding his appointment to the board, nor shall he be an employee of the state, political subdivision thereof, or any municipality.

SECTION 4. COMPENSATION AND EXPENSES OF ELECTED MEMBERS.) Each member elected by the state employees is entitled to compensation and expenses as provided for by law, and shall be entitled in addition thereto the sum of thirty dollars for each day employed in the official duties of the board.

SECTION 5. ELECTION COMMITTEE.) The governor, the secretary of state and the attorney general shall constitute or may appoint a three member committee to develop and promulgate rules and regulations for secret ballot elections among all eligible state employees to carry out the election of the two members of the board elected by the state employees.

SECTION 6. CHAIRMAN — MEETINGS — HEARINGS.) The board shall organize and elect one of its members chairman annually. It shall meet at least four times each year at such times and places as are specified by call of the chairman or any two members of the board. All meetings and hearings shall be

open to the public. Three members shall constitute a quorum for the transaction of business. Three favorable votes shall be necessary for the passage of any resolutions or taking of any official action by the board at any meeting.

SECTION 7. DUTIES OF BOARD.) The primary responsibility of the board shall be to foster and protect a merit system of personnel administration in state government. In carrying out this function it shall:

1. Review and hear comments on any rule or modification thereof adopted by the personnel department. Such rule or modification does not become effective if the board finds that the rule is arbitrary, capricious, contrary to the spirit or intent of the merit system, or otherwise contrary to law and disapproves the rule or modification on that basis.
2. Review any personnel action that is alleged by an affected party, or an organization certified by the rules of the board as representing an affected party, to be arbitrary or contrary to law or rule, or taken for political reason, and set aside such action if it finds these allegations to be correct. The board on its own motion may act with like effect under this subsection.
3. Adopt such rules or hold such hearings as it finds necessary to properly perform the duties, functions and powers imposed on or vested in it by law.
4. Submit annually to the governor and regularly to the legislative assembly a report of its activities and the operation of this state's personnel system.

SECTION 8. ADMINISTER OATHS — SUBPOENA WITNESSES — COMPEL PRODUCTION OF PAPERS.) The board, by affirmative vote of a majority of its membership, may subpoena witnesses and compel the production of books and papers or any other physical evidence pertinent to any investigation or hearing authorized by this chapter. Any member of the board, at a board meeting, may administer an oath to a witness.

SECTION 9. BOARD PERSONNEL.) The board shall employ such personnel as it considers necessary for the efficient administration of this chapter, and fix the compensation of its employees in accordance with the compensation plan for classified employees.

SECTION 10. ACTION TO SECURE COMPLIANCE WITH CHAPTER.) The board may maintain such action or proceeding at law or in equity as it considers necessary or appropriate to secure compliance with this chapter and its rules and orders thereunder.

SECTION 11. PERSONNEL DEPARTMENT — ADMINISTRATOR — APPOINTMENT — REMOVAL.)

1. There is hereby created a personnel department under the supervision and control of an administrator, who is responsible for the performance of the duties, functions and powers imposed upon the department.
2. Not later than the twentieth day after any vacancy in the position of administrator, the board shall conduct a competitive examination for the position of administrator and not later than the fifth day thereafter certify to the governor a list of the names of the five highest ranking eligibles who are willing to accept the appointment. On request, the board shall certify to the governor a second list of the next five highest ranking eligibles who are willing to accept an appointment. The governor shall appoint the administrator from among the persons so certified. The person appointed may hold no other public office or employment.
3. The governor may remove the administrator for cause, but before taking such action he shall first give to the admin-

istrator a statement in writing of his intention to effect his removal and the reason therefor. Not later than the fifth day after receipt of such statement in writing, the administrator may appeal in writing to the board for a hearing. Not later than the tenth day after the hearing, the board shall render its decision which shall be binding and final.

SECTION 12. POWERS AND DUTIES OF THE PERSONNEL DEPARTMENT.) The personnel department shall:

1. Supervise and aid in the creation of an employment position classification system as hereinafter provided.
2. Continually oversee the operation of the established classification system to prevent abuse and misclassification and shall report any such abuse or misclassification to the chairman of the committee on budget of the legislative council and the governor. The director of the department of accounts and purchases shall disapprove salary vouchers for positions classified under the provisions of this Act if the compensation to be paid exceeds the authorized pay scale for such position.
3. Establish and maintain a roster of all employees encompassed by the classification system, in which there shall be set forth, as to each employee, the position title, rate of pay, and other pertinent data.
4. Encourage and assist in the development of effective personnel administration within the several departments, agencies, bureaus, commissions, institutions, and other governmental units of this state, and shall make available the facilities of the office to this end.
5. Determine that employment positions covered by this Act are properly classified and encompassed within the existing classification system.
6. Report annually to the governor and the committee on budget of the legislative council regarding the status of the classification system.
7. Extend full cooperation to personnel in charge of preparing the state central payroll and to the director of the merit system council.
8. Exercise such other powers and perform such other duties as may be necessary to carry out the provisions of this Act.

SECTION 13. RECORDS AND INFORMATION TO BE FURNISHED.) All state officers and employees shall furnish any records or information, except records made confidential by statute, which the department requests for any purpose of this chapter.

SECTION 14. RECORDS PUBLIC.) The records of the department and the board, except such records as the rules may require to be held confidential for reasons of public policy, shall be public records and shall be open to public inspection, subject to regulations as to the time and manner of inspection which may be prescribed by the department or board.

SECTION 15. PAYROLLS MUST BE CERTIFIED BY ADMINISTRATOR BEFORE PAYMENT CAN BE MADE.) No state disbursing or auditing officer shall make or approve to take any part in making or approving any payment for personal service to any person holding a position in the classified service, or appointed to a position for the duration of an emergency unless the administrator or his authorized agent has certified that the persons named therein have been appointed and employed in accordance with the provisions of this chapter and the rules and orders thereunder.

SECTION 16. MERIT SYSTEM EXAMINERS.) The administrator may select officers or employees in the state service to act as examiners in the preparation and rating of tests. An appointing authority shall excuse an employee in his department from his regular duties for the time required for his work as an examiner. Officers and employees shall not be entitled to extra pay for their service as examiners, but shall be entitled to reimbursement for necessary traveling and other expense.

SECTION 17. AGENCY PERSONNEL OFFICERS.) A division of the service may designate a staff employee to serve as personnel officer for that division of the service, to administer personnel responsibilities specified in this chapter and by the personnel department as authorized by the administrator.

SECTION 18. APPROPRIATION.) There is hereby appropriated to the personnel department, from moneys in the general fund of the state treasury, not otherwise appropriated, \$124,000.00, or so much thereof as may be necessary to carry out the provisions of this Act during the biennium beginning July 1, 1973, and ending June 30, 1975. The personnel department is authorized to accept any federal funds which may become available relating to and available for carrying out the provisions of this Act and such funds are hereby appropriated for such purposes. To the extent that such funds are received, disbursements shall not be made pursuant to the general fund appropriation provided in this section.

SECTION 19. APPROPRIATION.) There is hereby appropriated to the public employee relations board, from moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$25,000.00, or so much thereof as may be necessary to carry out the provisions of this Act during the biennium beginning July 1, 1973, and ending June 30, 1975.

SECTION 20. AUTHORITY TO PROVIDE SERVICES TO MUNICIPALITIES AND POLITICAL SUBDIVISIONS.)

1. The department may enter into agreement with any municipality or political subdivision of the state to furnish services and facilities of the department to the municipality or political subdivision in the administration of its personnel on merit principles. Any such agreement shall provide for the reimbursement to the state of the cost of the services and facilities furnished, such reimbursements to be deposited to the credit of the local government personnel assistance account. All municipalities and political subdivisions of the state may enter into such agreements.
2. The department may cooperate with governmental agencies for other jurisdictions charged with personnel administration in conducting joint tests and establishing joint lists from which eligibles shall be certified for appointment in accordance with the provisions of this chapter.

SECTION 21. LOCAL GOVERNMENT PERSONNEL ASSISTANCE ACCOUNT.) There is created in the general fund of the state treasury a local government personnel assistance account. All moneys in the account are appropriated continuously to the department for purposes of furnishing services and facilities to municipalities and political subdivisions of this state, with respect to the administration of their personnel system on merit principles, under authority of any provision of this chapter.

SECTION 22. BOARD AUTHORITY TO PROVIDE SERVICES TO MUNICIPALITIES AND POLITICAL SUBDIVISIONS.) The board may enter into agreement with any municipality or political subdivision of this state to furnish any of its services and facilities, other than fact-finding or the services of the state conciliation service for which no reimbursement is required, and such

agreement shall provide for reimbursement to the state of the cost of the services and facilities furnished. All municipalities and political subdivisions of this state may enter into such agreements.

SECTION 23. EXEMPTIONS.) The following positions in the state service shall be exempt from classification and the merit system:

1. Members of the legislative assembly, other officers elected by popular vote, and persons appointed to fill vacancies in the elective offices.
2. Judges, referees, receivers, jurors, and notaries public.
3. Members of the teaching staff of state universities and colleges, and student employees of such institutions.
4. Patients or inmates employed in state institutions.
5. Persons employed in a professional or scientific capacity to make or conduct a temporary or special inquiry, investigation, or examination on behalf of the legislative assembly or a committee or agency thereof or by authority of the governor.
6. Employees of the legislative and judicial branches of government, including attorneys employed in the attorney general's office.
7. Persons employed for less than twenty hours per week or less than five months per year.
8. Persons appointed to office by the governor as provided by law.
9. Two principal assistants to the chief executive or executives of each executive branch agency, board, bureau, commission, department, office, or institution, whether such executive officer is elected or appointed.
10. The governor's administrative and clerical staff.
11. Notwithstanding any other provisions of this section, any classes of employees shall be brought into the classified service and shall be subject to the merit system upon the request of the appointing authority.

SECTION 24. CLASSIFICATION SYSTEM AND PAY PLAN — ESTABLISHMENT.) All state departments, agencies, and institutions shall cooperate and provide such assistance as the personnel department shall request in the classifying of positions covered under the provisions of this Act. To the extent possible, the initial classification of positions prepared by the personnel department shall classify positions and set pay scales in accordance with reviews, studies and findings, including the report by Ernst and Ernst, dated January, 1973, entitled "proposed position classification system and pay plan". To the extent possible, each employee classified shall be paid at one of the rates set forth in the compensation plan for the class of position in which he is employed, except that nothing in this section shall preclude payment of an employee at a "Y" rate. "Y" rates shall be used to compensate an employee at the same level of compensation he was receiving prior to a downward reclassification of his position. In establishing the rates the department shall consider the prevailing rates of pay for the services performed and for comparable services in public and private employment, living costs, maintenance or other benefits received by employees, and the state's financial condition and policies.

SECTION 25. MODIFICATION OF CLASSIFICATION PLAN OR MINIMUM QUALIFICATIONS.) An appointing authority desiring to establish a new position in the classified service or to make any permanent and substantial change in the duties, authority, or responsibilities of a position in that service, shall notify the

department in writing of the proposed change, which change shall be adopted by the department. Any employee affected by the contemplated change may appeal the change to the board, which shall be empowered to affirm, reverse, or modify, in whole or in part, the proposed change.

SECTION 26. CLASS TITLES USED TO DESIGNATE POSITIONS.) The class title set forth in the classification plan shall be used to designate the positions allocated to such classes in all official records, vouchers, and communications.

SECTION 27. EMPLOYMENT ONLY UNDER APPROVED CLASS TITLE.) No person shall be appointed to or employed in a position in the classified service under a class title which has not been approved by the administrator as appropriate to the duties to be performed.

SECTION 28. CONTINUING SALARY SURVEY PROGRAM.)

1. The department shall maintain a continuing salary survey program. For this purpose the department shall compile information and prepare statistics on prevailing rates of salaries and wages in all positions of state service as compared with salaries and wages for similar positions in private industry, in the service of other state governments and in federal service.
2. The appointing authorities shall cooperate with and assist the department in compiling the data required for the salary survey.

SECTION 29. SALARY PLANS FOR EXEMPT SERVICE.) The exempt service shall not be subject to the provisions of this chapter, except that with regard to any position for which salaries are not fixed by law, the officer authorized by law to appoint or fill such position shall maintain a salary plan equitably applied to the exempt position and in reasonable conformity with the general salary structure of the state.

SECTION 30. METHOD OF SELECTING EMPLOYEES FOR SERVICE IN CLASSIFIED POSITIONS — FILLING POSITIONS IN CLASSIFIED SERVICE.) No person shall be appointed or promoted to a position in the classified service unless certified as eligible by the administrator. Vacancies in the classified service shall be filled only by appointment by the appointing authority of an eligible person certified by the administrator from a list established pursuant to rules promulgated by the division or by transfer or demotion of a regular employee.

SECTION 31. ENTRANCE AND PROMOTION TESTS.) In accordance with the rules adopted by the department, the administrator shall from time to time conduct entrance tests and promotion tests as necessary for establishing employment lists and promotion lists.

SECTION 32. CHARACTER OF TESTS.)

1. The entrance and promotion tests shall be of such character as to determine the qualifications, fitness and ability of the persons tested to perform the duties of the class of positions for which a list is to be established.
2. The tests may be written, oral, physical, or in the form of a demonstration of skill, or any combination of such types.
3. The tests may take into consideration education, experience, aptitude, capacity, knowledge, character, physical fitness, and other qualifications as may enter into a determination of the relative fitness of the applicants.

SECTION 33. LIMITATIONS ON INQUIRIES IN APPLICATION OR TEST — DISCRIMINATION BASED ON SEX, RACE, RELIGION OR POLITICAL OPINIONS PROHIBITED.) No ques-

tion in any form of application or in any test shall be so framed as to elicit any information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations. All disclosures thereof shall be discountenanced. No discrimination shall be exercised, threatened or promised by any person in the employ of any division of the service or of the personnel department against or in favor of any applicant, eligible, or employee because of his sex, race, or religious or political opinions or affiliations.

SECTION 34. PUBLIC NOTICE OF TESTS.) The administrator shall give public notice in advance of such tests in the manner specified by rules adopted by the department.

SECTION 35. ADMISSION TO TESTS.) The department shall establish rules specifying the qualifications for admission to any test. Subject to the rules, admission to tests shall be open to all persons who appear to possess the required qualifications and may be lawfully appointed to a position in the class for which a list is to be established.

SECTION 36. TEST RATINGS — NOTICE AND REVIEW.) The rating of each test shall be completed and the resulting list established not later than ninety days after the date on which the test was held, unless such time is extended by the department. Each person competing in any test shall be given written notice of his final earned rating or of his failure to attain a place on the list.

SECTION 37. VETERANS PREFERENCE.) Veterans preference shall be given in accordance with section 37-01-40, North Dakota Century Code.

SECTION 38. ORDER IN WHICH ELIGIBLES ARE CERTIFIED.) Upon written notice of an appointing authority that a position in the classified service is to be filled, the administrator shall certify the names of all eligibles who are willing to accept appointment from lists for the class to which the position is allocated, or a comparable class.

SECTION 39. NUMBER OF NAMES CERTIFIED FOR EACH VACANCY.)

1. The number of names certified from promotional and employment lists may not be less than three in the case of one vacancy with two additional names for each additional vacancy, plus the names of all individuals who have the same whole-number base score as the individual ranking lowest on the certificate.
2. The detailed conditions and provisions for certification shall be prescribed by rules of the personnel department.
3. If the appropriate lists do not contain the names of a sufficient number of eligibles willing to accept appointment to make possible the certification provided for in this section, the names of all eligibles on such lists who are willing to accept appointment shall be certified.

SECTION 40. REMOVAL OF ELIGIBLES FROM LIST.) The names of persons who have been certified for appointments three times to the same appointing authority and who have not received appointment, and the names of persons who have expressed unwillingness to accept appointment may, at the discretion of the administrator, be removed from a list.

SECTION 41. PROVISIONAL APPOINTMENTS.) If there is no appropriate list available, the administrator may authorize the provisional appointment of a person meeting at least the minimum prerequisites for the class to which the position is allocated.

SECTION 42. TEMPORARY APPOINTMENTS.) Whenever there is need of an employee for a temporary period, the adminis-

trator may authorize a selection from the five highest ranking available eligibles on the appropriate employment or promotional list. Successive temporary appointments of the same person to the same position shall not total more than ninety days in any twelve month period.

SECTION 43. EMERGENCY APPOINTMENTS.) To prevent the stoppage of work or inconvenience to the public in case of an emergency, any appointing authority may appoint any person to any position for the duration of the emergency but not to exceed sixty calendar days. A vacancy of which the appointing authority has had reasonable notice, or an employment condition of which he had previous knowledge, shall not be considered an emergency under this section. The appointing authority shall report each emergency appointment to the administrator forthwith. No emergency appointment shall be renewed.

SECTION 44. PROCEDURE FOR SELECTING UNSKILLED, SEMI-SKILLED, AND PART-TIME EMPLOYEES.) For positions involving unskilled or semi-skilled labor, or domestic, attendant or custodial work, or part-time positions, when the character or place of the work or other conditions of employment make it impracticable to supply the needs of the service by appointments made in accordance with the procedure prescribed by this chapter, the administrator, subject to the rules, may adopt, or authorize the use of, such other procedures as he determines to be appropriate in order to meet the needs of the service, while assuring the selection of such employees on the basis of merit and fitness.

SECTION 45. APPLICATION OF ACT TO EXISTING EMPLOYEES.) All employees, officers and other personnel not otherwise exempt by law, who, prior to the effective date of this Act, have served continuously for a period of six months or more, or as regular seasonal employees have satisfactorily served in such positions through one seasonal service period, shall be certified to comparable positions, and grades and classifications, under the personnel system, and shall not be subject to trial service periods of employment.

SECTION 46. TRIAL SERVICE AND REGULAR STATUS — MERIT RATINGS — TRIAL SERVICE PERIOD.)

1. Except as provided in subsection 4 of this section, every person appointed to a position in the classified service after certification of his name from a promotional or an employment list, shall serve a trial service period of not to exceed six months.
2. Uninterrupted service in a position by a provisional employee which immediately precedes appointment to the position shall be counted as part of the trial service period.
3. At such times during the trial service period and in such manner as the administrator may require, the appointing authority shall report to the administrator his observation of the employee's work, and judgment as to the employee's willingness and ability to perform his duties satisfactorily, and as to his habits and dependability.
4. Where the appointing authority has established a training program for positions requiring such training and experience as established by the department, which program has been approved by the administrator and which is for the purpose of developing the skills or knowledge necessary for competent job performance in the specialized work of such authority. The employee may be required to train under such program for a period not exceeding six months and the trial service period for such employee shall be the length of the approved training program plus six months.

SECTION 47. REMOVALS DURING TRIAL PERIOD.)

1. The appointing authority may remove an employee within the first two months of his trial service period only with the approval of the administrator.
2. At any time during his trial service period, after the first two months thereof, the appointing authority may remove an employee if, in the opinion of the appointing authority, the trial service indicates that such employee is unable or unwilling to perform his duties satisfactorily or that his habits and dependability do not merit his continuance in the service. Upon such removal, the appointing authority shall forthwith report to the administrator, and to the employee removed, his action and the reason therefor.
3. No more than three employees shall be removed successively from the same position during their trial service periods without the approval of the administrator.
4. The administrator may remove an employee during his trial service period if he finds that such employee was appointed as a result of fraud or error.
5. If any employee is removed from his position during or at the end of his trial service period, and the administrator determines that he is suitable for appointment to another position, his name may be restored to the list from which it was certified. If any such employee was a regular employee in another position in the classified service immediately prior to his appointment, he shall be reinstated to his former position unless charges are filed and he is discharged as provided in this chapter.

SECTION 48. REGULAR EMPLOYEE STATUS UPON SATISFACTORY COMPLETION OF TRIAL SERVICE PERIOD.) The employee shall be deemed to have served his trial service period satisfactorily, and to be a regular employee, unless at least ten days prior to the expiration of the trial service period the appointing authority has notified the administrator in writing that the employee's services have not been satisfactory.

SECTION 49. REGULAR SEASONAL EMPLOYEES.) Positions which occur, terminate, and recur periodically and regularly regardless of the duration thereof shall be designated by rule of the department as seasonal positions, and employees regularly certified for and serving satisfactorily in such positions through one seasonal service period shall be entitled to permanent status as regular seasonal employees.

SECTION 50. MERIT RATINGS.)

1. In cooperation with appointing authorities, the department shall establish standards of performance for employees in each class of position in the classified service or for groups of classes, and a system of merit ratings based upon such standards.
2. In such manner and with such weight as shall be provided in the rules, merit ratings shall be considered:
 - a. In determining salary increases and decreases within the limits established by law and by the compensation plan.
 - b. As a factor in promotion tests.
 - c. As a factor in determining the order of layoff when forces must be reduced because of lack of funds or work.
 - d. As a means of discovering employees who should be promoted, demoted, transferred or dismissed.

SECTION 51. WORKING HOURS — LEAVES — VACATIONS — LAYOFFS — TRANSFERS — SUSPENSION — REDUCTION

— DEMOTION — DISMISSAL.)

1. Working hours — sick leaves — vacations. The rules shall provide for the hours of work, holidays, sick leaves, vacations and attendance regulations in the various classes of positions in the classified service.
2. Leaves of absence. Written leave of absence without pay may be granted by the appointing authority with the approval of the department for a period not to exceed one year. Upon expiration of the leave the employee shall be reinstated to the position held before the leave was granted. Failure of the employee to report promptly at the expiration of the leave shall be cause for dismissal.
3. Layoffs. Whenever a reduction in number of employees is required because of a shortage of funds or work or a material change in duties or organization, employees shall be laid off by appointing authorities under such rules as established by the department, which shall take into account length of service and merit rating.
4. Transfers from discontinued or reclassified positions. Subject to the rules established by the department, a regular employee whose position is discontinued or reclassified may be transferred to a vacant position in the same or comparable class. An incumbent of a reclassified position may be retained in the position under the new classification if qualified, or advanced thereto if he passes a noncompetitive test for the new position.
5. Transfers within a division. An appointing authority may at any time assign an employee from one position to another position in the same class or rank in his division of the service. Upon making such an assignment, the appointing authority shall forthwith give written notice of his action to the administrator.
6. Transfers between divisions. A transfer of an employee from a position in one division of the service to a position in the same class or rank in another division of the service may be made with the approval of the administrator and of the appointing authorities of both divisions of the service.
7. Transfer to a higher class. No employees shall be transferred from a position in one class to a position in another class of a higher rank unless he is appointed to such latter position after certification of his name from a list in accordance with the provisions of this chapter.
8. Transfer to lower class. Any change of an employee from a position in one class to a position in a class of lower rank shall be considered a demotion and shall be made only in accordance with the procedure prescribed for dismissal, except when an employee submits to the administrator a written request for change to a class of lower rank, and the request is granted, such change shall be termed a "voluntary demotion."
9. Suspension, reduction, demotion or dismissal. The department shall establish by rule a procedure in accordance with this chapter whereby the appointing authority in any division of the service may suspend, reduce, demote, or dismiss an employee thereof for misconduct, inefficiency, incompetence, insubordination, indolence, malfeasance, or other unfitness to render effective service, and for the investigation and public hearings of appeals to the department and to the board of such suspended, reduced, demoted or dismissed employee.
10. Classified employee filling position in exempt service. Posi-

tions in the exempt service may be filled by classified employees upon request of the appointing authority. Any classified employee so appointed shall, after termination of service in an exempt position, be restored to his status in the classified service.

SECTION 52. PROHIBITED CONDUCT.)

1. No person shall make any false statement, certificate, mark, rating or report with regard to any test, certification, or appointment made under this chapter, or in any manner commit or attempt to commit any fraud preventing the impartial execution of this chapter and the rules.
2. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the classified service.
3. No employee of the department, examiner or other person shall defeat, deceive or obstruct any person in his right to examination, eligibility, certification, or appointment under this chapter, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the classified service.

SECTION 53. FORFEITURE OF OFFICE — PERIODS OF INELIGIBILITY FOR OFFICE.)

1. Any person who engages in prohibited conduct as defined under the provisions of this chapter, shall, for a period of five years, be ineligible for appointment to or employment in a position in the state service, and if he is an officer or employee of the state, shall be deemed guilty of malfeasance in office and shall be subject to forfeiture of his office or position.
2. Any person who fails to appear in response to a subpoena or to answer any question or produce any books or papers pertinent to any investigation or hearing authorized by this chapter, shall, for a period of five years, be ineligible for appointment to or employment in a position in the state service, and if he is an officer or employee of the state, shall be deemed guilty of malfeasance in office and shall be subject to forfeiture of his office or position."

And renumber the lines, sections, and pages accordingly.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FIRST DAY

Bismarck, March 14, 1973

The Senate convened, pursuant to recess taken, the President presiding.

Prayer by Chaplain James Butler, First Presbyterian Church, Bismarck.

"First, Father, give us faith to believe that the words we speak, and the yearnings of our hearts, now open before thee, are heard and understood in thy presence.

"Give us confidence that You have plans for us, and power to make them happen. Give legislators, executives, and government workers a knowledge of your will for the world. Let these remember that they serve, not only a public trust, but a stewardship before thee. Let this be a motive above personal gain or glory, that our decisions, plans, and compromises, may be those we can live with.

"You rule the ways of men, You are the source of all power, you govern every earthly government - and before thee we pass in triumph or in disaster. So let us serve justice and mercy, and be attentive to the cry of the needy, that we may be in every truth, instruments of your peace."

Roll Call: All Senators present except Barth, Freed, Ringsak, Roen, Stroup and Tweten.

A quorum was declared by the President.

COMMUNICATIONS
STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 12, 1973, I signed the following:
Senate Bill No. 2268
Senate Bill No. 2294

Sincerely yours,
ARTHUR A. LINK
Governor

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 13, 1973, I signed the following:

Senate Bill No. 2095
Senate Bill No. 2262
Senate Bill No. 2345

I had also signed on March 11, 1973.
Senate Bill No. 2300

Sincerely yours,
ARTHUR A. LINK
Governor

STATE OF NORTH DAKOTA
Executive Office
Bismarck

The Honorable Wayne G. Sanstead
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 10, 1973, I signed the following:

Senate Bill No. 2003
Senate Bill No. 2022
Senate Bill No. 2032
Senate Bill No. 2044
Senate Bill No. 2071
Senate Bill No. 2077
Senate Bill No. 2086
Senate Bill No. 2102

Senate Bill No. 2104
 Senate Bill No. 2112
 Senate Bill No. 2126
 Senate Bill No. 2131
 Senate Bill No. 2163
 Senate Bill No. 2169
 Senate Bill No. 2171
 Senate Bill No. 2242
 Senate Bill No. 2244
 Senate Bill No. 2315
 On March 11, 1973, I signed the following:
 Senate Bill No. 2249
 Senate Bill No. 2260
 Senate Bill No. 2281
 Senate Bill No. 2301
 Senate Bill No. 2331

Sincerely yours,
 ARTHUR A. LINK
 Governor

STATE OF NORTH DAKOTA
 Executive Office
 Bismarck

The Honorable Wayne G. Sanstead
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota 58501

Dear Mr. President:

Senate Bill 2062 provides that the vendor of certain prepackaged, preserved sandwiches would not be required to purchase a restaurant license. This bill, therefore, would exempt such vendors from adhering to the basic health, sanitation, or safety standards which are required of others dispensing food for consumption in this state. This is neither desirable nor acceptable.

Currently, those dispensing sandwiches must obtain a restaurant license for a minimal fee of \$5 per year. The license may be granted only after the vendor's facilities are inspected and certified to meet statutory health and sanitation requirements (N.D.C.C. Chapter 23-09). But, this bill would exempt prepackaged preserved sandwiches from similar regulation. Minutes of the Senate Committee of Industry, Business and Labor (January 3, 1973) reveal the reason for requesting the exemption:

Mr. Lowell Harris, District Manager for Stuart Sandwich Company of Minneapolis, appeared on behalf of the bill stating they do business in 13 surrounding states and would like to expand their business to gas stations, motel lobbies, etc. This bill was introduced because the demand for sandwiches in small businesses and towns which have no cafes has been so great. Many places wish to serve these sandwiches but do not want to have to obtain a restaurant license. Senator Reiten asked whether the cost of such a license is a factor. Mr. Harris stated it was not but many of the establishments would not be able to meet the qualifications for a restaurant license. The fee for such license is \$5.00. He went on to say the Stuart route men maintain the cleanliness of the vending machines and normally reach these establishments every two weeks. He added that most of their customers have vending machines but there are those who would like to go into refrigeration type operations since vending machines are so costly. The testimony points out several fatal errors in the bill:

1. The bill was introduced because certain establishments cannot meet existing basic sanitation and health standards to secure a restaurant license.
2. Cleanliness of the "vending machines" is to be maintained by

the "route men" during visits which may "normally" occur every two weeks. But, basic sanitation and health standards demand daily - or more frequent - attention.

3. The testimony reiterated that there would be no statutory regulation of the types of "vending machines" to be used: the bill would allow sales "from any vending machine or appliance or any other medium, device, or object designed or used for vending purposes." This could apparently include everything from a refrigerated vending machine to a cardboard box in a cool room.

Perhaps the statutory requirements for restaurant licenses are too stringent for the vendors selling prepackaged preserved sandwiches. However, in the absence of other safeguards to guarantee a wholesome product to the consumer, I believe it would be much better to require adherence to strict standards rather than to none at all.

Therefore, I veto Senate Bill No. 2062.

Sincerely yours,
ARTHUR A. LINK
Governor

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-ninth day after recess and the fiftieth day and recommends that the same be corrected as follows:

On page 1039, in line 23 from the top of the page, correct the spelling of the word "thereof"

On page 1024, in line 7 from the bottom of the page, delete the numerals "2235" and insert in lieu hereof the numerals "2035"

On page 1024, in line 9 from the bottom of the page, delete the numerals "2235" and insert in lieu thereof the numerals "2035"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4072, which motion failed.

Senator Hoffner moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4072 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The House appointed as a Conference Committee on:

Senate Concurrent Resolution No. 4072

Senator Iszler

Senator Wright

Senator Hoffner

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4008 has had the same under consideration and recommends that the Senate accede to the House amendments and that Senate Concurrent Resolution No. 4008 be further amended as follows:

In the amendments as printed in the Senate Journal on pages 874 and 875, and printed in the House Journal on pages 944 and 945, immediately preceding the words "BE IT FURTHER RESOLVED" insert the following new paragraph: "That the board of University and School Lands is hereby directed to withhold

from sale only those lands which the board, acting with the advice of other agencies, determines to have exceptional scenic, archaeological, historic, recreational, conservational, or wildlife enhancement value; and"

Renumber the pages and lines accordingly.

Senator Roen
Senator Lee
Senator Jacobson

For the House:

Rep. Ganser
Rep. Metzger
Senator Weber

Senator Roen moved that the report be adopted, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Concurrent Resolution No. 4008 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4008. A Concurrent Resolution directing the Board of University and School Lands to confer with appropriate agencies.

Which has been read.

Senator Jacobson moved that Senate Concurrent Resolution No. 4008 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2007 has had the same under consideration and recommends that the Senate do accede with the House amendments.

For the Senate:

Senator Wenstrom
Senator C. Schultz
Senator Erdman

For the House:

Rep. Olin
Rep. Mertens
Rep. L. Hausauer

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended, that Senate Bill No. 2007 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2007. A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

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, 10; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Ringsak
Berube	Holand	Morgan	Sandness
Butler	Jacobson	Nasset	Schultz, J.

Christensen	Jones	Nething	Shablow
Erdman	Kautzmann	Page	Smykowski
Freed	Larson	Peterson	Strand
Fritzell	Lee	Pyle	Stroup
Goldberg	Lips	Rait	Tweten
Goodman	Litten	Redlin	Wenstrom
Gronhovd	Longmire	Reiten	

Those voting in the negative were:

Coughlin	Naaden	Solberg	Thane
Iszler	Sands	Strinden	Wright
Mutch	Schultz C.		

Absent and not voting:

Barth	Roen
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So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2027 has had the same under consideration and recommends that the House recede from its amendments and recommends Senate Bill No. 2027 be further amended as follows:

"On page 1, line 3, delete the following: "57-13-03, 57-13-07,"

On page 1, line 5, before the word "county" insert the word "and" and delete the comma after the word "county" and delete the words "and state"

On page 3, line 18, delete the word "**March**" and insert in lieu thereof the word "**April**"

On page 3, line 29, delete the word "**March**" and insert in lieu thereof the word "**April**"

On page 4, line 4, delete the word "**March**" and insert in lieu thereof the word "**April**"

On page 4, line 32, delete the triple parentheses before and after the word "Tuesday" and delete the word "**Monday**" and delete the word "**March**" and insert in lieu thereof the word "**April**"

On page 5, line 8, delete the word "**May**" and insert in lieu thereof the word "**June**"

On page 6, line 1, delete the word "**May**" and insert in lieu thereof the word "**June**"

On page 6, line 18, insert the triple parentheses before and after the word "AUDITOR" and insert before the period the words "**TAX COMMISSIONER**"

On page 6, line 23, delete the word "**May**" and insert in lieu thereof the word "**June**"

On page 6, delete lines 25 through 35

On page 7, delete lines 1 through 12

On page 7, line 18, delete the word "**February**" and insert in lieu thereof the word "**March**"

On page 7, line 19, delete the word "**February**" and insert in lieu thereof the word "**March**"

On page 7, line 20, delete the triple parentheses before the word "as"

On page 7, line 21, delete the triple parentheses after the word "township"

On page 7, line 22, delete the word "**March**" and insert in lieu thereof the word "**April**" and delete the triple parentheses before the word "and" and delete the triple parentheses after the second comma

And renumber the lines and sections accordingly"

For the Senate:
 Senator Anderson
 Senator Wright
 Senator Rait

For the House:
 Rep. Dornacker
 Rep. Winge
 Rep. Royse

Senator Rait moved that the report be adopted, which motion prevailed.

Senator Anderson moved that the rules be suspended, that Senate Bill No. 2027 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2027. A Bill for an Act to amend and reenact subsections 1, 2, 4, and 6 of section 57-02-11, sections 57-02-31, 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-12-01, 57-12-01.1, 57-12-08, and 57-23-02 of the North Dakota Century Code, relating to property tax assessment procedures, assessment dates, and meeting dates of township, city and county boards of equalization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jones	Nothing	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Smykowski
Coughlin	Lee	Pyle	Solberg
Erdman	Lips	Rait	Strand
Freed	Litten	Redlin	Strinden
Fritzell	Longmire	Reiten	Stroup
Goldberg	Melland	Ringsak	Thane
Goodman	Morgan	Sands	Tweten
Gronhovd	Mutch	Sandness	Wenstrom
Iszler	Naaden	Schultz, C.	Wright
Jacobson			

Absent and not voting:

Barth	Hoffner	Nasset	Roen
Berube	Holand		

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2113 has had the same under consideration and recommends that the House recede from its amendments pertaining to Page 4, line 1 and also Page 4, line 3 and that the Senate accede to the House amendments with the exception of the amendments to Page 4, line 1 and Page 4, line 3.

For the Senate:
 Senator Tweten
 Senator Sandness
 Senator Rait

For the House:
 Rep. A. Hausauer
 Rep. Ganser
 Rep. Dotzenrod

Senator Tweten moved that the report be adopted, which motion prevailed.

Senator Tweten moved that the rules be suspended, that Senate Bill No. 2113 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2113. A Bill for an Act to create and enact chapter 37-19.1 of the North Dakota Century Code, relating to preferences for veterans in gaining governmental employment, and providing means for enforcing those preferences; to amend and reenact section 37-15-08 of the North Dakota Century Code, relating to appointment of subordinate officers of the soldiers' home; and to repeal chapter 37-19 and section 37-01-31 of the North Dakota Century Code, relating to governmental employment preferences for veterans.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Jones	Peterson	Shablow
Butler	Kautzmann	Pyle	Smykowski
Christensen	Lee	Rait	Solberg
Erdman	Lips	Redlin	Strand
Freed	Litten	Reiten	Strinden
Fritzell	Melland	Ringsak	Stroup
Goldberg	Morgan	Sands	Thane
Goodman	Mutch	Sandness	Tweten
Gronhovd	Naaden	Schultz, C.	Wenstrom
Iszler	Nething	Schultz, J.	Wright
Jacobson	Page		

Absent and not voting:

Barth	Hoffner	Larson	Nasset
Berube	Holand	Longmire	Roen
Coughlin			

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2269 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Anderson
 Senator Wright
 Senator Rait

For the House:

Rep. Dornacker
 Rep. Winge
 Rep. Roysse

Senator Anderson moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2386 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Nasset
 Senator Iszler
 Senator Redlin

For the House:
 Rep. Gunderson
 Rep. Murphy
 Rep. Lundene

Senator Nasset moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee reports on:

Senate Bill No. 2007
 Senate Bill No. 2027
 Senate Bill No. 2113
 Senate Bill No. 2269
 Senate Bill No. 2386
 Senate Concurrent Resolution No. 4008

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 Concurrent Resolution No. 4072

And the President has appointed as a conference committee to act with a like committee from the House:

Senator Iszler
 Senator Wright
 Senator Hoffner

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2002
 Senate Bill No. 2004
 Senate Bill No. 2011
 Senate Bill No. 2012
 Senate Bill No. 2015
 Senate Bill No. 2074
 Senate Bill No. 2283

On Senate Bill No. 2002:

Rep. Jenkins
 Rep. Freborg
 Rep. Mertens

On Senate Bill No. 2004:

Rep. Miedema
 Rep. Marsden
 Rep. Opedahl

On Senate Bill No. 2011:

Rep. Bridston
 Rep. Fleming
 Rep. Hartl

On Senate Bill No. 2012:

Rep. Wagner
 Rep. Peterson
 Rep. Solberg

On Senate Bill No. 2015:

Rep. Olin
 Rep. Tweten
 Rep. Thorsgard

On Senate Bill No. 2074:

Rep. Herman
Rep. Rued
Rep. Gengler

On Senate Bill No. 2283:

Rep. Jenkins
Rep. Marsden
Rep. H. Johnson

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened pursuant to recess taken, the President presiding.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2001 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee:

On Senate Bill No. 2001:

Senator Lips
Senator Strinden
Senator Pyle

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2005 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2005
Senator Melland
Senator C. Schultz
Senator Page

MOTIONS

Senator Holand moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4068 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Concurrent Resolution No. 4068
Senator Tweten
Senator Kautzmann
Senator Berube

MOTIONS

Senator Stroup moved that the Senate do not concur in the House amendments to Senate Bill No. 2116 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2116
Senator Stroup
Senator Fritzell
Senator Redlin

FIRST READING OF A SENATE RESOLUTION

Senators Litten and Christensen introduced:

Senate Resolution No. 9. A Resolution requesting the President of the Senate to perform the duties outlined in Section 2 of House Bill No. 1042, now, rather than at a later date.

Was read the first time.

Senator Litten moved that the rules be suspended, that Senate Resolution No. 9 be not printed as a bill, but printed in the journal, not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

SENATE RESOLUTION NO. 9

Introduced by Senators Litten, Christensen

1 A resolution requesting the President of the Senate to perform
2 the duties outlined in Section 2 of House Bill No. 1042, now,
3 rather than at a later date.

4
5 WHEREAS, Section 2 of House Bill No. 1042 provides as
6 follows:

7 "SECTION 2. NUMBERING LEGISLATIVE DISTRICTS -
8 CLASSES OF SENATORS TO PROVIDE STAGGERED
8a TERMS) Senators

9 shall be divided into two classes: those elected in
10 legislative districts designated by even numbers shall
11 constitute one class, and those elected in legislative
12 districts designated by odd numbers shall constitute
13 the other class. The senators of one class elected in
14 the year 1974 shall hold their office for two years,
15 those of the other class elected in the year 1974 shall
16 hold their office for four years, and the determination
17 of which class shall be elected for four years and which
18 class shall be elected for two years shall be by lot.
19 The president of the senate shall perform the lot in the
20 presence of the majority and minority floor leaders of
21 the senate and shall certify in writing the results of
22 such lot to the secretary of state within thirty days
23 after the effective date of this act." and

24 WHEREAS, it is deemed advantageous to the general public

Page 2

1 and everyone concerned to know at the earliest date possible
2 which senatorial districts under House Bill No. 1042 will
3 have a two-year term and which will have a four-year term; and

4 WHEREAS, it is deemed advisable to save the extra expense,
5 effort, and time for the President of the Senate and the
6 Majority and Minority Floor Leaders of the Senate to make a
7 special trip to perform the determination by lot as outlined
8 in Section 2 of House Bill No. 1042; and

9 WHEREAS, it is deemed that any determination made now
10 will in no manner interfere with the prerogatives of the
11 judiciary or the people of this State; and

12 WHEREAS, the performance of the determination by lot
13 now would be within the spirit of Section 2 of House Bill
14 No. 1042;

15 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF
15a THE

16 STATE OF NORTH DAKOTA:

17 That the provisions of Section 2 of House Bill No. 1042
18 be executed and carried out as provided for in Section 2
19 thereof on a Nunc Pro Tunc basis; and

20 BE IT FURTHER RESOLVED, that the results of such
21 determination be made public and certified to the Secretary
22 of State by the President of the Senate as provided for in
23 Section 2 of House Bill No. 1042.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 9. A Resolution requesting the President of the Senate to perform the duties outlined in Section 2 of House Bill No. 1042, now, rather than at a later date.

Which has been read.

Senator Litten moved that Senate Resolution No. 9 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2033 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
 Senator Holand
 Senator Jones
 Senator Barth

For the House:
 Rep. Stone
 Rep. Lundene
 Rep. Kretschmar

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended, that Senate Bill No. 2033 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2033. A Bill for an Act to provide for alternate methods of disposing of certain traffic offenses; to define moving and nonmoving offenses; to provide for mandatory suspension of motor vehicle operators' licenses when certain numbers of demerits have accumulated on licensees' driving records; to create and enact section 29-27-02.1 of the North Dakota Century Code, relating to disposition of fines and forfeitures; and to amend and reenact subsection 3 of section 29-01-14, sections 29-05-31, 39-05-12, subsections 2 and 9 of section 39-06-03, subsection 1 of section 39-06-17, sections 39-06-31, 39-06-32, 39-07-09, 39-07-11, 39-08-18, 39-09-01, 39-10-31, 39-12-08, 39-12-09, subsection 2 of section 39-16.1-07, subsection 1 of section 39-21-46, sections 39-21-50, 39-24-11, and 40-05-06 of the North Dakota Century Code, relating to restricted licenses and mandatory revocation of licenses, to discretionary authority to suspend licenses, to the form of the uniform traffic summons and complaint, to the powers of halting officers, to the definition of magistrates, to the duties of magistrates, to the penalties to be assessed for certain traffic offenses, and to the maximum penalties for violation of city traffic ordinances.

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, 40; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Reiten
Barth	Hoffner	Melland	Ringsak
Berube	Holand	Naaden	Schultz, J.
Butler	Iszler	Nasset	Shablow
Christensen	Jones	Nething	Solberg
Coughlin	Kautzmann	Page	Strand
Erdman	Larson	Peterson	Strinden
Fritzell	Lee	Pyle	Thane
Goldberg	Lips	Rait	Tweten
Goodman	Litten	Redlin	Wenstrom

Those voting in the negative were:

Morgan	Sandness	Stroup	Wright
Mutch	Schultz, C.		

Absent and not voting:

Freed Roen Sands Smykowski
Jacobson

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, on:

Senate Bill No. 2400

Rep. Murphy
Rep. K. Johnson
Rep. Wilkie

Senate Concurrent Resolution No. 4072

Rep. Dornacker
Rep. Garnas
Rep. Lundene

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3091

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 Concurrent Resolution No. 4066

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened, pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1537 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to definitions; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 21 of section 57-38-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

21. a. "Federal Internal Revenue Code of 1954, as amended", "United States Internal Revenue Code of 1954, as amended" and "Internal Revenue Code of 1954, as amended", mean the United States Internal Revenue Code of 1954, as amended to and ((including December 31, 1968))) **in effect on the last day of the taxpayer's taxable year.**
- b. ((Those provisions of the United States Internal Revenue Code of 1954, as amended which are adopted for the purposes of this chapter and which apply to returns required to be filed under that Code for the calendar

year 1968 and for fiscal years ended during 1968 shall also apply to returns required to be filed under the provisions of this chapter for the same periods.)) Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required.

SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective for all taxable years beginning on or after January 1, 1973."

And when so amended recommends the same do pass.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Senator Butler moved that the rules be suspended, that House Bill No. 1537 be placed on the Sixth Order of Business, which motion prevailed.

CALL OF THE SENATE

Senator Litten requested a call of the Senate, which request was granted.

Senator Litten moved to suspend the call of the Senate, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Stroup moved that the amendments to House Bill No. 1537 be adopted, which motion prevailed.

MOTION

Senator Shablow moved that House Bill No. 1537 be further amended as follows:

In the title to the bill, after the word "date" and before the period insert the following: "and to amend and reenact sections 57-39.2-03.2, 57-39.2-04.1, 57-40.2-03.2, and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption of food and food products from the sales and use tax"

In section 2 of the bill, after the word "of" insert the following: "section 1 of"

Following the last line of the bill, insert the following new sections:

"SECTION 3. AMENDMENT.) Section 57-39.2-03.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-03.2. SALES TAX ON ALCOHOLIC BEVERAGES (((,))) AND TOBACCO PRODUCTS (((, AND OLEOMARGARINE))). Notwithstanding any other provision of law, the sales taxes imposed by this chapter shall apply to the gross receipts of retailers from all sales at retail beginning July 1, ((1969)) 1973, of alcoholic beverages as defined in section 5-01-01, whether mixed or unmixed at the time of sale or thereafter, and whether sold for consumption on the premises or through off-sale outlets for consumption off the premises, and cigarettes, cigars, and other tobacco products, ((and oleomargarine,))) provided that gross receipts from the sale thereof shall mean and include any other taxes imposed on such merchandise or its use or on the retail or other sale thereof.

SECTION 4. AMENDMENT.) Section 57-39.2-04.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-04.1. SALES TAX EXEMPTION FOR ((CERTAIN)) FOOD AND FOOD PRODUCTS.) Beginning ((January 1, 1970)) July 1, 1973, gross receipts from sales for human consumption of

food and food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products ((and of fresh and cured))), , oleomargarine, meat ((, including))) and meat products, poultry and fish and other fresh and salt-water animal products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products including candy and confectionary products, chewing gum, coffee and coffee substitutes, tea, cocoa and coca products, and carbonated beverages when purchased by consumers for consumption off the premises where purchased, shall be exempt from the sales tax imposed by chapter 57-39.2 ((, except that fresh and cured meat, fish and other fresh and salt-water animal products shall not include such products if preserved by enclosure in an airtight container))). "Food" and "food products" as used herein shall not include any alcoholic beverages or mixed drinks made therefrom, bottled water, or medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

SECTION 5. AMENDMENT.) Section 57-40.2-03.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-40.2-03.2. USE TAX ON ALCOHOLIC BEVERAGES (((,))) AND TOBACCO PRODUCTS ((, AND OLEOMARGARINE))). Notwithstanding any other provision of law, the use taxes imposed by this chapter shall apply to the storage, use, or consumption in this state beginning July 1, ((1969)) 1973, of alcoholic beverages as defined in section 5-01-01, whether mixed or unmixed at the time of sale or thereafter, and whether sold for consumption on the premises or through off-sale outlets for consumption off the premises, and cigarettes, cigars, and other tobacco products, (((and oleomargarine,))) provided that gross receipts from the sale thereof shall mean and include any other taxes imposed on such merchandise or its use or on the retail or other sale thereof.

SECTION 6. AMENDMENT.) Section 57-40.2-04.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-40.2-04.1. USE TAX EXEMPTION FOR (((CERTAIN))) FOOD AND FOOD PRODUCTS.) Beginning (((January 1, 1970))) July 1, 1973, gross receipts from sales for human consumption of food and food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products ((and of fresh and cured))), , oleomargarine, meat ((, including))) and meat products, poultry and fish and other fresh and salt-water animal products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products including candy and confectionary products, chewing gum, coffee and coffee substitutes, tea, cocoa and cocoa products, and carbonated beverages when purchased by consumers for consumption off the premises where purchased, shall be exempt from the use tax imposed by chapter 57-40.2 ((, except that fresh and cured meat, fish and other fresh and salt-water animal products shall not include such products if preserved by enclosure in an air-tight container))). "Food" and "food products" as used herein shall not include any alcoholic beverages or mixed drinks made therefrom, bottled water, or medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts."

And renumber the lines accordingly.

MOTIONS

Senator Longmire moved that the Senate substitute amendments to the amendments, which in effect would be Senate Bill No. 2248.

Senator Shablow requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the amendments to House Bill No. 1537, as offered by Senator Longmire, the roll was called and there were ayes, 17; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Gronhovd	Lee	Sands
Berube	Hoffner	Longmire	Shablow
Christensen	Jones	Rait	Strand
Erdman	Larson	Redlin	Wenstrom
Fritzell			

Those voting in the negative were:

Anderson	Kautzmann	Nothing	Schultz, J.
Butler	Lips	Page	Smykowski
Coughlin	Litten	Peterson	Solberg
Freed	Melland	Pyle	Strinden
Goldberg	Morgan	Reiten	Stroup
Goodman	Mutch	Ringsak	Thane
Holand	Naaden	Sandness	Tweten
Iszler	Nasset	Schultz, C.	Wright
Jacobson			

Absent and not voting:

Roen

Which motion failed.

MOTION

Senator Shablow requested a roll call vote on the amendments to House Bill No. 1537, as offered by Senator Shablow, which request was granted.

ROLL CALL

The question being on the adoption of the amendments as offered by Senator Shablow, the roll was called and there were ayes, 17; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Hoffner	Rait	Schultz, J.
Berube	Jones	Redlin	Shablow
Christensen	Larson	Sands	Wenstrom
Erdman	Lee	Schultz, C.	Wright
Gronhovd			

Those voting in the negative were:

Anderson	Jacobson	Naaden	Sandness
Butler	Kautzmann	Nasset	Smykowski
Coughlin	Lips	Nothing	Solberg
Freed	Litten	Page	Strand
Fritzell	Longmire	Peterson	Strinden
Goldberg	Melland	Pyle	Stroup
Goodman	Morgan	Reiten	Thane
Holand	Mutch	Ringsak	Tweten
Iszler			

Absent and not voting:

Roen

Which motion failed.

MOTION

Senator Butler moved that the rules be suspended, that House Bill No. 1537 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1537. A Bill for an Act to provide for an income tax credit or refund for sales taxes paid on food; and to

repeal sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, relating to sales and use tax exemptions on certain food products.

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, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nothing	Shablow
Butler	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright

Those voting in the negative were:

Christensen Gronhovd

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1537 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2256

Senate Bill No. 2278

Senate Bill No. 2335

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2335

On page 1, line 1 of the engrossed bill, delete the remainder of the bill after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide for the salary of the clerk of the district court; and to amend and reenact sections 11-10-10 and 11-15-03.1 of the North Dakota Century Code, relating to the compensation of elected county officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. SALARY OF CLERK OF THE DISTRICT COURT.)

The salary of the clerk of the district court shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication.

The clerk of the district court shall receive the following annual salary, payable monthly, for official services rendered:

1. In counties having a population not exceeding four thousand, the sum of seven thousand two hundred dollars.
2. In counties having a population exceeding four thousand but with less than eight thousand, the sum of seven thousand six hundred dollars.

3. In counties having a population exceeding eight thousand but with less than thirty thousand, the sum of eight thousand one hundred dollars, plus additional compensation of one hundred dollars for each one thousand additional population or major fraction thereof, but not to exceed ten thousand two hundred dollars. However, in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subsection.
4. In counties having a population in excess of thirty thousand, the sum of eleven thousand dollars.

The board of county commissioners of any county may, by resolution, increase the salary of any full-time clerk of district court by an amount not to exceed ten percent above the salary provided in this section, if, in the judgment of such board, by reason of duties performed, the clerk of district court merits the increase. Any clerk of district court performing duties on less than a full-time basis may be paid a salary set by the board of county commissioners in any amount up to ten percent less than the salary provided for that official in this section. However, no salary shall be less than it was on July 1, 1970. In the event the county has a group insurance program for its employees for hospital benefits, medical benefits, or life insurance financed in part or entirely by the county, such benefits may be in addition to the salaries payable to the clerk of district court.

Salaries paid to the clerks of district courts may be adjusted by the respective boards of county commissioners according to the national consumer price index for urban wage earners and clerical workers which is published by the United States department of labor. The adjustment of salaries, whether raised or lowered, shall be computed by using the percentage yearly change on all items from May of the preceding year to May of the present year, but in no event shall salaries be increased more than six percent in any given year. In computing salaries based on the consumer price index, the county commissioners may round off the salary to the nearest one hundred dollars. No adjustment in salaries shall be made prior to July 1, 1974.

SECTION 2. AMENDMENT.) Section 11-10-10 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-10-10. SALARIES OF COUNTY OFFICERS.)

1. The salary of the county auditor, county treasurer, (((sheriff,))) county superintendent of schools, register of deeds, county judge, and state's attorney ((, and clerk of district court))) shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication;
2. The (((county auditor,))) county treasurer, (((county superintendent of schools,))) register of deeds, county judge, and state's attorney ((, and clerk of the district court))) each shall receive the following annual salary, payable monthly, for official services rendered:
 - a. In counties having a population not exceeding four thousand, the sum of seven thousand dollars.
 - b. (((Six thousand six))) Seven thousand four hundred dollars in counties having a population

- (((not))) exceeding (((eight))) **four thousand but with less than eight thousand.**
- (((b.))) c. (((six thousand eight hundred))) **seven thousand seven hundred** dollars in counties having a population exceeding eight thousand but with less than thirty thousand population, plus additional compensation of one hundred dollars per year for each one thousand additional population or major fraction thereof, but not to exceed the total sum of nine thousand **eight hundred** dollars (((, and provided, however, that))). **However**, in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.
- (((c.))) d. In counties having a population in excess of thirty thousand, the sum of (((nine thousand five hundred))) **ten thousand four hundred** dollars (((, except that the))). **However**, state's attorneys in counties having a population exceeding thirty-five thousand shall receive a salary of from fourteen thousand to twenty thousand dollars, to be determined by resolution of the board of county commissioners.
- 3. The county auditor shall receive the following annual salary, payable monthly, for official services rendered:**
- a. In counties having a population not exceeding four thousand, the sum of seven thousand two hundred dollars.
 - b. Seven thousand six hundred dollars in counties having a population exceeding four thousand but with less than eight thousand.
 - c. Eight thousand one hundred dollars in counties having a population exceeding eight thousand but less than thirty thousand population, plus additional compensation of one hundred dollars per year for each one thousand additional population or major fraction thereof, but not to exceed the total sum of ten thousand two hundred dollars. **However**, in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.
 - d. In counties having a population in excess of thirty thousand, the sum of eleven thousand dollars.
- 4. The county superintendent of schools shall receive the following annual salary, payable monthly, for official services rendered:**
- a. In counties having a population not exceeding four thousand, the sum of six thousand six hundred dollars.
 - b. Six thousand seven hundred dollars in counties having a population exceeding four thousand but with less than eight thousand.
 - c. Seven thousand dollars in counties having a population exceeding eight thousand but with less than thirty thousand population, plus additional compensation of one hundred dollars per year for each one thousand additional population or major fraction

thereof, but not to exceed the total sum of nine thousand one hundred dollars. However, in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.

d. In counties having a population in excess of thirty thousand, the sum of nine thousand eight hundred dollars.

In counties having a county court of increased jurisdiction, the salaries of the judges of county courts of increased jurisdiction shall be as set out in section 27-08-08. The county superintendent of schools shall receive for any trips necessarily made within his county in the performance of school district reorganization duties the same mileage as he receives under the provisions of section 11-10-15. The board of county commissioners of any county may, by resolution, increase the salary of any full-time county official by an amount not to exceed ten percent above the salary provided in this section or section 27-08-08, if, in the judgment of such board, by reason of duties performed, the official merits the increase. Any county official performing duties on less than a full-time basis may be paid a salary set by the board of county commissioners in any amount up to ten percent less than the salary provided for that official in this section. However, no salary shall be less than it was on July 1, 1970. In the event the county has a group insurance program for its employees for hospital benefits, medical benefits, or life insurance financed in part or entirely by the county, such benefits may be in addition to the salaries payable to county officials under sections 1 and 2 of this Act, section 11-15-03.1, and this section.

Salaries paid to the county officials may be adjusted by the respective boards of county commissioners according to the national consumer price index for urban wage earners and clerical workers which is published by the United States department of labor. The adjustment of salaries, whether raised or lowered, shall be computed by using the percentage yearly change on all items from May of the preceding year to May of the present year, but in no event shall salaries be increased more than six percent in any given year. No adjustment in salaries shall be made prior to July 1, 1974.

- ((3.)) 5. Each county commissioner may receive an annual salary or per diem as provided by resolution of the board, which salary or per diem, together with mileage and expenses as hereinafter provided shall not exceed the following limits: In counties having a population of eight thousand or less, three thousand three hundred dollars; in counties having a population of over eight thousand and less than fifteen thousand, three thousand nine hundred fifty dollars; and in counties having a population of over fifteen thousand, four thousand eight hundred dollars; and for the purpose of fixing the maximums herein provided, population figures shall be those established by the most recent federal census. The allowance for meals and lodging expenses shall be at the same rate and under the same conditions as provided for state officials and employees. The allowance for travel expenses shall be at the same rate as provided by section 11-10-15, and shall be evidenced by a subvoucher or receipt as provided by section 21-05-01. As used in this section, the words "official business" shall include statewide

meetings of the North Dakota county commissioners association.

If a board shall resolve to pay an annual salary pursuant to this subsection, it shall be paid in monthly installments.

SECTION 3. AMENDMENT.) Section 11-15-03.1 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-15-03.1. SALARY OF COUNTY SHERIFF.) The salary of the county sheriff shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication.

The county sheriff shall receive the following annual salary, payable monthly, for official services rendered:

1. **In counties having a population not exceeding four thousand, the sum of seven thousand eight hundred dollars.**
2. **((Seven thousand two hundred sixty)) Eight thousand dollars minimum salary in counties having a population ((not)) exceeding ((eight)) four thousand but with less than eight thousand.**
- ((2.)) 3. ((Seven thousand four)) Eight thousand three hundred ((eighty)) dollars minimum salary in counties having a population exceeding eight thousand but with less than thirty thousand, plus additional compensation of one hundred dollars for each one thousand additional population or major fraction thereof, but not to exceed the total sum of ((nine thousand nine)) ten thousand four hundred dollars.**
- ((3.)) 4. ((Ten thousand four)) Eleven thousand five hundred ((fifty)) dollars minimum salary in counties having a population exceeding thirty thousand.**

((4.)) The board of county commissioners of any county may, by resolution, increase the salary of the county sheriff by an amount not to exceed ten percent above the salary provided for in this section, if, in the judgment of such board, by reason of duties performed, the official merits the increase. **Any sheriff performing duties on less than a full-time basis may be paid a salary set by the board of county commissioners in any amount up to ten percent less than the salary provided for that sheriff. However, no salary shall be less than it was on July 1, 1970. In the event the county has a group insurance program for its employees for hospital benefits, medical benefits, or life insurance financed in part or entirely by the county, such benefits may be in addition to the salaries payable to the sheriff.**

Salaries paid to the sheriffs shall be adjusted by the respective boards of county commissioners according to the national consumer price index for urban wage earners and clerical workers which is published by the United States department of labor. The adjustment of salaries shall be computed by using the percentage yearly change on all items from May of the preceding year to May of the present year, but in no event shall salaries be increased more than six percent in any given year. No adjustment in salaries shall be made prior to July 1, 1974"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2335

Of the House amendments as printed on page 1150 through page 1155 of the House Journal.

In the last paragraph of Section 11-15-03.1 following the words "Salaries paid to the sheriffs" delete the word "shall" and insert in lieu thereof the word "may"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2256

On page 1, line 9 delete the figure "17,500,000.00" and insert in lieu thereof the figure "17,920,000.00"

HOUSE AMENDMENTS TO SENATE BILL No. 2278

On page 1 of the engrossed bill, line 1, after the comma insert the following: "2-07-06.5, 2-07-06.6, and 2-07-06.7,"

On page 1, line 7 delete the word "and" and after the word activities" insert the following: ", and providing procedures for abolishment"

On page 3, line 1 delete the words "continues the existence of" and insert in lieu thereof the word "creates"

On page 4, line 22 after the word "authority" and before the semicolon insert the following: ", except that the board of county commissioners may by resolution create a weather modification authority and all its powers, including the power to certify a tax levy as provided by section 2-07-06.3, for five year periods in accordance with section 2-07-06.4"

On page 6, line 25 delete the word "CONTINUATION" and insert in lieu thereof the word "CREATION" and also in line 25 delete the word "EXISTING"

On page 6, line 29 delete the word "continuation" and insert in lieu thereof the word "creation" and also delete the word "existing"

On page 6, line 32 delete the word "continuation" and insert in lieu thereof the word "creation"

On page 6, line 33 delete the word "existing"

On page 7, line 1 delete the word "continuance" and insert in lieu thereof the word "creation"

On page 7, line 2 delete the word "re-"

On page 7, line 3 delete the word "the" and delete the word "incumbent"

On page 7, after line 11 insert the following sections:

"SECTION 6.) Section 2-07-06.5 of the North Dakota Century Code is hereby created and enacted to read as follows:

2-07-06.5. PROCEDURE FOR ABOLISHMENT OF WEATHER MODIFICATION AUTHORITY AND ALL ITS POWERS BY RECALL INITIATED PETITION.) After fifty-one percent of the qualified electors of a county, as determined by the vote cast for the office of governor at the last preceding gubernatorial election, shall petition the board of county commissioners of their county to recall the commissioners of a weather modification authority as created by section 2-07-06 and to abolish such county weather modification authority, the board of county commissioners shall adopt a resolution recalling all commissioners of such weather modification authority and abolish their appointed office and abolish such weather modification authority until such time as a weather modification authority is created by petition in accordance with section 2-07-06, provided that such recall petition has been found by the county commissioners to have met the requirements as to the number of qualified electors attached to the petition as required in this chapter. In the event the board of county commissioners certifies the sufficiency and validity of the recall petition and adopts a resolution recalling all commissioners of a weather modification authority and abolishes such authority, then all unexpended funds remaining in the name of the weather modification authority, after all proper bills and expenses have been paid, shall be transferred

into the county general fund by the officers of the weather modification authority on the effective date of such recall and abolishment resolution adopted by the board of county commissioners. In the event there are outstanding valid bills unpaid after such date, the board of county commissioners are hereby authorized to pay such proper obligations from monies in the county general fund. A recall initiated petition shall have a title with the heading: "Recall Petition for the Abolishment of (insert name of county) Weather Modification Authority". Such recall petition shall incorporate a paragraph stating its purpose in clear language and shall comply with all requirements prescribed in subsections 4, 5, and 6 of section 2-07-06.1 relating to petition contents, committee for petitioners, petition details, affidavits and persons circulating such petitions.

SECTION 7.) Section 2-07-06.6 of the North Dakota Century Code is hereby created and enacted to read as follows:

2-07-06.6. CREATION OF WEATHER MODIFICATION AUTHORITY BY ELECTION.) When a petition signed by not less than twenty percent of the qualified electors of the county, as determined by the vote cast for the office of governor at the last preceding gubernatorial election, requesting an election upon the establishment of a weather modification authority is presented to the board of county commissioners, the board of county commissioners shall submit the question to the electors of the county at the next countywide election. Upon approval by a majority of the votes cast, the board of county commissioners shall establish a weather modification authority as described in section 2-07-06, with all its powers, including the power to certify a tax levy as provided by section 2-07-06.3.

SECTION 8.) Section 2-07-06.7 of the North Dakota Century Code is hereby created and enacted to read as follows:

2-07-06.7. ABOLISHMENT OF WEATHER MODIFICATION AUTHORITY BY ELECTION.) When a petition signed by not less than twenty percent of the qualified electors of the county, as determined by the vote cast for governor in the last preceding gubernatorial election, requesting an election upon the abolishment of a weather modification authority as created in section 2-07-06.4 and section 2-07-06.6 is presented to the board of county commissioners, the board of county commissioners shall submit the question to the electors of the county at the next countywide election. Upon approval by a majority of the votes cast, the board of county commissioners shall abolish the weather modification authority as of December thirty-first following the election. All unexpended funds remaining in the name of the weather modification authority, after all proper bills and expenses have been paid, shall be deposited in the general fund of the county."

And renumber the lines, sections, and pages accordingly.

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SECOND DAY

March 14, 1973

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Roger Bishop, Bible Baptist Church, Bismarck.

"Dear Heavenly Father, I thank You to day for the many blessings that You bestow upon thy people from day to day. Thank You for men that will present their time and effort to promote good government. Lead these men in their decisions that they might be the right ones and not necessarily their own. Bless not only these lead-

ers here but those in high offices over our nation. Grant now to us Your blessings and forgive us our sins this day. In Jesus Name, Amen."

Roll Call: All Senators present except Roen.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fiftieth day after recess and recommends that the same be corrected as follows:

On page 1057, in line 19 from the bottom of the page, delete the word "is" and insert in lieu thereof the word "its"

On page 1051, in line 30 from the top of the page, delete the numerals "1090" and insert in lieu thereof the numerals "1030"

On page 1058, after line 56 from the top of the page, insert "Senator Robert Nasset"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2256 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on

Senate Bill No. 2256

Senator Coughlin

Senator Page

Senator Erdman

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2026 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill 2026 be amended as follows:

On page 1, line 3 of the re-engrossed bill, after the word "program" insert the words "and to provide for mill levy reductions in school districts having unlimited mill levies"

On page 1, line 5 of the re-engrossed bill, delete the word "and" and after the number "57-15-14" and insert the following: ", and 57-58-02"

On page 1, line 7 of the re-engrossed bill, delete the word "and"

On page 1, line 8 of the re-engrossed bill after the word "districts" and before the semicolon insert the following: ", and the computation of grants-in-aid to county equalization funds" and delete the words "and to repeal" and insert the words "and providing that the provisions of this Act shall be temporary"

On page 1, delete lines 9 and 10 of the re-engrossed bill

On page 1, line 11 of the re-engrossed bill, delete the word "funds"

On page 3, line 24 of the re-engrossed bill, place beginning triple parentheses before the word "all" and place ending triple parentheses after the comma

On page 4, line 17 of the re-engrossed bill delete the word "schools" and insert in lieu thereof the words "school districts" and after the word "having" insert the words "a total high school enrollment of"

On page 4, line 25 of the re-engrossed bill, after the period insert the following new sentences: "No high school district shall receive less for general school operating purposes in state and county founda-

tion program payments, personal property replacement funds, and general fund and special levies for current operating expenses for any year of the 1973-75 biennium than such district received from the combined total of these sources for general school operating purposes during the 1972-73 school year, and the superintendent of public instruction shall increase the state payment by such amount as may be necessary to ensure that each high school district receives such amount. Provided, however, that to be eligible for such increased state payments, a high school district must have levied at least a seventy-five percent increase over and above the mill levy limitations provided by law for its general fund for taxable year 1972 and must continue to levy a seventy-five percent increase for its general fund for taxable years 1973 and 1974."

On page 4, line 35 of the re-engrossed bill following the period insert the following: "Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses."

On page 7, line 33 of the re-engrossed bill delete the number "twenty-two" and insert in lieu thereof the number "twenty-three"

On page 11, line 1 of the re-engrossed bill delete the words "It is the"

On page 11, delete lines 2 through 7 of the re-engrossed bill.

On page 11, after line 7 of the re-engrossed bill insert the following new sections:

"SECTION 9. AMENDMENT.) Section 57-58-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-58-02. Computation of grants-in-aid to county equalization funds. The superintendent of public instruction in determining the amount of a grant-in-aid from the state to the county equalization fund of each county shall reduce the amount of such payment by the amount that is equal to that part of the distribution made pursuant to section 57-58-01 with respect to the county equalization fund levy, which amount shall be certified to the superintendent of public instruction by the state tax commissioner. **The provisions of this section shall be suspended and shall not be in force and effect during the period beginning July 1, 1973, and ending June 30, 1975. After June 30, 1975, the provisions of this section shall be in full force and effect unless further amended, suspended, or repealed.**

SECTION 10. MILL LEVY REDUCTIONS IN SCHOOL DISTRICTS HAVING UNLIMITED LEVIES. Any school district having increased mill levies pursuant to the authority of section 57-15-14 and the board of education of the city of Fargo shall reduce the mills levied for general fund purposes by not less than fifteen mills from the number of mills levied for taxable year 1972. This reduction shall be effective for the 1973-75 biennium."

On page 11, delete lines 8 and 9 of the re-engrossed bill

On page 11, line 10 of the re-engrossed bill, delete the number "10" and insert in lieu thereof the number "11"

On page 11, line 18 of the re-engrossed bill delete the number "11" and insert in lieu thereof the number "12"

On page 11, after line 22 of the re-engrossed bill insert the following new sections:

"SECTION 13. ELIGIBILITY FOR RECEIPT OF FOUNDATION PROGRAM PER PUPIL PAYMENTS.) The superintendent of public

instruction shall make disbursements pursuant to this Act during the 1973-75 biennium only to school districts for which the school boards have certified that no new courses of study have been implemented since the effective date of this Act which have not been approved by the unanimous consent of the school boards. This limitation shall not apply to:

1. Vocational education programs.
2. Special education programs.
3. New programs related to new facilities.
4. Programs to replace courses of study eliminated in the 1971-73 biennium.

SECTION 14. PROVISIONS OF ACT TEMPORARY.) Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of this Act shall be effective during the period beginning July 1, 1973, and ending June 30, 1975, and thereafter shall be of no force and effect, and the provisions of sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-16, 15-40.2-03, 57-15-14, and 57-58-02 of the North Dakota Century Code as they existed on June 30, 1973, shall on and after July 1, 1975, be in full force and effect unless further amended, suspended or repealed prior to such date. It is the intent of the legislative assembly that during the period between the forty-third and forty-fourth legislative sessions, the legislative council shall review the operation of the provisions of this Act and all matters relating thereto, and make a report and recommendations thereon to the forty-fourth legislative assembly."

And renumber the lines and pages accordingly.

For the Senate:

Senator Holand, (Refused to sign)

Senator Nasset

Senator Hoffner

For the House:

Rep. Knudson

Rep. Erickson

Rep. Jacobson

Senator Nasset moved that the report be adopted, which motion prevailed.

MOTION

Senator Nasset moved that the rules be suspended, that Senate Bill No. 2026 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2026. A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program and to provide for mill levy reductions in school districts having unlimited mill levies; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-16, 15-40.2-03, 57-15-14, and 57-58-02 of the North Dakota Century Code, relating to the foundation program payments, tax levy limitations in school districts, aid for transportation and tuition* payments for school districts, and the computation of grants-in-aid to county equalization funds; and providing that the provisions of this Act shall be temporary; and providing an appropriations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow

Coughlin	Larson	Peterson	Smykowski
Erdman	Lee	Pyle	Solberg
Freed	Lips	Rait	Strand
Fritzell	Litten	Redlin	Strinden
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Naaden	Sandness	Wright
Iszler			

Those voting in the negative were:

Butler	Goldberg	Mutch	Stroup
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Absent and not voting:

Anderson	Roen
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So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2026 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2033

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. 2001

Senate Bill No. 2005

Senate Bill No. 2116

Senate Concurrent Resolution No. 4068

And the President has appointed as a conference committee to act with a like committee from the House, on:

Senate Bill No. 2001

Senator Lips

Senator Strinden

Senator Pyle

Senate Bill No. 2005

Senator Melland

Senator C. Schultz

Senator Page

Senate Bill No. 2116

Senator Stroup

Senator Fritzell

Senator Redlin

Senate Concurrent Resolution No. 4068

Senator Tweten

Senator Kautzmann

Senator Berube

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2026, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:
House Bill No. 1537
Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1001
House Bill No. 1004
House Bill No. 1014
House Bill No. 1015
House Bill No. 1050
House Bill No. 1054
House Bill No. 1090
House Bill No. 1272
House Bill No. 1331
House Bill No. 1350
House Bill No. 1465

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2001
Senate Bill No. 2005
Senate Bill No. 2116
Senate Bill No. 2380
Senate Concurrent Resolution No. 4068

Senate Bill No. 2001
Rep. Wagner
Rep. Kingsbury
Rep. Solberg

Senate Bill No. 2005
Rep. Marsden
Rep. Miedema
Rep. Opedahl

Senate Bill No. 2116
Rep. Gunderson
Rep. Hentges
Rep. Linderman

Senate Bill No. 2380
Rep. Garnas
Rep. Jacobs
Rep. Wilkie

Senate Concurrent Resolution No. 4068
Rep. Eagles
Rep. Hendrickson
Rep. Tinjum

ROY GILBREATH, Chief Clerk

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2035 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:
Senator Stroup
Senator Anderson
Senator Christensen

For the House:
 Rep. Hentges
 Rep. Winkjer
 Rep. Bassingthwaite

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2051 has had the same under consideration and recommends that the Senate concur with the House amendments.

For the Senate:
 Senate Wright
 Senator Barth
 Senator Smykowski

For the House:
 Rep. Johnson
 Rep. Murphy
 Rep. Livingston

Senator Wright moved that the report be adopted, which motion prevailed.

MOTION

Senator Wright moved that the rules be suspended, that Senate Bill No. 2051 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2051. A Bill for an Act to amend and reenact sections 36-04-01, 36-04-03, 36-04-04, 36-04-05, 36-04-07, 36-04-09, 36-04-10, 36-04-11, 36-04-12, 36-04-13, 36-04-14, 36-04-15, 36-04-16, 36-04-17, 36-04-18, 36-04-19, and 36-04-20 of the North Dakota Century Code; to repeal sections 36-04-06 and 36-04-08 of the North Dakota Century Code, all relating to livestock dealer licensing and bonding.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nothing	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strinden
Erdman	Lee	Pyle	Stroup
Freed	Lips	Rait	Thane
Fritzell	Litten	Reiten	Tweten
Goldberg	Melland	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner			

Absent and not voting:

Barth	Longmire	Ringsak	Smykowski
Goodman	Morgan	Roen	Strand
Jones	Redlin		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2074 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill 2074 be amended as follows:

On page 3, after line 5 insert the following: "Except that a cemetery association shall deposit not less than 50 percent of the sale price of vaults and markers in a trust fund as provided for in 23-06-03.1."

And renumber the lines and pages accordingly.

For the Senate:

Senator Jacobson
 Senator Kautzmann
 Senator Gronhovd

For the House:

Rep. Herman
 Rep. Rued
 Rep. Gengler

Senator Jacobson moved that the report be adopted, which motion prevailed.

MOTION

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2074 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2074. A Bill for an Act to amend and reenact sections 43-10.1-01, 43-10.1-02, 43-10.1-03, 43-10.1-04, 43-10.1-06, and 43-10.1-07 of the North Dakota Century Code, relating to pre-need funeral services.

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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nething	Shablow
Christensen	Kautzmann	Page	Smykowski
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strinden
Freed	Lips	Rait	Stroup
Fritzell	Litten	Redlin	Tweten
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Sands	Wright
Hoffner	Mutch	Sandness	

Those voting in the negative were:

Goldberg

Absent and not voting:

Barth	Longmire	Roen	Thane
Jones	Ringsak	Strand	

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2286 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill No. 2286 be amended as follows:

On page 1, line 21 of the engrossed bill after the ending triple parentheses delete the word "sixteen" and insert in lieu thereof "seventeen" and after the word "thousand" delete "five"

On page 1, line 22 delete the word "hundred"

Renumber the pages and lines accordingly.

For the Senate:

Senator Ringsak
 Senator Freed
 Senator Iszler

For the House:

Rep. Stone
 Rep. Lundene
 Rep. Winkjer

Senator Ringsak moved that the report be adopted, which motion prevailed.

MOTION

Senator Freed moved that the rules be suspended, that Senate Bill No. 2286 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to salaries paid to judges of county courts of increased jurisdiction and raising such salaries.

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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hoffner	Naaden	Schultz C.
Berube	Holand	Nasset	Schultz, J.
Butler	Iszler	Nething	Shablow
Christensen	Jacobson	Page	Smykowski
Coughlin	Kautzmann	Peterson	Solberg
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Melland	Sands	Wright
Gronhovd	Morgan	Sandness	

Those voting in the negative were:

Mutch

Absent and not voting:

Barth	Longmire	Roen	Thane
Jones	Ringsak	Strand	

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2380 has had the same under consideration and recommends that the Senate accede to the amendment on page 1, line 15 and that the House recedes from its amendments on page 2, line 12 and on page 2, line 13.

For the Senate:

Senator Butler
Senator Goodman
Senator Shablow

For the House:

Rep. Garnas
Rep. Jacob
Rep. Wilkie

Senator Shablow moved that the report be adopted, which motion prevailed.

MOTION

Senator Butler moved that the rules be suspended, that Senate Bill No. 2380 be deemed properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2380. A Bill for an Act to create and enact a new section to chapter 40-57.1 and to amend and reenact section 40-57.1-02 of the North Dakota Century Code, relating to tax exemptions for new industries.

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, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz, J.
Berube	Iszler	Nething	Shablow
Butler	Jacobson	Page	Smykowski
Christensen	Kautzmann	Peterson	Solberg
Coughlin	Larson	Pyle	Strinden
Erdman	Lee	Rait	Stroup
Freed	Lips	Redlin	Thane
Fritzell	Litten	Reiten	Tweten
Goodman	Morgan	Sands	Wenstrom
Gronhovd	Mutch	Sandness	Wright
Hoffner	Naaden	Schultz C.	

Absent and not voting:

Barth	Jones	Melland	Roen
Goldberg	Longmire	Ringsak	Strand

So the bill passed and the title was agreed to. ' .

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jacobson moved that the Senate do not concur in the House amendments to Senate Bill No. 2278 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2278
 Senator Jacobson
 Senator Anderson
 Senator Christensen

MOTIONS

Senator Nething moved that the Senate do concur in the House amendments to Senate Bill No. 2335, which motion prevailed.

Senator Nething moved that the rules be suspended and that Senate Bill No. 2335 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2335. A Bill for an Act to provide for the salary of the clerk of the district court; and to amend and reenact subsections 1 and 2 of section 11-10-10 and section 11-15-03.1 of the North Dakota Century Code, relating to the compensation of sheriffs and other elected county officials.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Naaden	Schultz, J.
Berube	Iszler	Nasset	Shablow
Butler	Jacobson	Nething	Smykowski
Christensen	Jones	Page	Solberg
Coughlin	Kautzmann	Peterson	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lee	Rait	Stroup
Fritzell	Lips	Redlin	Thane
Goldberg	Litten	Reiten	Tweten
Goodman	Melland	Sands	Wenstrom
Gronhovd	Morgan	Sandness	Wright
Hoffner	Mutch	Schultz C.	

Absent and not voting:

Barth Longmire Ringsak Roen
So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

Senator Holand: "Mr. President. I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Holand."

Senator Holand:

"Now that Senate Bill No. 2026 is about to become law, I would like to make a few observations and request that my remarks be printed in the Journal.

"First, may I say that the bill is far from perfect. In fact, the only thing that is really right about it is the concept upon which it is founded — this being the proposition that each child in North Dakota is entitled to a reasonably equal opportunity for a basic education at the elementary and secondary levels, and that the state has an obligation to insure this.

"In what respect is it deficient?

"First, it is built upon a weak foundation — the inequitable North Dakota tax assessment system. The 21-mill county-wide levy and the 20-mill equalization factor of the bill both erroneously assume that taxes are being assessed equitably throughout the state by competent, fair-minded assessors. This is not so. The fact is that under our system of assessment, honesty and competency (which do exist in some taxing districts) are rewarded by tax penalties. Now before you assume that this fault belongs to the assessors, may I say that it belongs right here — with the legislature. We have repeatedly failed to pass legislation which would upgrade the quality of assessors. We have also repeatedly refused to pass legislation which would give the tax commissioner's office the means of hunting down the discrepancies and adjusting for the deficiencies in the county wide levy of the school foundation financial program. This problem will, of course, be compounded with the 20-mill equalization levy under the new law. This is a deficiency of which we, as legislators, cannot be proud. We are far behind other states in looking honestly at tax assessment practices. Apparently the Courts must be resorted to by aggrieved taxpayers in order to gain equalization, and I would encourage those who have been so prejudiced by legislative inactivity to look to that source of relief.

"Second, the new program is structured upon school costs only. Moreover, it assumes that the costs of education at all levels and in all places in North Dakota have been accurately determined. This is not so. The methods of reporting cost figures to the state are not uniform enough to insure reliability. There is also room for valid argument against the proposition that current costs should be the only measurement for reimbursement under the program. Such costs might be high or low, depending upon the wealth of the district and upon the willingness of the people to tax themselves. But even assuming cost as a fair basis for determination of what the various size schools should receive, the weighting formulas for the program are not well refined to conform to actual costs in school districts of different enrollments.

"Third, the program does not take into account a number of factors which should be considered. School districts offering summer sessions are actually penalized under the bill in that they receive no payment for those students. Many of these students finish their secondary education in three years with a resultant loss of one year of foundation payment to the district. Parochial school students frequently attend summer school sessions in public schools for which the public schools are not reimbursed under

the program. Some districts on the state borders are sending their students to schools in other states and are escaping their just share of property taxes in North Dakota. These and other deficiencies in distribution are wrong and must be rectified in the near future.

"In the face of the foregoing criticism, one might well ask why the change is being implemented. Why do we simply not add more money to the present foundation program? To answer this I must return to my preliminary remarks; namely, that each child in North Dakota is entitled to a reasonably equal opportunity for a basic education in the elementary and secondary levels and that the state has an obligation to insure this. With all its faults, no one has suggested a better plan than Senate Bill No. 2026.

"To add more money to the present foundation program would simply compound the problem. It would make some rich district richer and it would not provide the needed help to the poorer district.

"The time has come to make a change. This change is embodied at least in the underlying philosophy of Senate Bill No. 2026.

"There are those who say that our basic tax structure should be improved before such a sweeping change is undertaken. I, for one, have abandoned the idea that the tax and assessment procedures will be improved simply because they ought to be. It then becomes the age old question of which comes first, the chicken or the egg. It would be my hope (and expectation) that the inequities that will arise under Senate Bill No. 2026 will force, either by legislation or through the Courts, the changes that must be made in our property tax system.

"Senate Concurrent Resolution No. 4037 calls for a continuing in-depth study of school financing at the elementary and secondary levels during the next two years. I would hope that the interim committee will look carefully at all areas of concern; that it will approach the problems objectively and with a minimal amount of provincialism."

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened pursuant to recess taken, the President presiding.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1050 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator J. Schultz
 Senator Shablow
 Senator Sands (Refused to sign)

For the House:

Rep. Herman
 Rep. Gackle
 Rep. Langley

Senator Jay Schultz moved that the report be adopted.

MOTION

Senator Sands requested a roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report, recommending that the Senate recede from its amendments to House Bill No. 1050, the roll was called and there were ayes, 16; nays, 34; absent and not voting, 1.

Those voting in the affirmative were:

Butler Goldberg Longmire Schultz, J.

Christensen	Goodman	Melland	Shablow
Erdman	Holand	Rait	Tweten
Fritzell	Lips	Redlin	Wenstrom

Those voting in the negative were:

Anderson	Jones	Nothing	Schultz C.
Barth	Kautzmann	Page	Smykowski
Berube	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Freed	Litten	Reiten	Strinden
Gronhovd	Morgan	Ringsak	Stroup
Hoffner	Mutch	Sands	Thane
Iszler	Naaden	Sandness	Wright
Jacobson	Nasset		

Absent and not voting:

Roen

Which motion failed.

MOTION

Senator Butler moved that the Conference Committee on House Bill No. 1050 be discharged, which motion prevailed.

MOTION

Senator Butler moved that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on House Bill No. 1050, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No.1050
 Senator J. Schultz
 Senator Sands
 Senator Shablow

MOTION

Senator Litten moved that Senate Bill No. 2055 be placed on second reading and final passage for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2055. A Bill for an Act to create and enact subsection 2 of section 39-10-28 of the North Dakota Century Code, and to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code, relating to pedestrians crossing at intersections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, over the Governor's veto, the roll was called and there were ayes, 30; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Longmire	Peterson	Smykowski
Butler	Melland	Pyle	Strand
Goldberg	Morgan	Reiten	Strinden
Goodman	Mutch	Ringsak	Thane
Kautzmann	Naaden	Sands	Tweten
Lee	Nasset	Schultz C.	Wenstrom
Lips	Nothing	Schultz, J.	Wright
Litten	Page		

Those voting in the negative were:

Barth	Freed	Iszler	Redlin
Berube	Fritzell	Jacobson	Sandness
Christensen	Gronhovd	Jones	Shablow
Coughlin	Hoffner	Larson	Solberg
Erdman	Holand	Rait	Stroup

Absent and not voting:

Roen

So the bill lost for a lack of two-thirds majority.

MOTION

Senator Litten moved that Senate Bill No. 2062 be placed on second reading and final passage for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2062. A Bill for an Act to allow the sale of preserved sandwiches, pre-packaged under federal inspection, from vending machines without the purchase of a restaurant license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, over the Governor's veto, the roll was called and there were ayes, 34; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Kautzmann	Nothing	Smykowski
Butler	Lee	Page	Solberg
Coughlin	Lips	Peterson	Strinden
Freed	Litten	Pyle	Stroup
Goldberg	Melland	Reiten	Thane
Goodman	Morgan	Ringsak	Tweten
Holand	Mutch	Sands	Wenstrom
Iszler	Naaden	Schultz, J.	Wright
Jones	Nasset		

Those voting in the negative were:

Barth	Fritzell	Larson	Sandness
Berube	Gronhovd	Longmire	Schultz C.
Christensen	Hoffner	Rait	Shablow
Erdman	Jacobson	Redlin	Strand

Absent and not voting:

Roen

So the bill passed over the Governor's veto and the title was agreed to.

**REPORTS OF STANDING COMMITTEES
CONCERNING GOVERNOR'S APPOINTMENTS**

Mr. President: Your Committee on Education recommends that the Senate do advise and consent to the following Governor's Appointment:

State Board of Higher Education

Mrs. Eleanor P. Grahl

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans' Affairs recommends that the Senate do advise and consent to the following Governor's Appointment:

State Social Service Board

Mrs. James T. (Darlene) Leinen

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government which has had under consideration the appointment of the

Director of Institutions, Albert R. Hausauer, has made its recommendation for **consent**.

SENATOR STROUP, Chairman

Senator Stroup moved that the report be adopted, which motion failed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2335

Refused to concur in the House amendment to:

Senate Bill No. 2256

Senate Bill No. 2278

And the President has appointed as a conference committee to act with a like committee from the House, on:

Senate Bill No. 2256

Senator Coughlin

Senator Pyle

Senator Erdman

Senate Bill No. 2278

Senator Jacobson

Senator Anderson

Senator Christensen

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1005

And the committees having been unable to agree, the Speaker appointed as a new conference committee.

Rep. L. Hausauer

Rep. Bridston

Rep. Fleming

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to

House Bill No. 1102

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2007

Senate Bill No. 2027

Senate Bill No. 2033

Senate Bill No. 2075

Senate Bill No. 2113

Senate Bill No. 2219

Senate Bill No. 2269

Senate Bill No. 2386

Senate Concurrent Resolution No. 4008

House Bill No. 1464

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Reports on House Bill No. 1357 and House Bill No. 1392, and subsequently laid the Senate amendments to House Bill No. 1357 on the table, and failed to pass House Bill No. 1392.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2256

Senate Bill No. 2278

Senate Bill No. 2256

Rep. Kingsbury

Rep. Wagner

Rep. Johnson

Senate Bill No. 2278

Rep. Hentges

Rep. Winkjer

Rep. Weber

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 9:00 A.M., March 15, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SECOND DAY AFTER RECESS
AND FIFTY-THIRD DAY

Bismarck, March 15, 1973

The Senate convened at 9:00 a.m., pursuant to recess taken, the President presiding.

MOTION

Senator Litten moved that House Bills Nos. 1167, 1215 and 1539 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1167. A Bill for an Act to amend and reenact section 15-40.1-07 of the North Dakota Century Code, relating to foundation program payments for high school students.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, page 943 of the Senate Journal, the roll was called and there were ayes, 2; nays, 37; absent and not voting, 12.

Those voting in the affirmative were:

Goldberg Roen

Those voting in the negative were:

Anderson	Holand	Melland	Reiten
Barth	Iszler	Morgan	Ringsak
Berube	Jacobson	Mutch	Sandness
Butler	Jones	Naaden	Schultz, C.
Christensen	Kautzmänni	Nasset	Schultz, J.
Freed	Larson	Nething	Strand
Fritzell	Lee	Pyle	Thane
Goodman	Lips	Rait	Tweten
Gronhovd	Litten	Redlin	Wright
Hoffner			

Absent and not voting:

Coughlin	Page	Shablow	Strinden
Erdman	Peterson	Smykowski	Stroup
Longmire	Sands	Solberg	Wenstrom

So the bill was declared lost.

Senator Litten moved that the vote by which House Bill No. 1167 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1215. A Bill for an Act to amend and reenact sections 39-06-03 and 39-06-12, subsection 3 of section 39-06-17, section 39-06-29, subsection 6 of section 39-06-31, subsection 5 of section 39-06-32, sections 39-06-33 and 39-06-33.1 of the North Dakota Century Code, relating to who shall not be licensed, applications for license, restricted license, reports of convictions, revocations, suspensions, hearings, and orders to show cause.

Which has been read.

Senator Mutch moved that House Bill No. 1215 be amended as follows:

On page 1, line 1 after "reenact" delete the remainder of the line

On page 1, line 2 delete "and 39-06-12," and after "39-06-17," delete "section"

On page 1, delete all of line 3

On page 1, line 4 after the first word "of" delete the remainder of the line

On page 1, line 5 after "to" delete the remainder of the line and insert in lieu thereof "issuance of driver's license."

On page 1 delete all of lines 6 through 8

On page 1 delete all of lines 13 through 24

On page 2 delete all of lines 1 through 35

On page 3 delete all of lines 1 through 19

On page 4 delete all of lines 17 through 35

On page 5 delete all of lines 1 through 35

On page 6 delete all of lines 1 through 35

On page 7 delete all of lines 1 and 2

And renumber the pages, lines and sections accordingly.

Which motion prevailed.

Senator Mutch moved that the rules be suspended, that House Bill No. 1215 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1215. A Bill for an Act to amend and reenact sections 39-06-03 and 39-06-12, subsection 3 of section 39-06-17, section 39-06-29, subsection 6 of section 39-06-31, subsection 5 of section 39-06-32, sections 39-06-33 and 39-06-33.1 of the North Dakota Century Code, relating to who shall not be licensed, applications for license, restricted license, reports of convictions, revocations, suspensions, hearings, and orders to show cause.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, from the floor, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Roen
Barth	Holand	Mutch	Sands
Berube	Iszler	Naaden	Sandness
Butler	Jacobson	Nasset	Schultz C.
Christensen	Jones	Nething	Schultz, J.
Coughlin	Kautzmann	Page	Strand
Freed	Larson	Pyle	Strinden
Fritzell	Lee	Rait	Stroup
Goldberg	Lips	Redlin	Thane
Goodman	Litten	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wright

Absent and not voting:

Erdman	Peterson	Smykowski	Wenstrom
Longmire	Shablow	Solberg	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1215 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 1539. A Bill for an Act to amend and reenact

sections 11-09-19, 11-09-22, and 11-09-24 of the North Dakota Century Code, relating to the appointment of sheriffs, county judges, and superintendents of schools in counties adopting a short form of county managership.

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, 3.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sands
Barth	Holand	Mutch	Schultz, C.
Berube	Iszler	Nasset	Schultz, J.
Butler	Jacobson	Nething	Shablow
Christensen	Jones	Page	Strand
Coughlin	Kautzmann	Pyle	Strinden
Erdman	Larson	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goldberg	Litten	Ringsak	Wenstrom
Goodman	Longmire	Roen	Wright
Gronhovd	Melland		

Those voting in the negative were:

Naaden Sandness

Absent and not voting:

Peterson Smykowski Solberg

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1539 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2004 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2004 be amended as follows:

On page 1, line 20 delete the figure "536,328" and insert in lieu thereof the figure "556,328"

On page 1, after line 23, insert the following:

"Program budgeting 50,000"

On page 2, line 1, delete the numerals "821,070" and insert in lieu thereof the numerals "891,070"

On page 2, line 21, delete the numerals "895,982" and insert in lieu thereof the numerals "965,982"

On page 2, line 23, delete the numerals "4,927,270" and insert in lieu thereof the numerals "4,997,270"

On page 3, after line 3, insert the following:

"SECTION 4. CENTRAL DATA PROCESSING.) The director of the Office of Data Processing shall require all requests for new applications and up-dating of present applications to be justified in writing on forms subscribed by the Director of Data Processing. The responsibility of providing this justification shall rest with the data processing coordinator of each department or agency. If in the judgment of the Director of Data Processing that justification submitted is not sufficient to justify the data processing activity and costs in order that effectiveness can be measured the Director of Data Processing shall have the authority to refuse services to the department or agency. The Director of Data Processing shall report to the Legislative Council's Committee on the Budget periodically so that they may review his findings."

And renumber the lines accordingly.

For the Senate:

Senator Melland
Senator Thane
Senator Erdman

For the House:

Rep. Miedema
Rep. Marsden
Rep. Opedahl

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Thane moved that the rules be suspended, that Senate Bill No. 2004 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2004. A Bill for an Act making an appropriation for defraying the expenses of various divisions thereof of the state of North Dakota and which are under the supervision of the director of accounts and purchases.

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, 44; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sandness
Barth	Izler	Nasset	Schultz C.
Berube	Jacobson	Nothing	Schultz, J.
Butler	Jones	Page	Shablow
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strinden
Erdman	Lee	Redlin	Stroup
Freed	Lips	Reiten	Thane
Fritzell	Litten	Ringsak	Tweten
Goodman	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sands	Wright

Those voting in the negative were:

Mutch Naaden

Absent and not voting:

Goldberg	Peterson	Smykowski	Strand
Hoffner			

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2005 has had the same under consideration and recommends that the Senate accede to amendments A and B and that the House recede from Amendments C and D and that Senate Bill No. 2005 be further amended as follows:

On page 2, line 30, delete the numerals "7,010,059" and insert in lieu thereof the numerals "8,010,059"

On page 2, line 31, delete the numerals "13,380,671" and insert in lieu thereof the numerals "13,402,019"

On page 2, line 32, delete the numerals "20,390,730" and insert in lieu thereof the numerals "21,412,078"

For the Senate:

Senator Melland
Senator Page
Senator C. Schultz

For the House:

Rep. Marsden

Rep. Opedahl
Rep. Miedema

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2005 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2005. A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments and various divisions thereof, 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, 46; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz C.
Barth	Jones	Nething	Schultz, J.
Berube	Kautzmann	Page	Shablow
Butler	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strand
Freed	Lips	Redlin	Strinden
Fritzell	Litten	Reiten	Stroup
Goodman	Longmire	Ringsak	Thane
Gronhovd	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler	Naaden		

Those voting in the negative were:

Coughlin

Absent and not voting:

Christensen	Goldberg	Peterson	Smykowski
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2012 has had the same under consideration and recommends that the Senate accede with the House amendments.

For the Senate:

Senator Lips
Senator Melland
Senator Larson

For the House:

Rep. Wagner
Rep. Solberg
Rep. Peterson

Senator Lips moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2012 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2012. A Bill for an Act making an appropriation for defraying the expenses of the North Dakota social service board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sandness
Barth	Jones	Nething	Schultz C.
Berube	Kautzmann	Page	Schultz, J.
Christensen	Larson	Pyle	Shablow
Erdman	Lee	Rait	Solberg
Freed	Lips	Redlin	Strand
Fritzell	Litten	Reiten	Stroup
Goodman	Longmire	Ringsak	Tweten
Hoffner	Melland	Roen	Wenstrom
Holand	Morgan	Sands	Wright

Those voting in the negative were:

Butler	Iszler	Naaden	Thane
Coughlin	Mutch	Strinden	

Absent and not voting:

Goldberg	Gronhovd	Peterson	Smykowski
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2183 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill No. 2183 be further amended as follows:

On page 1, line 23 of the engrossed bill after the word "of" insert the words "two-thirds of" and also on line 23 place triple parentheses around the word "entire"

On page 2, line 14 after the word "disability" insert the following: "Which renders him unfit or unable to perform his duties as a teacher"

Renumber the lines accordingly.

For the Senate:

Senator Holand
Senator Solberg
Senator Berube

For the House:

Rep. Hendrickson
Rep. Raymond
Rep. McGauvran

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended, that Senate Bill No. 2183 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2183. A Bill for an Act to create and enact two new subsections to section 15-47-38 of the North Dakota Century Code, and to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of the school board and providing for rules for suspension or dismissal of a teacher.

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, 44; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Page	Shablow

Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goodman	Longmire	Roen	Tweten
Hoffner	Melland	Sands	Wenstrom
Holand	Morgan	Sandness	Wright

Those voting in the negative were:
Mutch

Absent and not voting:
Butler Gronhovd Peterson Smykowski
Goldberg Nething

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2266 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill No. 2266 be amended as follows:

On page 1, line 23 after the word "section" insert the words "except the court may order a bond to be less than prescribed by section 30-11-07 upon the request of the petitioner"

Renumber the pages and lines accordingly.

For the Senate:
Senator Ringsak
Senator Freed
Senator Barth

For the House:
Rep. Winkjer
Rep. Gronneberg
Rep. LaGrave

Senator Ringsak moved that the report be adopted, which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 2266 be deemed properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2266. A Bill for an Act to create and enact section 30-10-02.1 of the North Dakota Century Code, authorizing the appointment of a guardian of the person or estate of a competent person.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Schultz C.
Barth	Jones	Nasset	Schultz, J.
Berube	Kautzmann	Page	Shablow
Christensen	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler			

Absent and not voting:
Butler Gronhovd Peterson Smykowski
Goldberg Nething

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4072 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:
 Senator Iszler
 Senator Hoffner
 Senator Wright

For the House:
 Rep. Dornacker
 Rep. Lundene
 Rep. Garnas

Senator Iszler moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1001 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1001 be amended as follows:

On page 2, line 11 delete the figure "199,493" and insert in lieu thereof the figure "215,000"

On page 2, line 13 delete the figure "10,000" and insert in lieu thereof the figure "14,000"

On page 2, line 14 delete the figure "5,000" and insert in lieu thereof the figure "8,000"

On page 2, line 16 delete the figure "249,993" and insert in lieu thereof the figure "272,500"

On page 3, line 5 delete the figure "613,162" and insert in lieu thereof the figure "638,162"

On page 3, line 9 delete the figure "80,000" and insert in lieu thereof the figure "55,000"

On page 3, line 17 delete the figure "3,000" and insert in lieu thereof the figure "5,000"

On page 3, line 19 delete the figure "208,655" and insert in lieu thereof the figure "210,655"

On page 4, line 7 delete the figure "2,090,191" and insert in lieu thereof the figure "2,312,800"

On page 4, line 8 delete the figure "334,439" and insert in lieu thereof the figure "618,219"

On page 4, line 9 delete the figure "168,006" and insert in lieu thereof the figure "189,006"

On page 4, line 10 delete the figure "35,813" and insert in lieu thereof the figure "44,392"

On page 4, line 12 delete the figure "2,761,932" and insert in lieu thereof the figure "3,297,900"

On page 4, line 13 delete the figure "1,855,245" and insert in lieu thereof the figure "2,391,213"

On page 4, line 26 delete the figure "316,360" and insert in lieu thereof the figure "356,360"

On page 4, line 31 delete the figure "376,632" and insert in lieu thereof the figure "416,632"

On page 5, line 8, delete the figure "846,712" and insert in lieu thereof the figure "860,578"

On page 5, line 12, delete the figure "1,061,945" and insert in lieu thereof the figure "1,075,811"

On page 5, line 24, delete the figure "29,000" and insert in lieu thereof the figure "21,800"

On page 5, line 25, delete the figure "544,989" and insert in lieu thereof the figure "537,789"

On page 5, line 27, delete the figure "494,711" and insert in lieu thereof the figure "487,511"

On page 5, line 29, delete the figure "8,750,817" and insert in lieu thereof the figure "8,643,565"

On page 5, line 31, delete the figure "2,225,635" and insert in lieu thereof the figure "2,940,028"

On page 5, line 32, delete the figure "10,976,452" and insert in lieu thereof the figure "11,583,593"

For the Senate:

Senator Melland

Senator Thane

Senator Erdman

For the House:

Rep. Wagner

Rep. L. Hausauer

Rep. Opedahl

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1001 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1001. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, 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, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Schultz, C.
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Pyle	Solberg
Coughlin	Larson	Rait	Strand
Erdman	Lee	Redlin	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Litten	Ringsak	Thane
Goodman	Longmire	Roen	Tweten
Hoffner	Melland	Sands	Wenstrom
Holand	Morgan	Sandness	Wright

Absent and not voting:

Anderson	Gronhovd	Page	Smykowski
Goldberg	Nething	Peterson	

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1004 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1004 be amended as follows:

On page 1, line 14, delete the figure "323,678" and insert in lieu thereof the figure "327,678"

On page 1, line 16, delete the figure "28,000" and insert in lieu thereof the figure "32,000"

On page 1, line 21, delete the figure "464,978" and insert in lieu thereof the figure "468,978"

For the Senate:
 Senator C. Schultz
 Senator Page
 Senator Larson

For the House:
 Rep. Jenkins
 Rep. Johnson
 Rep. Kingsbury

Senator Schultz moved that the report be adopted, which motion prevailed.

Senator C. Schultz moved that the rules be suspended, that House Bill No. 1004 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1004. A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Schultz, C.
Barth	Jones	Nasset	Schultz, J.
Berube	Kautzmann	Page	Shablow
Butler	Larson	Pyle	Solberg
Coughlin	Lee	Rait	Strand
Erdman	Lips	Redlin	Strinden
Freed	Litten	Reiten	Stroup
Fritzell	Longmire	Ringsak	Thane
Goodman	Melland	Roen	Tweten
Hoffner	Morgan	Sands	Wenstrom
Holand	Mutch	Sandness	Wright
Iszler			

Absent and not voting:

Christensen	Gronhøvd	Peterson	Smykowski
Goldberg	Nothing		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1005 has had the same under consideration and reports that your conference committee on House Bill No. 1005 has been unable to agree and recommends that a new conference committee be appointed.

For the Senate:
 Senator Longmire
 Senator Wenstrom
 Senator Erdman

For the House:
 Rep. Miedema
 Rep. Mertens
 Rep. Olin

Senator Longmire moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1005, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1005:
 Senator Longmire
 Senator Wenstrom
 Senator Erdman

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1014 has had the same under consideration and recommends that the House do accede with the Senate amendments.

For the Senate:
 Senator Lips
 Senator Page
 Senator Erdman

For the House:
 Rep. Wagner
 Rep. Solberg
 Rep. Kingsbury

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1015 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:
 Senator Lips
 Senator Naaden
 Senator Pyle

For the House:
 Rep. Jenkins
 Rep. Hartl
 Rep. Fleming

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1054 has had the same under consideration and recommends that the Senate recede from its amendment and that House Bill No. 1054 be amended as follows:

On page 2, line 7 insert beginning triple parentheses before the word "fourth" and insert ending triple parentheses after the word "October" and insert in lieu thereof the words: "eleventh day of November"

For the Senate:
 Senator Nething
 Senator Goodman
 Senator Shablow

For the House:
 Rep. A. Hausauer
 Rep. Kloubec
 Rep. Linderman

Senator Nething moved that the report be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that House Bill No. 1054 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1054. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting certain days as holidays, and providing that all state and political subdivision offices shall be open on election days.

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, 4; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Jacobson	Naaden	Sandness
Berube	Jones	Nasset	Schultz, C.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Pyle	Strand
Erdman	Lee	Rait	Strinden
Freed	Litten	Redlin	Stroup
Fritzell	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand	Mutch	Sands	Wright
Iszler			

Those voting in the negative were:

Butler	Lips	Schultz, J.	Solberg
Absent and not voting:			
Anderson	Gronhovd	Peterson	Smykowski
Goldberg	Nothing		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1090 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:

Senator Tweten
Senator Nasset
Senator Hoffner

For the House:

Rep. Erickson
Rep. Eagles
Rep. McGauvran

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1272 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator Tweten
Senator Freed
Senator Kautzmann

For the House:

Rep. Hilleboe
Rep. Raymond
Rep. Orange

Senator Tweten moved that the report be adopted, which motion prevailed.

Senator Tweten moved that the rules be suspended, that House Bill No. 1272 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1272. A Bill for an Act to repeal sections 53-02-10 and 53-05-08 of the North Dakota Century Code, relating to the admission of minors to public dances and certain other public places.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Schultz, C.
Barth	Jacobson	Nasset	Schultz, J.
Berube	Jones	Page	Shablow
Butler	Kautzmann	Pyle	Solberg
Christensen	Larson	Rait	Strand
Coughlin	Lee	Redlin	Strinden
Erdman	Lips	Reiten	Stroup
Freed	Litten	Ringsak	Thane
Fritzell	Longmire	Roen	Tweten
Goodman	Melland	Sands	Wenstrom
Hoffner	Morgan	Sandness	Wright
Holand	Mutch		

Absent and not voting:

Goldberg	Nething	Peterson	Smykowski
Gronhovd			

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1331 has had the same under consideration and recommends that the House accede to the Senate amendments on page 1, line 2 and on page 1, line 16 and that the Senate recede from its amendments on page 1, line 17.

From the Senate:

Senator Iszler
Senator Smykowski
Senator Redlin

For the House:

Rep. Liebhan
Rep. Vander Vorst
Rep. Wilkie

Senator Iszler moved that the report be adopted, which motion prevailed.

Senator Iszler moved that the rules be suspended, that House Bill No. 1331 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1331. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to grain and seed warehouses, and regulations covering redelivery charges for all grain.

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, 4; absent and not voting, 8.

Those voting in the affirmative were:

Berube	Jacobson	Naaden	Schultz, C.
Christensen	Jones	Nasset	Schultz, J.
Coughlin	Kautzmann	Page	Solberg
Erdman	Lee	Pyle	Strand
Freed	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Hoffner	Melland	Roen	Wenstrom
Holand	Morgan	Sands	Wright
Iszler	Mutch	Sandness	

Those voting in the negative were:

Larson	Rait	Shablow	Strinden
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Absent and not voting:

Anderson	Butler	Gronhovd	Peterson
Barth	Goldberg	Nething	Smykowski

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1350 has had the same under consideration and recommends that the House do accede to the Senate amendments.

For the Senate:

Senator Tweten
Senator Nasset
Senator Hoffner

For the House:

Rep. Erickson
Rep. Eagles
Rep. McGauvran

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1464 has had the same under consideration and recommends that the House accede to the Senate amendments.

For the Senate:

Senator Holand
Senator Strand
Senator Solberg

For the House:

Rep. Knudson
Rep. Froeber
Rep. Jacobson

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1465 has had the same under consideration and recommends that the House accede to the Senate Amendments.

For the Senate:

Senator Nething
Senator Holand
Senator Berube

For the House:

Rep. Rundle
Rep. Kloubec
Rep. Tinjum

Senator Nething moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2002 has had the same under consideration and reports that your Conference Committee on Senate Bill No. 2002 has been unable to agree and recommends that a new Conference Committee be appointed.

For the Senate:

Senator Strinden
Senator Coughlin
Senator Larson

For the House:

Rep. Jenkins
Rep. Mertens
Rep. Freborg

Senator Strinden moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2002, which motion prevailed.

The President appointed as a Conference Committee, on:

Senate Bill No. 2002
 Senator Coughlin
 Senator Strinden
 Senator Larson

MESSAGES FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:
 Senate Bill No. 2026

ROY GILBREATH, Chief Clerk
 House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:
 House Bill No. 1223

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2062 which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2062 is: 34 ayes; 16 nays; 1 absent, not voting.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:
 House Bill No. 1050

On which the Senate has not adopted the conference committee report and the President has appointed as a new conference committee:

On House Bill No. 1050:
 Senator J. Schultz
 Senator Sands
 Senator Shablow

LEO LEIDHOLM, Secretary

MESSAGES 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:

House Concurrent Resolution 3093

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1537

And the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Rep. A. Hausauer
Rep. Dornacker
Rep. Weber

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered the action by which it adopted the Conference Committee Report on House Bill No. 1050, and subsequently refused to adopt the same.

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 Bill No. 2178
Senate Bill No. 2190
Senate Bill No. 2197
Senate Bill No. 2324
Senate Bill No. 2353
Senate Bill No. 2368
Senate Bill No. 2391

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2030
Senate Bill No. 2073
Senate Bill No. 2140
Senate Bill No. 2141
Senate Bill No. 2145
Senate Bill No. 2147
Senate Bill No. 2180
Senate Bill No. 2194
Senate Bill No. 2198
Senate Bill No. 2200
Senate Bill No. 2205
Senate Bill No. 2210
Senate Bill No. 2261
Senate Bill No. 2357
Senate Bill No. 2362
Senate Bill No. 2363
Senate Bill No. 2369
Senate Bill No. 2403
Senate Bill No. 2419

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3091. A Concurrent Resolution urging the Commissioner of Insurance to rescind his order prohibiting claim-free credits on crop hail insurance policies.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Concurrent Resolution No. 3093. A Concurrent Resolution directing the Legislative Council to conduct a study of the taxation of property assessed by the State Board of Equalization.

Which was read the first time and referred to the Legislative Council Resolutions Committee.

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2283 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2283 be amended as follows:

On page 3, line 17 delete the figure "1,080,000.00" and insert in lieu thereof the figure "715,000.00"

On page 3, line 21 delete the figure "54,000.00" and insert in lieu thereof the figure "35,200.00"

On page 3, line 22 delete the figure "9,000.00" and insert in lieu thereof the figure "5,000.00"

On page 3, line 23 delete the figure "7,000.00" and insert in lieu thereof the figure "4,250.00"

On page 3, line 24 delete the figure "10,000.00" and insert in lieu thereof the figure "550.00"

On page 3, line 25 delete the figure "1,000,000.00" and insert in lieu thereof the figure "670,000.00"

On page 3, line 26 delete the figure "1,080,000.00" and insert in lieu thereof the figure "715,000.00"

On page 3, line 27 delete the figure "500,000.00" and insert in lieu thereof the figure "335,000.00"

On page 3, line 29 delete the figure "580,000.00" and insert in lieu thereof the figure "380,000.00"

And renumber the lines accordingly.

For the Senate:

Senator Melland
Senator Erdman
Senator Longmire

For the House:

Rep. Jenkins
Rep. Marsden
Rep. Johnson

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2283 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2283. A Bill for an Act to provide for the creation of a North Dakota student financial assistance program, and providing 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, 28; nays, 12; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Sandness
Berube	Jacobson	Nasset	Schultz, J.
Christensen	Jones	Nething	Shablow
Erdman	Kautzmann	Peterson	Solberg
Fritzell	Larson	Rait	Strand
Goodman	Lips	Redlin	Tweten
Gronhovd	Litten	Reiten	Wright

Those voting in the negative were:

Butler	Lee	Naaden	Strinden
Coughlin	Morgan	Pyle	Stroup

Iszler	Mutch	Schultz, C.	Thane
Absent and not voting:			
Barth	Holand	Ringsak	Smykowski
Freed	Longmire	Roen	Wenstrom
Goldberg	Page	Sands	

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2179 has had the same under consideration and recommends that the Senate accede to the House amendments.

For the Senate:
 Senator Kautzmann
 Senator Ringsak
 Senator Rait

For the House:
 Rep. Eagles
 Rep. Atkinson
 Rep. Orange

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2179 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2179. A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to residency determination in child placement cases.

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, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, J.
Berube	Jones	Nething	Shablow
Butler	Kautzmann	Peterson	Solberg
Christensen	Larson	Pyle	Strand
Coughlin	Lee	Rait	Strinden
Erdman	Lips	Redlin	Stroup
Fritzell	Litten	Reiten	Thane
Goodman	Melland	Roen	Tweten
Gronhovd	Morgan	Sands	Wenstrom
Hoffner	Mutch	Sandness	Wright
Iszler	Naaden	Schultz, C.	

Absent and not voting:

Barth	Goldberg	Longmire	Ringsak
Freed	Holand	Page	Smykowski

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Butler moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1537, which motion prevailed.

The President appointed as a Conference Committee, on:
 House Bill No. 1537

Senator Butler
 Senator Anderson
 Senator Shablow

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1539

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1215

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1167

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1005

On which the Senate has adopted the Conference Committee report and the President has appointed as a new Conference Committee:

Senator Longmire

Senator Wenstrom

Senator Erdman

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2002

On which the Senate has adopted the Conference Committee report and the President has appointed as a new Conference Committee:

Senator Coughlin

Senator Strinden

Senator Larson

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 2004

Senate Bill No. 2005

Senate Bill No. 2012

Senate Bill No. 2035

Senate Bill No. 2051

Senate Bill No. 2074

Senate Bill No. 2179

Senate Bill No. 2183

Senate Bill No. 2266

Senate Bill No. 2283

Senate Bill No. 2286

Senate Bill No. 2380

Senate Concurrent Resolution No. 4072
 House Bill No. 1001
 House Bill No. 1004
 House Bill No. 1014
 House Bill No. 1015
 House Bill No. 1054
 House Bill No. 1090
 House Bill No. 1272
 House Bill No. 1331
 House Bill No. 1350
 House Bill No. 1464
 House Bill No. 1465

LEO LEIDHOLM, Secretary

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. 1537:
 Senator Butler
 Senator Anderson
 Senator Shablow

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1002
 House Bill No. 1035
 House Bill No. 1074
 House Bill No. 1095
 House Bill No. 1135
 House Bill No. 1151
 House Bill No. 1180
 House Bill No. 1183
 House Bill No. 1231
 House Bill No. 1243
 House Bill No. 1260
 House Bill No. 1321
 House Bill No. 1328
 House Bill No. 1378
 House Bill No. 1441

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1007
 House Bill No. 1057
 House Bill No. 1339
 House Bill No. 1351

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2030
 Senate Bill No. 2073
 Senate Bill No. 2140
 Senate Bill No. 2141
 Senate Bill No. 2145
 Senate Bill No. 2147
 Senate Bill No. 2178

Senate Bill No. 2180
 Senate Bill No. 2190
 Senate Bill No. 2194
 Senate Bill No. 2197
 Senate Bill No. 2198
 Senate Bill No. 2200
 Senate Bill No. 2205
 Senate Bill No. 2210
 Senate Bill No. 2261
 Senate Bill No. 2324
 Senate Bill No. 2353
 Senate Bill No. 2357
 Senate Bill No. 2362
 Senate Bill No. 2363
 Senate Bill No. 2368
 Senate Bill No. 2369
 Senate Bill No. 2391
 Senate Bill No. 2403
 Senate Bill No. 2419

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2030
 Senate Bill No. 2073
 Senate Bill No. 2140
 Senate Bill No. 2141
 Senate Bill No. 2145
 Senate Bill No. 2147
 Senate Bill No. 2178
 Senate Bill No. 2180
 Senate Bill No. 2190
 Senate Bill No. 2194
 Senate Bill No. 2197
 Senate Bill No. 2198
 Senate Bill No. 2200
 Senate Bill No. 2205
 Senate Bill No. 2210
 Senate Bill No. 2261
 Senate Bill No. 2324
 Senate Bill No. 2353
 Senate Bill No. 2357
 Senate Bill No. 2362
 Senate Bill No. 2363
 Senate Bill No. 2368
 Senate Bill No. 2369
 Senate Bill No. 2391
 Senate Bill No. 2403
 Senate Bill No. 2419

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2015 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2015 be amended as follows:

On page 1, line 1, after the word "Act" insert the following: "to amend and reenact section 19-10-19 of the North Dakota Century Code, relating to inspection fees;"

On page 1, line 3, after the word "Dakota" insert the following: "; authorizing the state laboratories department to issue revenue

bonds, the proceeds of which are appropriated for construction of a department building, and appropriating funds for amortizing bonds; and providing an effective date"

On page 2, line 4, delete the numerals "128,684" and insert in lieu thereof the numerals "130,520"

On page 2, line 9, delete the numerals "206,714" and insert in lieu thereof the numerals "208,550"

On page 2, line 18, delete the numerals "206,714" and insert in lieu thereof the numerals "208,550"

On page 2, line 19, delete the numerals "1,226,295" and insert in lieu thereof the numerals "1,228,131"

On page 2, after line 34, insert the following:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the state laboratories department serve the public in the capacity of a consumer affairs office.

SECTION 5. LABORATORIES COMMISSION MAY ISSUE BONDS FOR CONSTRUCTION OF A BUILDING — PAYMENT OF BONDS — APPROPRIATION.)

1. For the purpose of paying the cost of construction of a building to house the state laboratories department, the state laboratories commission may borrow money on the credit of the revenue to be derived from fees collected by the department pursuant to law. In anticipation of such collections, the commission may issue negotiable bonds in a total amount not to exceed \$750,000, and may provide for the payment of those bonds and the rights of holders thereof, provided that bonds issued under this section shall not be an indebtedness of the state of North Dakota. Bonds issued under this section shall be payable serially, and may be issued in one or more series, may bear such date or dates, may mature at such times but not later than ten years from the date of issuance of the first series, may be in such denomination or denominations, may be in such form either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption with or without premium, and may bear such rate or rates of interest as may be provided by resolution of the commission. Bonds issued under this section shall have all of the qualities and incidents of negotiable paper, and shall not be subject to taxation by the state of North Dakota, or by any county, municipality, or other political subdivision thereof. Bonds issued under this section may be purchased by the Bank of North Dakota, with approval of the industrial commission.
2. There is hereby created a laboratories department sinking fund in the state treasury to which shall be credited the proceeds of fees collected and appropriated by this section. Notwithstanding the provisions of section 19-01-07, so much of the proceeds from fees collected by the state laboratories department as may be necessary for payment of the principal and interest on bonds issued under this section are hereby appropriated to and shall be deposited by the laboratories commission in the laboratories department sinking fund until such time as it is determined by the industrial commission that sufficient funds exist in the sinking fund for the payment of the principal of all outstanding bonds and interest thereon.
3. The proceeds of any bonds issued under the authority of this section are hereby appropriated to the state laboratories

commission for construction of a building to house the laboratories department. Construction and furnishing of the building shall be contracted for and supervised by the state laboratories commission or its designee.

SECTION 6. AMENDMENT.) Section 19-10-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-10-19. INSPECTION FEES.) Every person shipping or transporting kerosene, gasoline, tractor fuel, heating oil, or diesel fuel into this state for sale or consignment or with intent to sell or consign the same, or holding any such product for sale in this state, shall pay to the department an inspection fee of (((one-twentieth))) **one-fortieth** of a cent per gallon for each and every gallon thereof so shipped or transported into the state, or held for sale within the state. An inspection fee shall not be required for a shipment or consignment of gasoline, kerosene, tractor fuel, heating oil, or diesel fuel when the inspection fee has already been paid by another dealer. The fee shall accompany the monthly report required in the following section and shall be due on the first of each calendar month for the preceding month. Such fee shall become delinquent when ten days past due.

SECTION 7. EFFECTIVE DATE.) Section 6 of this Act shall not become effective until such time as the industrial commission certifies to the state laboratories department or its designee that the bonds issued pursuant to this Act have been retired."

And renumber the lines and pages accordingly.

For the Senate:

Senate Wenstrom
 Senator Thane
 Senator Larson

For the House:

Rep. Olin
 Rep. Thorsgard
 Rep. Tweten

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended, that Senate Bill No. 2015 be deemed properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2015. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota; and authorizing the state laboratories department to issue revenue bonds, the proceeds of which are appropriated for construction of a department building, and appropriating funds for amortizing bonds.

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, 13; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Hoffner	Mutch	Ringsak
Berube	Jacobson	Nasset	Sandness
Butler	Jones	Nothing	Shablow
Christensen	Kautzmann	Page	Solberg
Erdman	Larson	Peterson	Strand
Fritzell	Lee	Pyle	Stroup
Goldberg	Lips	Rait	Thane

Goodman	Longmire	Redlin	Wenstrom
Gronhovd	Mølland	Reiten	Wright

Those voting in the negative were:

Anderson	Litten	Roen	Schultz, J.
Coughlin	Morgan	Sands	Strinden
Holand	Naaden	Schultz, C.	Tweten
Iszler			

Absent and not voting:

Freed	Smykowski
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So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

Senator Christensen: "Mr. President. I rise on a point of personal privilege and request that my remarks be printed in the Journal."

Mr. President: "State your privilege, Senator Christensen."

Senator Christensen:

"Mr. President and Members of the Assembly: After the events that occurred yesterday regarding the confirmation of Albert Hausauer as Director of Institutions, one has a tendency to react rather than respond. This is especially so since it is inconceivable to me that a man of such high calibre, both in terms of education and experience, could be rejected by this body.

"Rather than cast barbs at those who opposed Mr. Fiedler and Mr. Hausauer, however, I would like to make a sober reflection on these events as they developed.

"Governor Link acted responsibly when he first appointed Mr. Fiedler and later Mr. Hausauer. He could have delayed his decision to appoint Mr. Hausauer, but in good faith he chose to give the Senate the prerogative to pass on Mr. Hausauer's qualifications.

"While the Governor had no legislative guidelines regarding the qualifications for a Director of Institutions, he nevertheless chose two men of exceptional background and experience. This apparently was not sufficient for most members of this Assembly.

"The Executive and Legislative branches of government should work in concert for the good of the people. If the Senate wishes to relegate the Executive to a subservient rôle, then we should assume the executive responsibility rather than subvert it by devious methods.

"If the Senate has an overwhelming concern for the qualifications of appointed officials, then it is our responsibility to set down explicit criteria for confirmation.

"Be assured that the Governor will appoint a Director of Institutions who is capable and qualified, and one who will also be responsible to him. That's essential to a responsive and well-functioning Administration.

"The Governor has acted responsibly and now it's time for the Senate to demonstrate its responsibility."

PERSONAL PRIVILEGE

Senator Litten: "Mr. President, I rise on a point of personal privilege."

Mr. President: "State your privilege, Senator Litten."

Senator Litten:

"Mr. President, Ladies and Gentlemen of the Senate, I think that the comments that you have just heard deserve at least some response. I would like to say this: the fact that the first two appointments to the position of Director of Institutions, as far as the present Governor is concerned, were rejected, should telegraph a message to the Governor that is crystal clear in its

context. It should telegraph a message to Governor Link that the Republican Majority will gladly and will enthusiastically support excellence, but never mediocrity. It is obvious that the Governor and the Democrat Party fail to understand the importance of management to administer a multi-million dollar business. Hopefully, the next appointee will possess the management skills that are necessary to run a multi-million dollar business.

"Now, very fortunately, we're going to have an opportunity and the advantage of a two-year probationary period before this body has to confirm or reject the confirmation of the next appointee. That appointee will be considered by the 44th Legislative Assembly. I predict that if the next appointee possesses the business skills, the management technique and the know-how that is necessary, he'll be confirmed as far as this body is concerned. However, if he does not possess those skills, if he has failed within this two-year interim period to produce as this body thinks that he should and as the people of North Dakota feel that he should, he, too, will be rejected."

Senator Nething moved that Senator Litten's remarks be printed in the Journal, which motion prevailed.

MOTION

Senator Goldberg moved that the Senate request the return of House Concurrent Resolution No. 3056 from the House, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2011 has had the same under consideration and recommends that the Senate accede with the House amendments.

For the Senate:
 Senator Thane
 Senator Erdman
 Senator Naaden

For the House:
 Rep. Bridston
 Rep. Fleming
 Rep. Hartl

Senator Thane moved that the report be adopted, which motion prevailed.

MOTION

Senator Thane moved that the rules be suspended, that Senate Bill No. 2011 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, 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, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Solberg

Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Absent and not voting:

Freed Smykowski

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2256 has had the same under consideration and recommends that the Senate do accede with the House amendments.

For the Senate:

Senator Coughlin
Senator Pyle
Senator Erdman

For the House:

Rep. Kingsbury
Rep. Wagner
Rep. H. Johnson

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Coughlin moved that the rules be suspended, that Senate Bill No. 2256 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2256. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz, C.
Berube	Jones	Nething	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Solberg
Coughlin	Lee	Pyle	Strand
Erdman	Lips	Rait	Strinden
Fritzell	Litten	Redlin	Stroup
Goldberg	Longmire	Reiten	Thane
Goodman	Melland	Ringsak	Tweten
Gronhovd	Morgan	Roen	Wenstrom
Hoffner	Mutch	Sands	Wright
Holand			

Absent and not voting:

Freed Smykowski

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2278 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
 Senator Jacobson
 Senator Anderson
 Senator Christensen

For the House:
 Rep. Hentges
 Rep. Winkjer
 Rep. Weber

Senator Jacobson moved that the report be adopted, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2278 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2278. A Bill for an Act to create and enact section 2-07-06.4, 2-07-06.5, 2-07-06.6, and 2-07-06.7, and to amend and reenact section 2-07-06, subsections 2 and 3 of section 2-07-06.1, and sections 2-07-06.2, 2-07-06.3, 2-07-08, 2-07-09, and 2-07-10 of the North Dakota Century Code, relating to the creation of a weather modification authority, continuation of an authority, contents of the petition, powers of the authority, liability for activities, and providing procedures for abolishment.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sands
Barth	Iszler	Naaden	Sandness
Berube	Jacobson	Nasset	Schultz, J.
Butler	Jones	Nething	Shablow
Christensen	Kautzmann	Page	Solberg
Coughlin	Larson	Peterson	Strand
Erdman	Lee	Pyle	Strinden
Fritzell	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Thane
Goodman	Longmire	Reiten	Tweten
Gronhovd	Melland	Ringsak	Wenstrom
Hoffner	Morgan	Roen	Wright

Absent and not voting:

Freed Schultz, C. Smykowski

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4068 has had the same under consideration and recommends that the Senate accede with the House amendments.

For the Senate:
 Senator Tweten
 Senator Kautzman
 Senator Berube

For the House:
 Rep. Eagles
 Rep. Hendrickson
 Rep. Tinjum

Senator Tweten moved that the report be adopted, which motion prevailed.

Senator Tweten moved that the rules be suspended, that Senate Concurrent Resolution No. 4068 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Director of Institutions to evaluate the teaching programs at Marmot High School as they relate to the public school system.

Which has been read.

Senator Tweten moved that Senate Concurrent Resolution No. 4068 be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1007 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1007 be amended as follows:

On page 1, line 4 after the word "institutions" add the following:
 ", and declaring an emergency"

On page 2, line 6 of the engrossed bill, delete the numerals "98,460" and insert in lieu thereof the numerals "198,460"

On page 2, line 7 of the engrossed bill, delete the numerals "73,434" and insert in lieu thereof the numerals "95,934"

On page 2, line 8, delete the numerals "2,182,475" and insert in lieu thereof the numerals "2,304,975"

On page 2, line 9, delete the numerals "37,200" and insert in lieu thereof the numerals "48,450"

On page 2, line 10, delete the numerals "2,145,275" and insert in lieu thereof the numerals "2,256,525"

On page 3, line 3, delete the numerals "1,384,738" and insert in lieu thereof the numerals "1,242,738"

On page 3, line 4, delete the numerals "221,436" and insert in lieu thereof the numerals "217,436"

On page 3, line 5, delete the numerals "166,142" and insert in lieu thereof the numerals "126,142"

On page 3, line 6, delete the numerals "67,929" and insert in lieu thereof the numerals "63,929"

On page 3, after line 6, insert the following line:

"Community group home treatment 190,000"

On page 3, line 20, delete the numerals "116,000" and insert in lieu thereof the numerals "141,000"

On page 3, line 21, delete the numerals "310,212" and insert in lieu thereof the numerals "285,212"

On page 3, after line 28, insert the following line:

"Superintendent's residence 35,000"

On page 3, line 30, delete the numerals "1,293,446" and insert in lieu thereof the numerals "1,328,446"

On page 3, line 31, delete the numerals "317,740" and insert in lieu thereof the numerals "392,740"

On page 3, line 32, delete the numerals "975,706" and insert in lieu thereof the numerals "935,706"

On page 4, line 17, delete the numerals "1,828,915" and insert in lieu thereof the numerals "1,877,760"

On page 4, after line 17, insert the following:

"Evaluation program salaries 3,695"

(The above line item of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval)

On page 4, line 18, delete the numerals "306,800" and insert in lieu thereof the numerals "360,673"

On page 4, line 19, delete the numerals "711,000" and insert in lieu thereof the numerals "725,400"

On page 4, after line 22, insert the following:

"Multipurpose building — State Farm 44,200

(The above line item of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval)

Kitchen equipment — State Farm 10,000

Recreation equipment — State Farm 1,750

Closed circuit T.V. 7,000

Cell block fencing 4,800"

On page 4, line 31, delete the numerals "3,393,365" and insert in lieu thereof the numerals "3,581,928"

On page 4, line 33, delete the numerals "1,236,996" and insert in lieu thereof the numerals "1,359,383"

On page 4, line 34, delete the numerals "2,156,369" and insert in lieu thereof the numerals "2,222,545"

On page 5, line 2, delete the numerals "2,881,023" and insert in lieu thereof the numerals "2,949,190"

On page 5, line 3, delete the numerals "78,070" and insert in lieu thereof the numerals "86,070"

On page 5, line 4, delete the numerals "499,492" and insert in lieu thereof the numerals "524,213"

On page 5, line 8, delete the numerals "3,538,335" and insert in lieu thereof the numerals "3,639,223"

On page 5, line 10, delete the numerals "3,285,717" and insert in lieu thereof the numerals "3,386,605"

On page 5, line 11, delete the numerals "18,800,886" and insert in lieu thereof the numerals "19,014,200"

On page 5, line 12, delete the numerals "5,450,353" and insert in lieu thereof the numerals "5,683,990"

On page 5, line 13, delete the numerals "24,251,239" and insert in lieu thereof the numerals "24,698,190"

On page 6, after line 1 add the following: "SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval on such items as are designated to be made available immediately on passage and approval."

And renumber the lines and pages accordingly.

For the Senate:

Senator Longmire

Senator Coughlin

Senator Larson

For the House:

Rep. R. Hausauer

Rep. Mertens

Rep. Tweten

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that House Bill No. 1007 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1007. BUDGETS — DIRECTOR OF INSTITUTIONS. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sandness
Barth	Jacobson	Nasset	Schultz C.
Butler	Jones	Nething	Schultz, J.
Christensen	Kautzmann	Page	Shablow
Coughlin	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand	Mutch	Sands	Wright

Absent and not voting:

Berube	Freed	Smykowski
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So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Ringsak moved that the vote by which House Bill No. 1007 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1057 has had the same under consideration and recommends that the House accede to the Senate amendments.

For the Senate:

Senator Stroup
 Senator Smykowski
 Senator Christensen

For the House:

Rep. Hentges
 Rep. Kermott
 Rep. Linderman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1339 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1339 be amended as follows:

On page 3, line 2 of the engrossed bill, after the word "may" insert a comma and delete the remainder of the line

On page 3, line 3 delete everything except the words "for any person"

On page 3, line 4 after the word "authority" and before the period insert the following: ", set a rate of no less than ten cents per mile and no more than twelve cents per mile"

For the Senate:

Senator Smykowski
 Senator Morgan
 Senator Redlin

For the House:

Rep. Hentges
 Rep. Scofield
 Rep. Meyer

Senator Smykowski moved that the report be adopted, which motion prevailed.

Senator Stroup moved that the rules be suspended, that House

Bill No. 1339 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1339. A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense of state officers and employees.

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, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz, C.
Barth	Jones	Nething	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Larson	Peterson	Solberg
Erdman	Lee	Pyle	Strand
Fritzell	Lips	Rait	Strinden
Goldberg	Litten	Redlin	Stroup
Goodman	Longmire	Reiten	Thane
Gronhovd	Melland	Ringsak	Tweten
Hoffner	Morgan	Roen	Wenstrom
Holand	Mutch	Sands	Wright
Iszler	Naaden	Sandness	

Absent and not voting:

Berube	Coughlin	Freed	Smykowski
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So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1351 has had the same under consideration and recommends that the House accede to the Senate amendments.

For the Senate:

Senator Fritzell
 Senator Sandness
 Senator Redlin

For the House:

Rep. Hentges
 Rep. Berg
 Rep. Solberg

Senator Fritzell moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of:

House Concurrent Resolution No. 3056

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1002
 House Bill No. 1035
 House Bill No. 1074
 House Bill No. 1095
 House Bill No. 1135
 House Bill No. 1151
 House Bill No. 1180
 House Bill No. 1183

House Bill No. 1231
 House Bill No. 1243
 House Bill No. 1260
 House Bill No. 1321
 House Bill No. 1328
 House Bill No. 1378
 House Bill No. 1441

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1002
 House Bill No. 1035
 House Bill No. 1074
 House Bill No. 1095
 House Bill No. 1135
 House Bill No. 1151
 House Bill No. 1180
 House Bill No. 1183
 House Bill No. 1231
 House Bill No. 1243
 House Bill No. 1260
 House Bill No. 1321
 House Bill No. 1328
 House Bill No. 1378
 House Bill No. 1441

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1141

ROY GILBREATH, Chief Clerk

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-THIRD DAY

Bismarck, March 15, 1973

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Edwin P. Wehner, Cathedral of the Holy Spirit, Bismarck.

"Father, we've been here a long time now. We've met with many people. We've talked, argued, disagreed, applauded and voted. And, it's been hard work. Our hope is that we have truly used the abilities You have given us; that we've represented well those who have chosen us to serve them; that we have trusted enough in Your help and inspiration; that our decisions have always been for the good of Your people whose servants we are.

"And, if we have treated each other unfairly or with disrespect, we call upon Your mercy and forgiveness.

"As we prepare to leave this chamber, help us to be thankful for what You have permitted us to do and to become. Help us to part each others company as friends.

"We ask this through Christ our Lord. Amen."

Roll Call: All Senators present except Freed and Smykowski.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fiftieth day after recess and the fifty-first and fifty-second days and recommends that the same be corrected as follows:

On page 1102, in line 9 from the top of the page, correct the spelling of the word "coffee"

On page 1121, in line 2 from the top of the page, correct the spelling of the word "districts"

On page 1121, in line 24 from the top of the page, correct the spelling of the word "becomes"

On page 1121, after line 45 from the top of the page, insert "Senator Sands (Refused to sign)"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report, on:

Senate Bill No. 2011

Senate Bill No. 2015

Senate Bill No. 2256

Senate Bill No. 2278

Senate Concurrent Resolution No. 4068

House Bill No. 1007

House Bill No. 1057

House Bill No. 1339

House Bill No. 1351

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2030

Senate Bill No. 2073

Senate Bill No. 2140

Senate Bill No. 2141

Senate Bill No. 2145

Senate Bill No. 2147

Senate Bill No. 2178

Senate Bill No. 2180

Senate Bill No. 2190

Senate Bill No. 2194

Senate Bill No. 2197

Senate Bill No. 2198

Senate Bill No. 2200

Senate Bill No. 2205

Senate Bill No. 2210

Senate Bill No. 2261

Senate Bill No. 2324

Senate Bill No. 2353

Senate Bill No. 2357

Senate Bill No. 2362

Senate Bill No. 2363

Senate Bill No. 2368

Senate Bill No. 2369

Senate Bill No. 2391

Senate Bill No. 2403

Senate Bill No. 2419

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2004

Senate Bill No. 2005

Senate Bill No. 2012

Senate Bill No. 2051

Senate Bill No. 2074

Senate Bill No. 2179

Senate Bill No. 2183

Senate Bill No. 2266

Senate Bill No. 2283

Senate Bill No. 2286

Senate Bill No. 2380

Senate Concurrent Resolution No. 4072

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2030

Senate Bill No. 2073

Senate Bill No. 2140

Senate Bill No. 2141

Senate Bill No. 2145

Senate Bill No. 2147

Senate Bill No. 2178

Senate Bill No. 2180

Senate Bill No. 2190

Senate Bill No. 2194

Senate Bill No. 2197

Senate Bill No. 2198

Senate Bill No. 2200

Senate Bill No. 2205

Senate Bill No. 2210

Senate Bill No. 2261

Senate Bill No. 2324

Senate Bill No. 2353

Senate Bill No. 2357

Senate Bill No. 2362

Senate Bill No. 2363

Senate Bill No. 2368

Senate Bill No. 2369

Senate Bill No. 2391

Senate Bill No. 2403

Senate Bill No. 2419

Were delivered to the Governor for his approval at the hour of 3:40 o'clock p.m., March 15, 1973.

SENATOR JACOBSON, Chairman

ELECTION OF PRESIDENT PRO TEM

Senator Litten moved that the name of Senator Wenstrom be placed in nomination for President Pro Tem on behalf of the Republican majority, which motion prevailed.

Senator Christensen moved that the name of Senator Rait be placed in nomination for President Pro Tem on behalf of the Democrat minority, which motion prevailed.

Senator Ringsak moved that a roll call vote be taken, which motion prevailed.

The roll was called and Senator Wenstrom was declared elected as President Pro Tem for the Interim.

The President then recognized Senator Rait.

Senator Rait: "Mr. President, seeing and listening to the votes as they come in here, I realize that I am in the minority so, therefore, do not expect to be elected here. But it certainly gives me a great deal of pleasure being the minority candidate for this honored position and having lost the election, as I had anticipated, it gives me a great deal of pleasure to make it a unanimous vote for Senator Wenstrom who is my colleague in the adjoining district. I certainly wish him success in his office for the next two years.

I therefore move that we cast a unanimous ballot for Senator Wenstrom."

The question being on the motion of Senator Rait; which motion prevailed.

The President then recognized Senator Wenstrom:

Senator Wenstrom:

"Mr. President, Members of the Senate:

"I accept this appointment with pride but also with a sense of humility. I cherish this opportunity to continue to serve the North Dakota Senate, and the people of North Dakota. I wish for you to know that I shall do my utmost to discharge my duties as your President Pro Tem with credit to you, my fellow Senators, who have so kindly demonstrated their confidence in me, and with credit to myself.

"Again, my sincere thank you for this distinct honor that, by your vote, you have granted me."

Senator Litten moved that the Senate recess, subject to the call of the chair.

The Senate convened pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on

Senate Bill No. 2035

And the Speaker appointed as a new conference committee.

Rep. Stoltenow

Rep. Rivinius

Rep. Weber

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 2002

And the committees having been unable to agree, the Speaker appointed as a new conference committee.

Rep. Jenkins

Rep. Kingsbury

Rep. Mertens

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to

House Bill No. 1215

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: It is an honor to return House Concurrent Resolution No. 3056, which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTIONS

Senator Goldberg moved that the Senate reconsider the action by which House Concurrent Resolution No. 3056 was indefinitely postponed, which motion prevailed.

Senator Goldberg moved that the rules be suspended, that House Concurrent Resolution No. 3056 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3056. A Concurrent Resolution directing the Legislative Council to study and review statutes relating to labor laws in the public and private sector of North Dakota's economy.

Which has been read.

Senator Goldberg moved that House Concurrent Resolution No. 3056 be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2002, which motion prevailed.

The President appointed as a Conference Committee:

On Senate Bill No. 2002:

Senator Coughlin
Senator Strinden
Senator Larson

Senator Roen moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2035, which motion prevailed.

The President appointed as a Conference Committee:

On Senate Bill No. 2035:

Senator Anderson
Senator Stroup
Senator Christensen

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution No. 3091 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOLDBERG, Chairman

Senator Goldberg moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had House Concurrent Resolution No. 3093 under consideration and recommends that the same be indefinitely postponed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted.

MOTION

Senator Rait requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the committee report for indefinite postponement, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sandness
Butler	Kautzmann	Nething	Schultz, J.
Coughlin	Lee	Page	Solberg
Fritzell	Lips	Peterson	Strand
Goldberg	Litten	Pyle	Strinden
Goodman	Melland	Reiten	Stroup
Holand	Morgan	Ringsak	Thane
Iszler	Mutch	Roen	Tweten
Jacobson	Naaden	Sands	

Those voting in the negative were:

Barth	Erdman	Larson	Shablow
Berube	Gronhovd	Rait	Wenstrom
Christensen	Hoffner	Redlin	

Absent and not voting:

Freed	Schultz, C.	Smykowski	Wright
Longmire			

Which motion prevailed, and the report was adopted.

Senator Litten moved that the vote by which House Concurrent Resolutions Nos. 3091 and 3093 were lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Butler moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1537, which motion prevailed.

The President appointed as a Conference Committee:

On House Bill No. 1537:

Senator Anderson
 Senator Goodman
 Senator Shablow

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1049 has had the same under consideration and recommends that since the committee is unable to agree, it be discharged and a new conference committee be appointed.

For the Senate:

Senator Longmire
 Senator Ringsak
 Senator Barth

For the House:

Rep. Hilleboe
 Rep. Jenkins
 Rep. Bassingthwaite

Senator Longmire moved that the report 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 new conference committee to act with a like committee from the House, on:

On Senate Bill No. 2002:

Senator Coughlin
 Senator Strinden
 Senator Larson

On Senate Bill No. 2035:
 Senator Anderson
 Senator Stroup
 Senator Christensen

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House:

On House Bill No. 1537:
 Senator Anderson
 Senator Goodman
 Senator Shablow

To replace the previously appointed committee which has been discharged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1049

On which the Senate has adopted the Conference Committee report and the President has appointed as a new Conference Committee:

Senator Ringsak
 Senator Longmire
 Senator Barth

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2116 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
 Senator Stroup
 Senator Fritzell
 Senator Redlin (refused to sign)

For the House:
 Rep. Gunderson
 Rep. Hentges
 Rep. Linderman

Senator Stroup moved that the report be adopted.

MOTIONS

Senator Melland moved that the House amendments to Senate Bill No. 2116 be laid on the table, which motion was ruled out of order.

Senator J. Schultz moved the previous question, which motion was ruled out of order.

Senator Stroup moved that the report of the Conference Committee be adopted, which motion failed.

Senator Melland moved that the House amendments to Senate Bill No. 2116 be laid on the table, which motion prevailed.

Senator J. Schultz requested a recorded roll call vote, which request was denied.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2400 has had the same under consideration and recommends that the Senate accede to the House amend-

ments with the exception of page 1, line 13 and that Senate Bill No. 2400 be further amended as follows:

On page 1, line 13, delete the numeral "1975" and insert in lieu thereof "1974"

For the Senate:

Senator Nething
 Senator Kautzmann
 Senator Gronhovd (refused to sign)

For the House:

Rep. K. Johnson
 Rep. Murphy
 Rep. Wilkie (refused to sign)

Senator Nething moved that the report be adopted.

MOTION

Senator Rait requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the Conference Committee report on Senate Bill No. 2400, the roll was called and there were ayes, 20; nays, 27; absent and not voting, 4.

Those voting in the affirmative were:

Butler	Jacobson	Nasset	Ringsak
Fritzell	Kautzmann	Nething	Roen
Goldberg	Litten	Page	Strinden
Goodman	Longmire	Peterson	Tweten
Holand	Melland	Pyle	Wenstrom

Those voting in the negative were:

Anderson	Hoffner	Mutch	Schultz, J.
Barth	Iszler	Naaden	Shablow
Berube	Jones	Rait	Solberg
Christensen	Larson	Redlin	Strand
Coughlin	Lee	Reiten	Stroup
Erdman	Lips	Sands	Thane
Gronhovd	Morgan	Sandness	

Absent and not voting:

Freed	Schultz, C.	Smykowski	Wright
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Which motion failed.

MOTION

Senator Goldberg moved that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on Senate Bill No. 2400, which motion prevailed.

The President appointed as a Conference Committee on:

Senate Bill No. 2400
 Senator Kautzmann
 Senator Nething
 Senator Goldberg

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report, on:

House Bill No. 1005

And the Speaker appointed as a new Conference Committee:

Rep. L. Hausauer
 Rep. Wagner
 Rep. Fleming

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1005 has had the same under consideration and reports that your Conference Committee on House Bill No. 1005 has been unable to agree and recommends that a new Conference Committee be appointed.

For the Senate:
 Senator Longmire
 Senator Wenstrom
 Senator Erdman

For the House:
 Rep. Miedema
 Rep. Mertens
 Rep. Olin

Senator Longmire moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on House Bill No. 1005, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1005
 Senator Longmire
 Senator Wenstrom
 Senator Erdman

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1050 has had the same under consideration and recommends that the House do accede to the Senate amendments.

For the Senate:
 Senator J. Schultz
 Senator Sands
 Senator Shablow

For the House:
 Rep. Herman
 Rep. Gackle
 Rep. Langley

Senator J. Schultz moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 2011
 Senate Bill No. 2015
 Senate Bill No. 2256
 Senate Bill No. 2278
 Senate Concurrent Resolution No. 4068

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on

House Bill No. 1537

And the Speaker appointed as a new conference committee.

Rep. K. Johnson
Rep. Dornacker
Rep. Backes

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 1050

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

House Bill No. 1049

And the committees having been unable to agree, the Speaker appointed as a new conference committee.

Rep. Hilleboe
Rep. Jenkins
Rep. Bassingwaite

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to transmit Senate Bill No. 2062 which the House has not passed over the Governor's veto.

The vote on Senate Bill No. 2062 is: 27 Ayes; 71 Nays; 3 Absent, not voting.

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4077

ROY GILBREATH, Chief Clerk

Senator Litten moved that the Senate recess until 9:00 A.M., March 16, 1973, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-THIRD DAY

Bismarck, March 16, 1973

The Senate convened at 9:00 a.m., the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the conference committee report on:

Senate Bill No. 2116

And laid the House amendments on the table.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3091

House Concurrent Resolution No. 3093

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3056

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the Conference Committee report on:

Senate Bill No. 2400

And the President has appointed a new conference committee to act with a like committee from the House:

Senator Kautzman

Senator Nething

Senator Goldberg

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:
House Bill No. 1050.

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

House Bill No. 1005

And the President appointed as a new conference committee.

Senator Longmire
 Senator Wenstrom
 Senator Erdman

LEO LEIDHOLM, Secretary

MOTION

Senator Ringsak moved that the Senate reconsider the action by which the Senate requested the return of House Bill No. 1503 from the House, which motion prevailed.

MESSAGE FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1005

And the committees having been unable to agree, the Speaker appointed as a new conference committee:

Rep. Reimers
 Rep. Wagner
 Rep. Fleming

ROY GILBREATH, Chief Clerk

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1005 has had the same under consideration and reports that your conference committee on House Bill No. 1005 has been unable to agree and recommends that a new conference committee be appointed.

For the Senate:
 Senator Longmire
 Senator Wenstrom
 Senator Erdman

For the House:
 Rep. Reimers
 Rep. Wagner
 Rep. Fleming

Senator Longmire moved that the report be adopted, which motion prevailed and the report was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1005, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1005.

Senator Longmire
 Senator Wenstrom
 Senator Erdman

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bill No. 1005, on which the Senate has adopted the conference committee report and the President has appointed as a new conference committee:

Senator Longmire
 Senator Wenstrom
 Senator Erdman

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE
 House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1005

And the committees having been unable to agree, the Speaker appointed as a new conference committee.

Rep. Reimers
Rep. Wagner
Rep. Solberg

ROY GILBREATH, Chief Clerk

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1005 has had the same under consideration and reports that your conference committee on House Bill No. 1005 has been unable to agree and recommends that a new conference committee be appointed.

For the Senate:

Senator G. Longmire
Senator F. Wenstrom
Senator W. Erdman

For the House:

Rep. L. Hausauer
Rep. V. Wagner
Rep. C. Fleming

Senator Longmire moved that the report be adopted, which motion prevailed and the report was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1005, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1005

Senator Melland
Senator Page
Senator Erdman

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bill No. 1005, on which the Senate has adopted the conference committee report and the President has appointed as a new conference committee:

Senator Melland
Senator Page
Senator Erdman

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2035 has had the same under consideration and recommends that since the committee is unable to agree, that it be discharged and a new conference committee appointed.

For the Senate:

Senator Stroup
Senator Anderson
Senator Christensen

For the House:

Rep. Weber
Rep. Stoltenow
Rep. Rivinius

Senator Stroup moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Roen moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2035, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2035.

Senators Fritzell
Senator Stroup
Senator Christensen

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2002 has had the same under consideration and recommends that since the committee is unable to agree, that it be discharged and a new Conference Committee be appointed.

For the Senate:
Senator Coughlin
Senator Strinden
Senator Larson

For the House:
Rep. C. Jenkins
Rep. H. Kingsbury
Rep. C. Mertens

Senator Coughlin moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2002, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2002

Senator Coughlin
Senator Strinden
Senator Larson

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 2035

And the committees having been unable to agree, the President appointed as a new Conference Committee:

Senator Fritzell
Senator Stroup
Senator Christensen

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 2002

And the committees having been unable to agree, the President appointed as a new Conference Committee:

Senator Coughlin
Senator Strinden
Senator Larson

LEO LEIDHOLM, Secretary

MESSAGE TO HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action in requesting return of:

House Bill No. 1503
Subsequently, cancel the request.

LEO LEIDHOLM, Secretary

PERSONAL PRIVILEGE

Senator Strinden:

"I believe it apparent to all of you that we have accomplished little or nothing for two days. I will not attempt to place blame but we all know the Legislative process is bogged down due to the inability of sound compromise measures. I cannot honestly accept pay for doing nothing. I therefore move, Mr. President, that effective tomorrow morning at 6:00 a.m., March 17, the \$50.00 per day expense allowance for Legislators be terminated. I request that the Senate action on this issue be messaged to the House for announcement to that body."

Which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 2002

Senate Bill No. 2035

And the committees having been unable to agree, the Speaker appointed as a new Conference Committee, on:

Senate Bill No. 2002

Rep. Reimers

Rep. Kingsbury

Rep. Mertens

Senate Bill No. 2035

Rep. Hentges

Rep. Rivinius

Rep. Winge

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the Conference Committee report on:

House Bill No. 1317

And the Speaker appointed as a new Conference Committee:

Rep. Herman

Rep. Rued

Rep. Orange

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 1049

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the following motion:

"That effective tomorrow morning at 6:00 a.m., March 17, 1973, the \$50.00 per day expense allowance for Legislators be terminated."

LEO LEIDHOLM, Secretary

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2035 has had the same under consideration and recommends that the House recede from its amendments on

page 3, line 12, and that the Senate accede to the House amendments with the exception of page 3, line 12, and that Senate Bill No. 2035 be further amended as follows:

“, except that any district which is smaller than countywide in size established prior to January 1, 1973, may, in lieu of merging with the new countywide district, continue to exist, within its established boundaries, independently of such countywide district until July 1, 1976, if its board of commissioners files with the state water commission written notice of such intention on or before January 1, 1974”

For the Senate:

Senator Fritzell
Senator Stroup
Senator Christensen

For the House:

Rep. Hentges
Rep. Rivinius
Rep. Winge (refused to sign)

Senator Fritzell moved that the report be adopted, which motion prevailed.

Senator Fritzell moved that the rules be suspended, that Senate Bill No. 2035 be deemed properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2035. A Bill for an Act to provide for division of water management districts along county lines; to amend and reenact sections 61-16-05, 61-16-06, 61-16-07, 61-16-08, 61-16-12, 61-16-14, 61-16-18, 61-16-28, 61-16-29, 61-16-36, and 61-16-48 of the North Dakota Century Code, relating to establishment and consolidation of water management districts, the area included within water management districts, the board of commissioners, and joint control by the board of county commissioners and state water conservation commission over maintenance and operation of dams constructed by or with federal assistance; and to repeal sections 61-16-02, 61-16-03, 61-16-04, and 61-16-42 of the North Dakota Century Code, relating to establishment and dissolution of water management districts.

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, 4; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Melland	Reiten
Barth	Iszler	Morgan	Sandness
Berube	Jacobson	Naaden	Schultz, J.
Butler	Jones	Nasset	Shablow
Christensen	Kautzmann	Nothing	Solberg
Coughlin	Larson	Page	Stroup
Erdman	Lee	Peterson	Thane
Fritzell	Lips	Pyle	Tweten
Goldberg	Litten	Rait	Wenstrom
Goodman	Longmire	Redlin	Wright
Gronhovd			

Those voting in the negative were:

Mutch	Ringsak	Sands	Strinden
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Absent and not voting:

Freed	Roen	Smykowski	Strand
Holand	Schultz, C.		

So the bill passed the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2035 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1049 has had the same under consideration and recommends that the House accede to the Senate amendments with the exception of the amendments pertaining to: page 1, line 11; page 1, line 12; page 5, lines 20 through 35; and page 6, lines 1 through 5; and that the Senate recede from its amendments pertaining to: page 1, line 11; page 1, line 12; page 5, lines 20 through 35; and page 6, lines 1 through 5; and that House Bill No. 1049 be further amended as follows:

On page 1, line 11, delete the word "subsection" and insert the following in lieu thereof: "subsection 2 and"

On page 5, line 20, delete the word "subsection" and insert the following in lieu thereof: "subsections 2 and"

On page 5, line 21, delete the word "is" and insert in lieu thereof the word "are"

On page 5, after line 22, insert the following:

"2. If such judge shall have served fewer than the years of service above required for any given retirement age, he shall be entitled to receive judicial retirement salary only in proportion that his years of service bear to the years of service otherwise required for retirement at such age. **Any judge who has not served at least ten years on reaching his seventy-third birthday shall not be deemed to have waived retirement benefits under this chapter, provided he retires at the expiration of his present term.**"

On page 5, line 23, delete the word "that" and insert the following in lieu thereof: "he retired, provided that prior to retirement"

And renumber the lines accordingly.

For the Senate:

Senator Longmire
Senator Barth
Senator Ringsak

For the House:

Rep. Bassingthwaite
Rep. Hilleboe
Rep. Jenkins

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that House Bill No. 1049 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1049. A Bill for an Act to provide for membership in the public employees' retirement system for supreme and district court judges; to provide for the gradual discontinuance of the present judges' retirement program; to create and enact subsection 13 of section 54-52-01 and section 54-52-06.1 of the North Dakota Century Code, relating to the public employees' retirement system and the amount of a judge's contribution and matching contribution thereto; to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme and district court judges; to amend and reenact subsection 3 of section 27-17-01, relating to judicial retirement salary; to amend and reenact subsections 2 and 12 of section 54-52-01 and sections 54-52-02, 54-52-05, 54-52-06, 54-52-10, 54-52-11, and 54-52-13 of the North Dakota Century Code, relating to the public employees' retirement system; to provide a statement of legislative intent; and providing 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, 43; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nothing	Shablow
Butler	Jones	Page	Solberg
Christensen	Kautzmann	Peterson	Strinden
Coughlin	Larson	Pyle	Stroup
Erdman	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Ringsak	Wright
Gronhovd	Melland	Sands	

Those voting in the negative were:

Mutch Naaden

Absent and not voting:

Freed	Roen	Smykowski	Strand
Holand	Schultz, C.		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1049 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Goldberg moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on:

House Bill No. 1317

Which motion prevailed

The President appointed as a Conference Committee:

On House Bill No. 1317

Senator Goldberg
 Senator Nothing
 Senator Gronhovd

MOTIONS

Senator Longmire moved that House Bill No. 1003 be placed at the head of the calendar, which motion prevailed.

Senator Longmire moved that the Senate reconsider the action by which the amendments to House Bill No. 1003, as printed on page 692 of the Senate Journal, were adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1003 be not adopted, which motion prevailed.

Senator Longmire moved that House Bill No. 1003 be placed at the head of the calendar, without amendments, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1003. A Bill for an Act making an appropriation for defraying 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, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hoffner	Morgan	Sandness
Barth	Iszler	Nasset	Schultz, J.
Berube	Jacobson	Nething	Shablow
Butler	Jones	Page	Solberg
Christensen	Kautzmann	Peterson	Strinden
Coughlin	Larson	Pyle	Stroup
Erdman	Lee	Rait	Thane
Fritzell	Lips	Redlin	Tweten
Goldberg	Litten	Reiten	Wenstrom
Goodman	Longmire	Ringsak	Wright
Gronhovd	Melland	Sands	

Those voting in the negative were:

Mutch Naaden

Absent and not voting:

Freed	Roen	Smykowski	Strand
Holand	Schultz, C.		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1003 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1003

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House:

On House Bill No. 1317:

Senator Goldberg
Senator Nething
Senator Gronhovd

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2035

House Bill No. 1049

LEO LEIDHOLM, Secretary

DETERMINATION OF TWO AND FOUR YEAR TERMS

President: Pursuant to House Bill No. 1042, Section 2, NUMBERING LEGISLATIVE DISTRICTS — CLASSES OF SENATORS TO PROVIDE STAGGERED TERMS. Senators shall be divided into two classes: those elected in legislative districts designated by even numbers shall constitute one class, and those elected in legislative districts designated by odd numbers shall constitute the other class. The Senators of one class elected in 1974 shall hold their office for two years, those of the other class elected in 1974 shall hold their office for four years, and the determination of which class shall be elected for four years, and the determination of which class shall be elected for two years shall be by lot. The president of the Senate shall perform the lot in the presence of the majority and minority floor leaders of the senate and shall certify in writing the results of such lot to the Secretary of State within thirty days after the effective date of this Act.

The procedure in casting this lot will be by tossing a coin. The even numbered districts will be heads, and the odd numbered districts will be tails. The winners of the toss will receive four year terms. Let the record show that Senator Litten and Senator Christensen came to the rostrum and that the coin, a silver dollar was displayed to them by the President, and that the President tossed the coin.

The result of the toss shows heads and therefore the even numbered districts will have four year terms, and the odd numbered districts will have two year terms.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2400 has had the same under consideration and recommends that the Senate accede to the House amendments with the exception of Page 1, line 13 and that the House recede from its amendment on Page 1, line 13.

For the Senate:

Senator Kautzmann
Senator Nething
Senator Goldberg

For the House:

Rep. K. Johnson
Rep. Murphy (Refused to sign)
Rep. Wilkie

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2400 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2400. A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for a trust fund and for the allocation of the interest from such fund to counties; and to provide a penalty.

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, 26; nays, 15; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Litten	Nething	Schultz, J.
Fritzell	Longmire	Page	Shablow
Goldberg	Melland	Peterson	Solberg
Goodman	Morgan	Pyle	Stroup
Iszler	Mutch	Reiten	Tweten
Kautzmann	Naaden	Ringsak	Wenstrom
Lee	Nasset		

Those voting in the negative were:

Barth	Erdman	Lips	Sandness
Berube	Gronhovd	Rait	Thane
Butler	Hoffner	Redlin	Wright
Christensen	Jacobson	Sands	

Absent and not voting:

Coughlin	Jones	Schultz, C.	Strand
Freed	Larson	Smykowski	Strinden
Holand	Roen		

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No.

2400 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:
Senate Bill No. 2400

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee on:

Senate Bill No. 2400

House Bill No. 1317

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1005

House Bill No. 1537

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

Senate Bill No. 2035

And the Speaker appointed as a new conference committee:

On Senate Bill No. 2035:

Rep. Metzger

Rep. H. Christensen

Rep. Weber

ROY GILBREATH, Chief Clerk

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1005 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1005 be amended as follows:

On page 2, line 6, delete the figure "2,200,000" and insert in lieu thereof the figure "2,266,000"

On page 2, line 7, delete the figure "2,200,000" and insert in lieu thereof the figure "2,266,000"

On page 2, after line 26 of the engrossed bill insert the following:

"PLANT IMPROVEMENTS FOR COLLEGES

Name of Institution	Type of Facility	
Valley City State College	East West Hall Demolition	\$35,000
State School of Forestry, Bottineau	Parking and Roads	20,000
Total general fund appropriation		\$55,000"

On page 2, line 27, delete the figure "3,801,035" and insert in lieu thereof the figure "3,922,035"

And renumber the lines and pages accordingly.

For the Senate:

Senator Melland

Senator Erdman

Senator Page

For the House:
Rep. Reimers
Rep. Wagner
Rep. Solberg

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Melland moved that the rules be suspended, that House Bill No. 1005 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1005. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, 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, 41; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Iszler	Naaden	Sands
Barth	Jacobson	Nasset	Sandness
Berube	Jones	Nething	Schultz, J.
Butler	Kautzmann	Page	Shablow
Christensen	Lee	Peterson	Solberg
Erdman	Lips	Pyle	Stroup
Fritzell	Litten	Rait	Thane
Goldberg	Longmire	Redlin	Tweten
Goodman	Melland	Reiten	Wenstrom
Gronhovd	Morgan	Roen	Wright
Hoffner			

Those voting in the negative were:

Mutch

Absent and not voting:

Coughlin	Larson	Schultz, C.	Strand
Freed	Ringsak	Smykowski	Strinden
Holand			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1005 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1537 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1537 be amended as follows:

Delete everything after "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact subsection 21 of section 57-38-01, and sections 57-38-29, 57-39.2-03.2, 57-39.2-04.1, 57-40.2-03.2, and 57-40.2-04.1 of the North Dakota Century Code, relating to income tax definitions and rates on individuals, and providing for the exemption of food and food products from the sales and use tax; providing for an effective date; and providing for the nonseverability of the sections of this Act.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 21 of section 57-38-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

21. a. "Federal Internal Revenue Code of 1954, as amended",
"United States Internal Revenue Code of 1954, as

amended" and "Internal Revenue Code of 1954, as amended," mean the United States Internal Revenue Code of 1954, as amended to and including December 31, (((1968))) 1972.

- b. Those provisions of the United States Internal Revenue Code of 1954, as amended, which are adopted for the purposes of this chapter and which apply to returns required to be filed under that Code for the calendar year (((1968))) 1972 and for fiscal years ended during (((1968))) 1972 shall also apply to returns required to be filed under the provisions of this chapter for the same periods.

SECTION 2. AMENDMENT.) Section 57-38-29 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-29. RATE OF TAX ON INDIVIDUALS.) A tax is hereby imposed upon every individual, to be levied, collected, and paid annually with respect to the taxable income of such individual as defined in this chapter, computed at the following rates:

1. On taxable income not in excess of (((three))) one thousand dollars, a tax of one percent;
 2. On taxable income in excess of (((three))) one thousand dollars and not in excess of (((four))) three thousand dollars, a tax of two percent;
 3. On taxable income in excess of (((four))) three thousand dollars and not in excess of five thousand dollars, a tax of three percent;
 4. On taxable income in excess of five thousand dollars and not in excess of six thousand dollars, a tax of five percent;
 5. On taxable income in excess of six thousand dollars and not in excess of eight thousand dollars, a tax of seven and one-half percent;
 6. On taxable income in excess of eight thousand dollars (((and not in excess of fifteen thousand dollars))), a tax of ten percent (((;))).
- (((7. On taxable income in excess of fifteen thousand dollars, a tax of eleven percent.)))

SECTION 3. AMENDMENT.) Section 57-39.2-03.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-03.2. SALES TAX ON ALCOHOLIC BEVERAGES (((,))) AND TOBACCO PRODUCTS (((, AND OLEOMARGARINE))).) Notwithstanding any other provision of law, the sales tax imposed by this chapter shall apply to the gross receipts of retailers from all sales at retail beginning July 1, (((1969))) 1973, of alcoholic beverages as defined in section 5-01-01, whether mixed or unmixed at the time of sale or thereafter, and whether sold for consumption on the premises or through off-sale outlets for consumption off the premises, and cigarettes, cigars, and other tobacco products, (((and oleomargarine,))) provided that gross receipts from the sale thereof shall mean and include any other taxes imposed on such merchandise or its use or on the retail or other sale thereof.

SECTION 4. AMENDMENT.) Section 57-39.2-04.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-04.1. SALES TAX EXEMPTION FOR (((CERTAIN))) FOOD AND FOOD PRODUCTS.) Beginning (((January 1, 1970))) July 1, 1973, gross receipts from sales for human consumption of food and food products including but not limited to cereal and

cereal products, butter, cheese, milk and milk products ((and of fresh and cured))), oleomargarine, meat ((, including))) and meat products, poultry and fish and other fresh and salt-water animal products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products including candy and confectionary products, chewing gum, coffee and coffee substitutes, tea, cocoa and cocoa products, and carbonated beverages when purchased by consumers for consumption off the premises where purchased, shall be exempt from the sales tax imposed by chapter 57-39.2 (((, except that fresh and cured meat, fish and other fresh and salt-water animal products shall not include such products if preserved by enclosure in an airtight container))). **"Food" and "food products" as used herein shall not include any alcoholic beverages or mixed drinks made therefrom, bottled water, or medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.**

SECTION 5. AMENDMENT.) Section 57-40.2-03.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-40.2-03.2. **USE TAX ON ALCOHOLIC BEVERAGES (((,))) AND TOBACCO PRODUCTS (((, AND OLEOMARGARINE))).** Notwithstanding any other provision of law, the use taxes imposed by this chapter shall apply to the storage, use, or consumption, in this state beginning July 1, ((1969)) 1973, of alcoholic beverages as defined in section 5-01-01, whether mixed or unmixed at the time of sale or thereafter, and whether sold for consumption on the premises or through off-sale outlets for consumption off the premises, and cigarettes, cigars, and other tobacco products, ((and oleomargarine,)) provided that gross receipts from the sale thereof shall mean and include any other taxes imposed on such merchandise or its use or on the retail or other sale thereof.

SECTION 6. AMENDMENT.) Section 57-40.2-04.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-40.2-04.1. **USE TAX EXEMPTION FOR (((CERTAIN))) FOOD AND FOOD PRODUCTS.)** Beginning (((January 1, 1970)) July 1, 1973, gross receipts from sales for human consumption of food and food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products ((and of fresh and cured))), oleomargarine, meat ((, including))) and meat products, poultry and fish and other fresh and salt-water animal products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products including candy and confectionary products, chewing gum, coffee and coffee substitutes, tea, cocoa and cocoa products, and carbonated beverages when purchased by consumers for consumption off the premises where purchased, shall be exempt from the use tax imposed by chapter 57-40.2 (((, except that fresh and cured meat, fish and other fresh and salt-water animal products shall not include such products if preserved by enclosure in an airtight container))). **"Food" and "food products" as used herein shall not include any alcoholic beverages or mixed drinks made therefrom, bottled water, or medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.**

SECTION 7. EFFECTIVE DATE.) The provisions of section 1 and 2 of this Act shall be effective for all taxable years beginning on or after January 1, 1973.

SECTION 8. NONSEVERABILITY OF SECTIONS.) None of the provisions of this Act shall become effective if for any reason any other provision of this Act does not become effective, nor

shall any of the provisions of this Act continue in effect if this Act does become effective and any part of it is invalidated or disapproved in any way, other than by action of the legislative assembly, that would cause it to become ineffective."

And renumber the lines and pages accordingly.

For the Senate:

Senator Anderson
Senator Goodman
Senator Shablow

For the House:

Rep. Dornacker
Rep. K. Johnson
Rep. Backes

Senator Anderson moved that the report be adopted, which motion prevailed.

Senator Butler moved that the rules be suspended, that House Bill No. 1537 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1537. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01, and sections 57-38-29, 57-39.2-03.2, 57-39.2-04.1, 57-40.2-03.2, and 57-40.2-04.1 of the North Dakota Century Code, relating to income tax definitions and rates on individuals, and providing for the exemption of food and food products from the sales and use tax; providing for an effective date; and providing for the nonseverability of the sections of this Act.

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, 1; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Sands
Barth	Jones	Nasset	Sandness
Berube	Kautzmann	Nothing	Schultz, J.
Butler	Lee	Page	Shablow
Christensen	Lips	Peterson	Solberg
Erdman	Litten	Pyle	Stroup
Fritzell	Longmire	Rait	Thane
Goldberg	Melland	Redlin	Tweten
Goodman	Morgan	Reiten	Wenstrom
Gronhovd	Mutch	Roen	Wright
Hoffner			

Those voting in the negative were:

Iszler

Absent and not voting:

Coughlin	Larson	Schultz, C.	Strand
Freed	Ringsak	Smykowski	Strinden
Holand			

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1537 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE

Senator Iszler: Mr. President. I rise on a point of personal privilege to explain my vote.

Mr. President: "State your privilege, Senator Iszler."

Senator Iszler: "I voted no on this bill for one reason. Maybe I have more faith in the economy of North Dakota than some

people do, but I think we could have left the rate structure the same and still whoever comes back two years from now would have enough money left in the general balance for a reserve.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1317 has had the same under consideration and recommends that the Senate recede from their amendments. And that House Bill 1317 be further amended as follows:

On page 7, line 31, insert triple parentheses around "physicians" and insert in lieu thereof "doctors of medicine" and after "and" insert "oral"

On page 7, line 32, delete the word "medicine"

And renumber the lines and pages accordingly.

For the Senate:

Senator Goldberg
Senator Nething
Senator Gronhovd

For the House:

Rep. Herman
Rep. Orange
Rep. Rued

Senator Nething moved that the report be adopted, which motion prevailed.

Senator Goldberg moved that the rules be suspended, that House Bill No. 1317 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1317. A Bill for an Act to create and enact sections 26-26-16, 26-26-17, 26-26-18, 26-26-19, 26-26-20, 26-26-21, 26-27-16, 26-27-17, 26-27-18, 26-27-19, 26-27-20, 26-27-21, 26-27-22, 26-27.1-21, 26-27.1-22, 26-27.1-23, 26-27.1-24, 26-27.1-25, 26-27.1-26, 26-27.2-20, 26-27.2-21, 26-27.2-22, 26-27.2-23, 26-27.2-24, and 26-27.2-25 of the North Dakota Century Code, relating to hospital, medical, vision, and dental service corporations and the insurance commissioner's approval of rates, rating systems, and rating formulas; to rate filing procedures; to rate filing disapproval; to information furnished subscribers and subscriber hearings; to the giving of false or misleading information, making this a misdemeanor, and providing a penalty; to hearing procedures and judicial review; and to amend and reenact sections 26-26-04, 26-27-03, 26-27-05, 26-27.1-05, and 26-27.2-05 of the North Dakota Century Code, relating to the boards of directors of medical, hospital, dental, and vision service corporations and to services by non-participating physicians; and to repeal section 26-26-10 of the North Dakota Century Code, relating to the approval by the commissioner of hospital service plan operating costs.

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, 2; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Roen
Barth	Jones	Nasset	Sandness
Berube	Kautzmann	Nething	Schultz, J.
Butler	Lee	Page	Shablow
Christensen	Lips	Peterson	Solberg
Erdman	Litten	Pyle	Stroup
Fritzell	Longmire	Rait	Thane
Goodman	Melland	Redlin	Tweten

Gronhovd	Morgan	Reiten	Wenstrom
Hoffner	Mutch	Ringsak	Wright
Iszler			

Those voting in the negative were:
Goldberg Sands

Absent and not voting:
Coughlin Holand Schultz, C. Strand
Freed Larson Smykowski Strinden

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which House Bill No. 1317 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE

Senator Goldberg: Mr. President. I rise on a point of personal privilege to explain my vote.

Mr. President: "State your privilege, Senator Goldberg."

Senator Goldberg: "I voted no on House Bill 1317 not because I am not in compliance with the bill which does put the Blue Cross and Blue Shield, after a long study, under the jurisdiction of the State Insurance Commissioner. The reason that I am voting no is the fact that the House refused to accept amendments that would put a cap on the Board of Directors of Blue Cross and Blue Shield, and I will be very brief. Blue Cross today, operates with a board of directors of fifteen people, eight of whom are connected with hospitals and seven of whom are representative from the general public. Blue Shield, the situation is quite different. There are 37 people on the Board of Directors, 31 of whom are medical doctors, six of whom represent the general public. The purpose of the amendment that the Senate voted 48 to 1, and approved, was to reduce the Board, particularly of Blue Shield, to 15. We offered some additional amendments in a conference committee which would have given them a 15 man board of ten doctors and five people from the public and that was turned down by the House. I might add that I have issued a Press Release on the subject and it will appear in the press later today. The reason for the number 15 is that the Business Corporation Act of North Dakota requires all domestic corporations, including health insurance companies, to have a minimum of three Board Members and a maximum of 15. That law does not apply to the non-profit corporations such as Blue Cross and Blue Shield. But because Blue Cross and Blue Shield write 50% of the health insurance business and are pretty directly connected with almost the total majority of the general public in North Dakota, it was felt by your committee on Industry, Business and Labor that these people should be under the same rules and regulations as other health insurance companies because if we're going to put them under the Insurance Commissioner so that they are on an equal basis with other health insurance carriers, then certainly the board membership should be the same also.

MOTIONS

Senator Stroup moved that the Senate reconsider the action by which the Senate did not concur with the House amendments to Senate Bill No. 2035, which motion prevailed.

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2035, which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2035 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2035. A Bill for an Act to provide for division of water management districts along county lines; to amend and

reenact sections 61-16-05, 61-16-06, 61-16-07, 61-16-08, 61-16-12, 61-16-14, 61-16-18, 61-16-28, 61-16-29, 61-16-36, and 61-16-48 of the North Dakota Century Code, relating to establishment and consolidation of water management districts, the area included within water management districts, the board of commissioners, and joint control by the board of county commissioners and state water conservation commission over maintenance and operation of dams constructed by or with federal assistance; and to repeal sections 61-16-02, 61-16-03, 61-16-04, and 61-16-42 of the North Dakota Century Code, relating to establishment and dissolution of water management districts.

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, 6; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Iszler	Mutch	Sandness
Barth	Jones	Naaden	Schultz, J.
Berube	Kautzmann	Nasset	Shablow
Butler	Larson	Nothing	Solberg
Christensen	Lee	Page	Stroup
Erdman	Lips	Peterson	Thane
Goldberg	Litten	Pyle	Tweten
Goodman	Longmire	Rait	Wenstrom
Gronhovd	Melland	Redlin	Wright
Hoffner	Morgan	Reiten	

Those voting in the negative were:

Fritzell	Ringsak	Sands	Strinden
Jacobson	Roen		

Absent and not voting:

Coughlin	Holand	Smykowski	Strand
Freed	Schultz, C.		

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate reconsidered the action by which the Senate did not concur in the House Amendments on:

Senate Bill No. 2035

The Senate does concur in the House Amendments on Senate Bill No. 2035.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

House Bill No. 1005

House Bill No. 1317

House Bill No. 1537

LEO LEIDHOLM, Secretary

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-second day after recess and the fifty-third day and recommends that the same be corrected as follows:

On page 1165, in line 8 from the top of the page, delete the following: "(refused to sign)"

On page 1165, in line 12 from the top of the page, delete the following: "(refused to sign)"

On page 1165, in line 9 from the top of the page, after the name "Gronhovd" insert "(refused to sign)"

On page 1165, in line 13 from the top of the page, after the name "Wilkie" insert "(refused to sign)"

And when so corrected recommends that the same be approved.

SENATOR THANE, Chairman

Senator Thane moved that the report be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2001 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2001 be amended as follows:

On page 1, line 22, delete the numerals "20,729,078" and insert in lieu thereof the numerals "20,757,878"

On page 2, line 2, delete the numerals "26,499,402" and insert in lieu thereof the numerals "26,528,202"

On page 2, line 3, delete the numerals "8,376,776" and insert in lieu thereof the numerals "8,083,553"

On page 2, line 4, delete the numerals "18,122,626" and insert in lieu thereof the numerals "18,444,644"

On page 2, line 7, delete the numerals "19,247,626" and insert in lieu thereof the numerals "19,569,644"

On page 2, line 26, delete the numerals "1,256,000" and insert in lieu thereof the numerals "1,212,620"

On page 2, line 27, delete the numerals "16,035,247" and insert in lieu thereof the numerals "15,991,867"

On page 3, after line 33 insert the following:

"Computer terminal 56,173"

On page 3, line 35, delete the numerals "3,633,888" and insert in lieu thereof the numerals "3,690,061"

On page 4, line 2, delete the numerals "2,669,540" and insert in lieu thereof the numerals "2,725,713"

On page 4, line 5, delete the numerals "2,819,540" and insert in lieu thereof the numerals "2,875,713"

On page 4, line 15, delete the numerals "192,000" and insert in lieu thereof the numerals "215,000"

On page 4, line 16, delete the numerals "5,197,676" and insert in lieu thereof the numerals "5,220,676"

On page 4, line 18, delete the numerals "1,718,859" and insert in lieu thereof the numerals "1,747,019"

On page 4, line 22, delete the numerals "2,203,455" and insert in lieu thereof the numerals "2,231,615"

On page 4, line 24, delete the numerals "1,652,759" and insert in lieu thereof the numerals "1,680,919"

On page 4, line 27, delete the numerals "1,748,759" and insert in lieu thereof the numerals "1,776,919"

On page 4, after line 32, insert the following:

"Computer terminal 56,173"

On page 4, line 33, delete the numerals "3,491,657" and insert in lieu thereof the numerals "3,547,830"

On page 4, line 35, delete the numerals "2,547,705" and insert in lieu thereof the numerals "2,603,878"

On page 5, line 3, delete the numerals "2,797,205" and insert in lieu thereof the numerals "2,853,378"

On page 5, line 17, delete the numerals "56,084,121" and insert in lieu thereof the numerals "56,526,265"

On page 5, line 18, delete the numerals "28,622,444" and insert in lieu thereof the numerals "28,329,226"

On page 5, line 19, delete the numerals "84,706,565" and insert in lieu thereof the numerals "84,855,491"

On page 5, line 21, insert after the word "treasury" the words "and income from increased enrollments"

On page 6, after line 24 add the following:

"Notwithstanding the provision of Section 40-23-22, no funds shall be expended to pay special assessments on projects that do not directly serve a state institution and are not located on or contiguous to a state institution, wherever located in the state.

SECTION 7. NORTH DAKOTA STATE UNIVERSITY.) In addition to the appropriations and authorizations provided by this Act, there is hereby appropriated \$313,202 for the North Dakota State University from the general fund in the state treasury during the biennium beginning July 1, 1973, and ending June 30, 1975, to be used only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of federal funds by the North Dakota State University pursuant to the Bankhead-Jones Act. Such reduction during each year of the biennium shall be determined by subtracting the amounts received under the Bankhead-Jones Act each year from the amounts received during the fiscal year ended June 30, 1972. Funds shall be made available pursuant to this contingency appropriation only upon approval of the state board of higher education and with written notification by such board to the director of accounts and purchases."

And renumber the pages and lines accordingly.

For the Senate:

Senator Lips
Senator Strinden
Senator Pyle

For the House:

Rep. Wagner
Rep. Kingsbury
Rep. Solberg

Senator Lips moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2001 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning 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, 42; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Nothing	Sandness
Berube	Jones	Page	Schultz, J.
Christensen	Kautzmann	Peterson	Shablou
Coughlin	Larson	Pyle	Solberg
Erdman	Lee	Rait	Strinden
Fritzell	Lips	Redlin	Stroup
Goldberg	Litten	Reiten	Thane
Goodman	Longmire	Ringsak	Tweten
Gronhovd	Melland	Roen	Wenstrom

Hoffner	Morgan	Sands	Wright
Iszler	Nasset		

Those voting in the negative were:

Mutch	Naaden
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Absent and not voting:

Barth	Freed	Schultz, C.	Strand
Butler	Holand	Smykowski	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2001 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2002 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2002 be amended as follows:

On page 2, line 34, delete the numerals "240,609" and insert in lieu thereof the numerals "238,610"

On page 3, line 3, delete the numerals "402,009" and insert in lieu thereof the numerals "400,010"

On page 3, line 5, delete the numerals "288,009" and insert in lieu thereof the numerals "286,010"

On page 3, line 7, delete the numerals "298,007" and insert in lieu thereof the numerals "296,008"

On page 3, line 9, delete the numerals "57,597" and insert in lieu thereof the numerals "57,694"

On page 3, line 13, delete the numerals "101,537" and insert in lieu thereof the numerals "101,634"

On page 3, line 15, delete the numerals "59,537" and insert in lieu thereof the numerals "59,634"

On page 3, line 18, delete the numerals "75,537" and insert in lieu thereof the numerals "75,634"

On page 3, line 20, delete the numerals "53,326" and insert in lieu thereof the numerals "72,482"

On page 3, line 23, delete the numerals "21,640" and insert in lieu thereof the numerals "26,200"

On page 3, line 24, delete the numerals "100,666" and insert in lieu thereof the numerals "124,382"

On page 3, line 25, delete the numerals "30,000" and insert in lieu thereof the numerals "34,990"

On page 3, after line 25, insert the following:

"Land, structures, and improvements	14,250"
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On page 3, line 26, delete the numerals "70,666" and insert in lieu thereof the numerals "103,642"

On page 3, line 28, delete the numerals "104,571" and insert in lieu thereof the numerals "104,096"

On page 3, line 29, delete the numerals "25,680" and insert in lieu thereof the numerals "28,000"

On page 3, line 30, delete the numerals "31,040" and insert in lieu thereof the numerals "33,600"

On page 3, line 31, delete the numerals "11,800" and insert in lieu thereof the numerals "12,500"

On page 3, line 32, delete the numerals "173,091" and insert in lieu thereof the numerals "178,196"

On page 3, line 34, delete the numerals "78,091" and insert in lieu thereof the numerals "83,196"

On page 4, line 1, delete the numerals "97,613" and insert in lieu thereof the numerals "97,433"

On page 4, line 5, delete the numerals "155,963" and insert in lieu thereof the numerals "155,783"

On page 4, line 7, delete the numerals "125,963" and insert in lieu thereof the numerals "125,783"

On page 4, line 9, delete the numerals "207,905" and insert in lieu thereof the numerals "206,607"

On page 4, line 10, delete the numerals "54,535" and insert in lieu thereof the numerals "59,800"

On page 4, line 11, delete the numerals "51,372" and insert in lieu thereof the numerals "70,900"

On page 4, line 13, delete the numerals "359,812" and insert in lieu thereof the numerals "383,307"

On page 4, line 14, delete the numerals "85,000" and insert in lieu thereof the numerals "108,495"

On page 4, line 22, delete the numerals "8,280,004" and insert in lieu thereof the numerals "8,316,003"

On page 4, line 23, delete the numerals "8,838,380" and insert in lieu thereof the numerals "8,866,865"

On page 4, line 24, delete the numerals "17,118,384" and insert in lieu thereof the numerals "17,182,868"

On page 6, after line 4, insert the following:

"SECTION 4. MAIN EXPERIMENT STATION.) In addition to the appropriations and authorizations provided by this Act, there is hereby appropriated "150,000 for the Main Experiment Station from the general fund in the state treasury during the biennium beginning July 1, 1973, and ending June 30, 1975, to be used only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of federal funds by the Experiment Station pursuant to the Hatch Act. Such reduction during each year of the biennium shall be determined by subtracting the amounts under the Hatch Act each year from the amounts received during the fiscal year ended June 30, 1973. Funds shall be made available pursuant to this contingency appropriation only upon approval of the state board of higher education and with written notification by such board to the director of accounts and purchases.

SECTION 5. LEGISLATIVE INTENT.) It is the intent of the Legislative Assembly that the special programs in the Extension Division known as Special Program - Nutritional, ABM Impact Area Development, and Man Power Project, which are totally federally funded shall not be continued when federal funds are no longer forthcoming."

And renumber the pages and lines accordingly.

For the Senate:

Senator J. Coughlin
 Senator T. Strinden
 Senator L. Larson

For the House:

Rep. R. Reimers
 Rep. H. Kingsbury
 Rep. C. Mertens

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Coughlin moved that the rules be suspended, that Senate Bill No. 2002 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2002. A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

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, 44; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Naaden	Sands
Berube	Jones	Nasset	Sandness
Christensen	Kautzmann	Nothing	Schultz, J.
Coughlin	Larson	Page	Shablow
Erdman	Lee	Peterson	Solberg
Fritzell	Lips	Pyle	Strinden
Goldberg	Litten	Rait	Stroup
Goodman	Longmire	Redlin	Thane
Gronhovd	Melland	Reiten	Tweten
Hoffner	Morgan	Ringsak	Wenstrom
Iszler	Mutch	Roen	Wright

Absent and not voting:

Barth	Freed	Schultz, C.	Strand
Butler	Holand	Smykowski	

So the bill passed and the title was agreed to.

Senator Litten moved that the vote by which Senate Bill No. 2002 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 2001

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 2002

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 2001

Senate Bill No. 2002

ROY GILBREATH, Chief Clerk

STATE OF NORTH DAKOTA

Executive Office

Bismarck

The Honorable Wayne G. Sanstead

President of the Senate

North Dakota State Senate

Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 15, 1973, I signed the following Senate Bills:

Senate Bill No. 2009

Senate Bill No. 2020
 Senate Bill No. 2045
 Senate Bill No. 2137
 Senate Bill No. 2154
 Senate Bill No. 2185
 Senate Bill No. 2204
 Senate Bill No. 2243
 Senate Bill No. 2252
 Senate Bill No. 2317
 Senate Bill No. 2321
 Senate Bill No. 2375
 Senate Bill No. 2376
 Senate Bill No. 2406
 Senate Bill No. 2413

Sincerely yours,
 ARTHUR A. LINK
 Governor

STATE OF NORTH DAKOTA
 Executive Office
 Bismarck

The Honorable Wayne G. Sanstead
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota 58501
 Dear Mr. President:

This is to inform you that on March 15, 1973, I signed the following Senate Bills:

Senate Bill No. 2097
 Senate Bill No. 2151
 Senate Bill No. 2194
 Senate Bill No. 2198
 Senate Bill No. 2364

Sincerely yours,
 ARTHUR A. LINK
 Governor

The Honorable Arthur A. Link
 Governor of North Dakota
 Bismarck, North Dakota 58501
 Dear Governor Link:

This is to inform you that the North Dakota State Senate has advised and consented to the appointments herein listed, as required by law:

1. State Board of Higher Education (15-10-02)
 Mrs. James (Eleanor P.) Grahl, Bismarck, March 6, 1973 - July 1, 1977
2. State Social Service Board (50-06-02)
 Mrs. James T. (Darlene) Leinen, Williston, March 12, 1973 - April 6, 1975

This is to inform you that the North Dakota State Senate does not advise and consent to the appointments herein listed:

1. Director of Institutions (54-21-06)
 Albert R. Hausauer, Bismarck, April 1, 1973 -

Sincerely yours,
 Wayne G. Sanstead
 Lieutenant Governor

REPORTS OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2018
 Senate Bill No. 2029
 Senate Bill No. 2111
 Senate Bill No. 2132

Senate Bill No. 2238
Senate Bill No. 2253
Senate Bill No. 2264
Senate Bill No. 2282
Senate Bill No. 2323
Senate Bill No. 2334
Senate Bill No. 2377
Senate Bill No. 2384
Senate Bill No. 2401

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2026
Senate Bill No. 2042
Senate Bill No. 2046
Senate Bill No. 2089
Senate Bill No. 2090
Senate Bill No. 2098
Senate Bill No. 2143
Senate Bill No. 2186
Senate Bill No. 2209
Senate Bill No. 2233
Senate Bill No. 2344

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2018
Senate Bill No. 2026
Senate Bill No. 2029
Senate Bill No. 2042
Senate Bill No. 2046
Senate Bill No. 2089
Senate Bill No. 2090
Senate Bill No. 2098
Senate Bill No. 2111
Senate Bill No. 2132
Senate Bill No. 2143
Senate Bill No. 2186
Senate Bill No. 2209
Senate Bill No. 2233
Senate Bill No. 2238
Senate Bill No. 2253
Senate Bill No. 2264
Senate Bill No. 2282
Senate Bill No. 2323
Senate Bill No. 2334
Senate Bill No. 2344
Senate Bill No. 2377
Senate Bill No. 2384
Senate Bill No. 2401

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2018
Senate Bill No. 2026

Senate Bill No. 2029
 Senate Bill No. 2042
 Senate Bill No. 2046
 Senate Bill No. 2089
 Senate Bill No. 2090
 Senate Bill No. 2098
 Senate Bill No. 2111
 Senate Bill No. 2132
 Senate Bill No. 2143
 Senate Bill No. 2186
 Senate Bill No. 2209
 Senate Bill No. 2233
 Senate Bill No. 2238
 Senate Bill No. 2253
 Senate Bill No. 2264
 Senate Bill No. 2282
 Senate Bill No. 2323
 Senate Bill No. 2334
 Senate Bill No. 2344
 Senate Bill No. 2377
 Senate Bill No. 2384
 Senate Bill No. 2401

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2018
 Senate Bill No. 2026
 Senate Bill No. 2029
 Senate Bill No. 2042
 Senate Bill No. 2046
 Senate Bill No. 2089
 Senate Bill No. 2090
 Senate Bill No. 2098
 Senate Bill No. 2111
 Senate Bill No. 2132
 Senate Bill No. 2143
 Senate Bill No. 2186
 Senate Bill No. 2209
 Senate Bill No. 2233
 Senate Bill No. 2238
 Senate Bill No. 2253
 Senate Bill No. 2264
 Senate Bill No. 2282
 Senate Bill No. 2323
 Senate Bill No. 2334
 Senate Bill No. 2344
 Senate Bill No. 2377
 Senate Bill No. 2384
 Senate Bill No. 2401

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2018
 Senate Bill No. 2026
 Senate Bill No. 2029
 Senate Bill No. 2042
 Senate Bill No. 2046

Senate Bill No. 2089
Senate Bill No. 2090
Senate Bill No. 2098
Senate Bill No. 2111
Senate Bill No. 2132
Senate Bill No. 2143
Senate Bill No. 2186
Senate Bill No. 2209
Senate Bill No. 2233
Senate Bill No. 2238
Senate Bill No. 2253
Senate Bill No. 2264
Senate Bill No. 2282
Senate Bill No. 2323
Senate Bill No. 2334
Senate Bill No. 2344
Senate Bill No. 2377
Senate Bill No. 2384
Senate Bill No. 2401

Were delivered to the Governor for his approval.

SENATOR JACOBSON, Chairman

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1028
House Bill No. 1072
House Bill No. 1078
House Bill No. 1113
House Bill No. 1134
House Bill No. 1141
House Bill No. 1144
House Bill No. 1148
House Bill No. 1193
House Bill No. 1199
House Bill No. 1201
House Bill No. 1203
House Bill No. 1208
House Bill No. 1216
House Bill No. 1219
House Bill No. 1223
House Bill No. 1238
House Bill No. 1304
House Bill No. 1372
House Bill No. 1395
House Bill No. 1405
House Bill No. 1430
House Bill No. 1447
House Bill No. 1459
House Bill No. 1460
House Bill No. 1473
House Bill No. 1483
House Bill No. 1492
House Bill No. 1503
House Bill No. 1513
House Bill No. 1520
House Bill No. 1529
House Bill No. 1530
House Bill No. 1531
House Bill No. 1532
House Bill No. 1533
House Bill No. 1534

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1028
 House Bill No. 1072
 House Bill No. 1078
 House Bill No. 1113
 House Bill No. 1134
 House Bill No. 1141
 House Bill No. 1144
 House Bill No. 1148
 House Bill No. 1193
 House Bill No. 1199
 House Bill No. 1201
 House Bill No. 1203
 House Bill No. 1208
 House Bill No. 1216
 House Bill No. 1219
 House Bill No. 1223
 House Bill No. 1238
 House Bill No. 1304
 House Bill No. 1372
 House Bill No. 1395
 House Bill No. 1405
 House Bill No. 1430
 House Bill No. 1447
 House Bill No. 1459
 House Bill No. 1460
 House Bill No. 1473
 House Bill No. 1483
 House Bill No. 1492
 House Bill No. 1503
 House Bill No. 1513
 House Bill No. 1520
 House Bill No. 1529
 House Bill No. 1530
 House Bill No. 1531
 House Bill No. 1532
 House Bill No. 1533
 House Bill No. 1534

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1028
 House Bill No. 1072
 House Bill No. 1078
 House Bill No. 1113
 House Bill No. 1134
 House Bill No. 1141
 House Bill No. 1144
 House Bill No. 1148
 House Bill No. 1193
 House Bill No. 1199
 House Bill No. 1201
 House Bill No. 1203
 House Bill No. 1208
 House Bill No. 1216
 House Bill No. 1219
 House Bill No. 1223
 House Bill No. 1238

House Bill No. 1304
 House Bill No. 1372
 House Bill No. 1395
 House Bill No. 1405
 House Bill No. 1430
 House Bill No. 1447
 House Bill No. 1459
 House Bill No. 1460
 House Bill No. 1473
 House Bill No. 1483
 House Bill No. 1492
 House Bill No. 1503
 House Bill No. 1513
 House Bill No. 1520
 House Bill No. 1529
 House Bill No. 1530
 House Bill No. 1531
 House Bill No. 1532
 House Bill No. 1533
 House Bill No. 1534

Which the President has signed.

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. 2014
 Senate Bill No. 2049
 Senate Bill No. 2122
 Senate Bill No. 2123
 Senate Bill No. 2138
 Senate Bill No. 2139
 Senate Bill No. 2173
 Senate Bill No. 2175
 Senate Bill No. 2184
 Senate Bill No. 2201
 Senate Bill No. 2219
 Senate Bill No. 2229
 Senate Bill No. 2267
 Senate Bill No. 2269
 Senate Bill No. 2303
 Senate Bill No. 2312
 Senate Bill No. 2343
 Senate Bill No. 2352
 Senate Bill No. 2378
 Senate Bill No. 2386
 Senate Bill No. 2411
 Senate Bill No. 2415
 Senate Bill No. 2421
 Senate Bill No. 2099
 Senate Bill No. 2208

And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2001
 Senate Bill No. 2005
 Senate Bill No. 2007

Senate Bill No. 2008
 Senate Bill No. 2011
 Senate Bill No. 2013
 Senate Bill No. 2015
 Senate Bill No. 2027
 Senate Bill No. 2051
 Senate Bill No. 2065
 Senate Bill No. 2074
 Senate Bill No. 2081
 Senate Bill No. 2091
 Senate Bill No. 2107
 Senate Bill No. 2113
 Senate Bill No. 2146
 Senate Bill No. 2170
 Senate Bill No. 2179
 Senate Bill No. 2183
 Senate Bill No. 2203
 Senate Bill No. 2256
 Senate Bill No. 2266
 Senate Bill No. 2283
 Senate Bill No. 2286
 Senate Bill No. 2295
 Senate Bill No. 2318
 Senate Bill No. 2335
 Senate Bill No. 2380
 Senate Bill No. 2393
 Senate Bill No. 2189
 Senate Bill No. 2002
 Senate Bill No. 2004
 Senate Bill No. 2006
 Senate Bill No. 2010
 Senate Bill No. 2012
 Senate Bill No. 2025
 Senate Bill No. 2028
 Senate Bill No. 2033
 Senate Bill No. 2035
 Senate Bill No. 2075
 Senate Bill No. 2108
 Senate Bill No. 2109
 Senate Bill No. 2125
 Senate Bill No. 2168
 Senate Bill No. 2177
 Senate Bill No. 2196
 Senate Bill No. 2223
 Senate Bill No. 2250
 Senate Bill No. 2258
 Senate Bill No. 2278
 Senate Bill No. 2311
 Senate Bill No. 2356
 Senate Bill No. 2400

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

SINGING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2001
 Senate Bill No. 2002
 Senate Bill No. 2004
 Senate Bill No. 2005
 Senate Bill No. 2006
 Senate Bill No. 2007

Senate Bill No. 2008
Senate Bill No. 2010
Senate Bill No. 2011
Senate Bill No. 2012
Senate Bill No. 2013
Senate Bill No. 2014
Senate Bill No. 2015
Senate Bill No. 2025
Senate Bill No. 2027
Senate Bill No. 2028
Senate Bill No. 2033
Senate Bill No. 2035
Senate Bill No. 2049
Senate Bill No. 2051
Senate Bill No. 2065
Senate Bill No. 2074
Senate Bill No. 2075
Senate Bill No. 2081
Senate Bill No. 2091
Senate Bill No. 2099
Senate Bill No. 2107
Senate Bill No. 2108
Senate Bill No. 2109
Senate Bill No. 2113
Senate Bill No. 2122
Senate Bill No. 2123
Senate Bill No. 2125
Senate Bill No. 2138
Senate Bill No. 2139
Senate Bill No. 2146
Senate Bill No. 2168
Senate Bill No. 2170
Senate Bill No. 2173
Senate Bill No. 2175
Senate Bill No. 2177
Senate Bill No. 2179
Senate Bill No. 2183
Senate Bill No. 2184
Senate Bill No. 2189
Senate Bill No. 2196
Senate Bill No. 2201
Senate Bill No. 2203
Senate Bill No. 2208
Senate Bill No. 2219
Senate Bill No. 2223
Senate Bill No. 2229
Senate Bill No. 2250
Senate Bill No. 2256
Senate Bill No. 2258
Senate Bill No. 2266
Senate Bill No. 2267
Senate Bill No. 2269
Senate Bill No. 2278
Senate Bill No. 2283
Senate Bill No. 2286
Senate Bill No. 2295
Senate Bill No. 2303
Senate Bill No. 2311
Senate Bill No. 2312
Senate Bill No. 2318
Senate Bill No. 2335
Senate Bill No. 2343
Senate Bill No. 2352
Senate Bill No. 2356

Senate Bill No. 2378
 Senate Bill No. 2380
 Senate Bill No. 2386
 Senate Bill No. 2393
 Senate Bill No. 2400
 Senate Bill No. 2411
 Senate Bill No. 2415
 Senate Bill No. 2421

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001
 Senate Bill No. 2002
 Senate Bill No. 2004
 Senate Bill No. 2005
 Senate Bill No. 2006
 Senate Bill No. 2007
 Senate Bill No. 2008
 Senate Bill No. 2010
 Senate Bill No. 2011
 Senate Bill No. 2012
 Senate Bill No. 2013
 Senate Bill No. 2014
 Senate Bill No. 2015
 Senate Bill No. 2025
 Senate Bill No. 2027
 Senate Bill No. 2028
 Senate Bill No. 2033
 Senate Bill No. 2035
 Senate Bill No. 2049
 Senate Bill No. 2051
 Senate Bill No. 2065
 Senate Bill No. 2074
 Senate Bill No. 2075
 Senate Bill No. 2081
 Senate Bill No. 2091
 Senate Bill No. 2099
 Senate Bill No. 2107
 Senate Bill No. 2108
 Senate Bill No. 2109
 Senate Bill No. 2113
 Senate Bill No. 2122
 Senate Bill No. 2123
 Senate Bill No. 2125
 Senate Bill No. 2138
 Senate Bill No. 2139
 Senate Bill No. 2146
 Senate Bill No. 2168
 Senate Bill No. 2170
 Senate Bill No. 2173
 Senate Bill No. 2175
 Senate Bill No. 2177
 Senate Bill No. 2179
 Senate Bill No. 2183
 Senate Bill No. 2184
 Senate Bill No. 2189
 Senate Bill No. 2196
 Senate Bill No. 2201
 Senate Bill No. 2203
 Senate Bill No. 2208
 Senate Bill No. 2219
 Senate Bill No. 2223

Senate Bill No. 2229
Senate Bill No. 2250
Senate Bill No. 2256
Senate Bill No. 2258
Senate Bill No. 2266
Senate Bill No. 2267
Senate Bill No. 2269
Senate Bill No. 2278
Senate Bill No. 2283
Senate Bill No. 2286
Senate Bill No. 2295
Senate Bill No. 2303
Senate Bill No. 2311
Senate Bill No. 2312
Senate Bill No. 2318
Senate Bill No. 2335
Senate Bill No. 2343
Senate Bill No. 2352
Senate Bill No. 2356
Senate Bill No. 2378
Senate Bill No. 2380
Senate Bill No. 2386
Senate Bill No. 2393
Senate Bill No. 2400
Senate Bill No. 2411
Senate Bill No. 2415
Senate Bill No. 2421

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2001
Senate Bill No. 2002
Senate Bill No. 2004
Senate Bill No. 2005
Senate Bill No. 2006
Senate Bill No. 2007
Senate Bill No. 2008
Senate Bill No. 2010
Senate Bill No. 2011
Senate Bill No. 2012
Senate Bill No. 2013
Senate Bill No. 2014
Senate Bill No. 2015
Senate Bill No. 2025
Senate Bill No. 2027
Senate Bill No. 2028
Senate Bill No. 2033
Senate Bill No. 2035
Senate Bill No. 2049
Senate Bill No. 2051
Senate Bill No. 2065
Senate Bill No. 2074
Senate Bill No. 2075
Senate Bill No. 2081
Senate Bill No. 2091
Senate Bill No. 2099
Senate Bill No. 2107
Senate Bill No. 2108
Senate Bill No. 2109

Senate Bill No. 2113
Senate Bill No. 2122
Senate Bill No. 2123
Senate Bill No. 2125
Senate Bill No. 2138
Senate Bill No. 2139
Senate Bill No. 2146
Senate Bill No. 2168
Senate Bill No. 2170
Senate Bill No. 2173
Senate Bill No. 2175
Senate Bill No. 2177
Senate Bill No. 2179
Senate Bill No. 2183
Senate Bill No. 2184
Senate Bill No. 2189
Senate Bill No. 2196
Senate Bill No. 2201
Senate Bill No. 2203
Senate Bill No. 2208
Senate Bill No. 2219
Senate Bill No. 2223
Senate Bill No. 2229
Senate Bill No. 2250
Senate Bill No. 2256
Senate Bill No. 2258
Senate Bill No. 2266
Senate Bill No. 2267
Senate Bill No. 2269
Senate Bill No. 2278
Senate Bill No. 2283
Senate Bill No. 2286
Senate Bill No. 2295
Senate Bill No. 2303
Senate Bill No. 2311
Senate Bill No. 2312
Senate Bill No. 2318
Senate Bill No. 2335
Senate Bill No. 2343
Senate Bill No. 2352
Senate Bill No. 2356
Senate Bill No. 2378
Senate Bill No. 2380
Senate Bill No. 2386
Senate Bill No. 2393
Senate Bill No. 2400
Senate Bill No. 2411
Senate Bill No. 2415
Senate Bill No. 2421

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Grossment respectful reports that:

Senate Bill No. 2001
Senate Bill No. 2005
Senate Bill No. 2007
Senate Bill No. 2008
Senate Bill No. 2011
Senate Bill No. 2013
Senate Bill No. 2014
Senate Bill No. 2015

Senate Bill No. 2027
Senate Bill No. 2049
Senate Bill No. 2051
Senate Bill No. 2065
Senate Bill No. 2074
Senate Bill No. 2081
Senate Bill No. 2091
Senate Bill No. 2107
Senate Bill No. 2113
Senate Bill No. 2122
Senate Bill No. 2123
Senate Bill No. 2138
Senate Bill No. 2139
Senate Bill No. 2146
Senate Bill No. 2170
Senate Bill No. 2173
Senate Bill No. 2175
Senate Bill No. 2179
Senate Bill No. 2183
Senate Bill No. 2184
Senate Bill No. 2201
Senate Bill No. 2203
Senate Bill No. 2219
Senate Bill No. 2229
Senate Bill No. 2002
Senate Bill No. 2004
Senate Bill No. 2006
Senate Bill No. 2010
Senate Bill No. 2012
Senate Bill No. 2025
Senate Bill No. 2028
Senate Bill No. 2033
Senate Bill No. 2035
Senate Bill No. 2075
Senate Bill No. 2099
Senate Bill No. 2108
Senate Bill No. 2109
Senate Bill No. 2125
Senate Bill No. 2168
Senate Bill No. 2177
Senate Bill No. 2196
Senate Bill No. 2208
Senate Bill No. 2223
Senate Bill No. 2250
Senate Bill No. 2258
Senate Bill No. 2278
Senate Bill No. 2311
Senate Bill No. 2356
Senate Bill No. 2400
Senate Bill No. 2256
Senate Bill No. 2266
Senate Bill No. 2267
Senate Bill No. 2269
Senate Bill No. 2283
Senate Bill No. 2286
Senate Bill No. 2295
Senate Bill No. 2303
Senate Bill No. 2312
Senate Bill No. 2318
Senate Bill No. 2335
Senate Bill No. 2343
Senate Bill No. 2352
Senate Bill No. 2378
Senate Bill No. 2380

Senate Bill No. 2386
 Senate Bill No. 2393
 Senate Bill No. 2411
 Senate Bill No. 2415
 Senate Bill No. 2421
 Senate Bill No. 2189

Were delivered to the Governor for his approval.

SENATOR JACOBSON, Chairman

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution No. 4001
 Senate Concurrent Resolution No. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4005
 Senate Concurrent Resolution No. 4006
 Senate Concurrent Resolution No. 4010
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4012
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4030
 Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4038
 Senate Concurrent Resolution No. 4039
 Senate Concurrent Resolution No. 4048
 Senate Concurrent Resolution No. 4051
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4063
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4070
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4077
 Senate Concurrent Resolution No. 4078
 Senate Resolution No. 8
 Senate Resolution No. 9
 Senate Memorial Resolution No. 1
 And find the same correctly enrolled.

SENATOR JACOBSON, Chairman

Senator Barth moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069

Senate Concurrent Resolution No. 4072

And find the same correctly engrossed and enrolled.

SENATOR JACOBSON, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF CONCURRENT RESOLUTIONS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 4001
 Senate Concurrent Resolution No. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4005
 Senate Concurrent Resolution No. 4006
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4010
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4012
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4030
 Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4038
 Senate Concurrent Resolution No. 4039
 Senate Concurrent Resolution No. 4048
 Senate Concurrent Resolution No. 4051
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4063
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4070
 Senate Concurrent Resolution No. 4072
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4077
 Senate Concurrent Resolution No. 4078
 Senate Resolution No. 8
 Senate Resolution No. 9
 Senate Memorial No. 1

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4001
 Senate Concurrent Resolution No. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4005
 Senate Concurrent Resolution No. 4006
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4010
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4012

Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4030
 Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4038
 Senate Concurrent Resolution No. 4039
 Senate Concurrent Resolution No. 4048
 Senate Concurrent Resolution No. 4051
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4063
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4070
 Senate Concurrent Resolution No. 4072
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4077
 Senate Concurrent Resolution No. 4078

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
 House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Concurrent Resolution No. 4001
 Senate Concurrent Resolution No. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4005
 Senate Concurrent Resolution No. 4006
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4010
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4012
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4030
 Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036

Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4038
 Senate Concurrent Resolution No. 4039
 Senate Concurrent Resolution No. 4048
 Senate Concurrent Resolution No. 4051
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4063
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4070
 Senate Concurrent Resolution No. 4072
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4077
 Senate Concurrent Resolution No. 4078

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4001
 Senate Concurrent Resolution No. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4005
 Senate Concurrent Resolution No. 4006
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4010
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4012
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4017
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4030
 Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4038
 Senate Concurrent Resolution No. 4039
 Senate Concurrent Resolution No. 4048
 Senate Concurrent Resolution No. 4051
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4063
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4070
 Senate Concurrent Resolution No. 4072
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4077
 Senate Concurrent Resolution No. 4078
 Senate Resolution No. 8
 Senate Resolution No. 9

Senate Memorial Resolution No. 1

Were delivered to the Secretary of State.

SENATOR JACOBSON, Chairman

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1001
House Bill No. 1003
House Bill No. 1004
House Bill No. 1005
House Bill No. 1006
House Bill No. 1007
House Bill No. 1009
House Bill No. 1013
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House Bill No. 1031
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House Bill No. 1067
House Bill No. 1073
House Bill No. 1085
House Bill No. 1090
House Bill No. 1098
House Bill No. 1102
House Bill No. 1146
House Bill No. 1154
House Bill No. 1200
House Bill No. 1215
House Bill No. 1217
House Bill No. 1232
House Bill No. 1234
House Bill No. 1235
House Bill No. 1246
House Bill No. 1254
House Bill No. 1272
House Bill No. 1290
House Bill No. 1291
House Bill No. 1300
House Bill No. 1314
House Bill No. 1317
House Bill No. 1327
House Bill No. 1331
House Bill No. 1339
House Bill No. 1344
House Bill No. 1350
House Bill No. 1351
House Bill No. 1390
House Bill No. 1398
House Bill No. 1415

House Bill No. 1420
House Bill No. 1429
House Bill No. 1436
House Bill No. 1464
House Bill No. 1465
House Bill No. 1469
House Bill No. 1489
House Bill No. 1498
House Bill No. 1502
House Bill No. 1518
House Bill No. 1537
House Bill No. 1539

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1001
House Bill No. 1003
House Bill No. 1004
House Bill No. 1005
House Bill No. 1006
House Bill No. 1007
House Bill No. 1009
House Bill No. 1013
House Bill No. 1014
House Bill No. 1015
House Bill No. 1017
House Bill No. 1019
House Bill No. 1026
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House Bill No. 1031
House Bill No. 1037
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House Bill No. 1046
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House Bill No. 1057
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House Bill No. 1429
House Bill No. 1436
House Bill No. 1464
House Bill No. 1465
House Bill No. 1469
House Bill No. 1489
House Bill No. 1498
House Bill No. 1502
House Bill No. 1518
House Bill No. 1537
House Bill No. 1539

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1001
House Bill No. 1003
House Bill No. 1004
House Bill No. 1005
House Bill No. 1006
House Bill No. 1007
House Bill No. 1009
House Bill No. 1013
House Bill No. 1014
House Bill No. 1015
House Bill No. 1017
House Bill No. 1019
House Bill No. 1026
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House Bill No. 1235

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 House Bill No. 1420
 House Bill No. 1429
 House Bill No. 1436
 House Bill No. 1464
 House Bill No. 1465
 House Bill No. 1469
 House Bill No. 1489
 House Bill No. 1498
 House Bill No. 1502
 House Bill No. 1518
 House Bill No. 1537
 House Bill No. 1539

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Concurrent Resolution No. 3002
 House Concurrent Resolution No. 3003
 House Concurrent Resolution No. 3006
 House Concurrent Resolution No. 3016
 House Concurrent Resolution No. 3017
 House Concurrent Resolution No. 3018
 House Concurrent Resolution No. 3019
 House Concurrent Resolution No. 3030
 House Concurrent Resolution No. 3032
 House Concurrent Resolution No. 3033
 House Concurrent Resolution No. 3034
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3037
 House Concurrent Resolution No. 3039
 House Concurrent Resolution No. 3040
 House Concurrent Resolution No. 3042
 House Concurrent Resolution No. 3043
 House Concurrent Resolution No. 3044
 House Concurrent Resolution No. 3050
 House Concurrent Resolution No. 3051
 House Concurrent Resolution No. 3055
 House Concurrent Resolution No. 3056
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3060
 House Concurrent Resolution No. 3061
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3064

House Concurrent Resolution No. 3065
 House Concurrent Resolution No. 3073
 House Concurrent Resolution No. 3074
 House Concurrent Resolution No. 3079
 House Concurrent Resolution No. 3083
 House Concurrent Resolution No. 3084
 House Concurrent Resolution No. 3086
 House Concurrent Resolution No. 3089
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3092

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 3002
 House Concurrent Resolution No. 3003
 House Concurrent Resolution No. 3006
 House Concurrent Resolution No. 3016
 House Concurrent Resolution No. 3017
 House Concurrent Resolution No. 3018
 House Concurrent Resolution No. 3019
 House Concurrent Resolution No. 3030
 House Concurrent Resolution No. 3032
 House Concurrent Resolution No. 3033
 House Concurrent Resolution No. 3034
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3037
 House Concurrent Resolution No. 3039
 House Concurrent Resolution No. 3040
 House Concurrent Resolution No. 3042
 House Concurrent Resolution No. 3043
 House Concurrent Resolution No. 3044
 House Concurrent Resolution No. 3050
 House Concurrent Resolution No. 3051
 House Concurrent Resolution No. 3055
 House Concurrent Resolution No. 3056
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3060
 House Concurrent Resolution No. 3061
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3064
 House Concurrent Resolution No. 3065
 House Concurrent Resolution No. 3073
 House Concurrent Resolution No. 3074
 House Concurrent Resolution No. 3079
 House Concurrent Resolution No. 3083
 House Concurrent Resolution No. 3084
 House Concurrent Resolution No. 3086
 House Concurrent Resolution No. 3089
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3092

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3002
 House Concurrent Resolution No. 3003
 House Concurrent Resolution No. 3006
 House Concurrent Resolution No. 3016
 House Concurrent Resolution No. 3017
 House Concurrent Resolution No. 3018

House Concurrent Resolution No. 3019
 House Concurrent Resolution No. 3030
 House Concurrent Resolution No. 3032
 House Concurrent Resolution No. 3033
 House Concurrent Resolution No. 3034
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3037
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 House Concurrent Resolution No. 3060
 House Concurrent Resolution No. 3061
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3064
 House Concurrent Resolution No. 3065
 House Concurrent Resolution No. 3073
 House Concurrent Resolution No. 3074
 House Concurrent Resolution No. 3079
 House Concurrent Resolution No. 3083
 House Concurrent Resolution No. 3084
 House Concurrent Resolution No. 3086
 House Concurrent Resolution No. 3089
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3092
 Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit House Bill No. 1045 and House Bill No. 1206 which the Speaker has signed the certifications over the Governor's veto, and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President was about to sign the certifications by which House Bill No. 1045 and House Bill No. 1206 were passed over the Governor's veto, and the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to return House Bill No. 1045 and House Bill No. 1206 which the President has signed the certifications over the Governor's veto.

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. 2055

Senate Bill No. 2062

And find the same correctly certificated.

SENATOR JACOBSON, Chairman

Senator Jacobson moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President was about to sign the certification by which Senate Bill No. 2062 was passed over the Governor's veto, and the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign the certification by which Senate Bill No. 2055 failed to pass the Senate over the Governor's veto, and the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit Senate Bill No. 2062 which the President has signed the certification over the Governor's veto, and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return Senate Bill No. 2062 which the Speaker has signed the certification by which Senate Bill No. 2062 failed to pass the House over the Governor's veto.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that Senate Bill No. 2055 which has failed to pass the Senate over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the presiding officers of the Senate as to the final action of that body with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR JACOBSON, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that Senate Bill No. 2062 which passed the Senate but which failed to pass the House of Representatives over the Governor's veto, also a copy of the Governor's objections as well as the certificates of the presiding officers of the Senate and the House of Representatives as to the final action of the respective bodies with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR JACOBSON, Chairman

Senator Nasset moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that the President appoint a committee of three to notify the Governor that the Senate had completed its work and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee:

Senator Longmire
Senator Peterson
Senator Shablow

Senator Litten moved that the President appoint a committee of three to notify the House that the Senate had completed its business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee:

Senator Nasset
Senator Fritzell
Senator Hoffner

Senator Longmire announced that the committee appointed to inform the Governor that the Senate had completed its work and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator Nasset announced that the committee appointed to inform the House that the Senate had completed its work and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator Litten moved that the Senate adjourn sine die, which motion prevailed and the Senate stood adjourned sine die.

LEO LEIDHOLM, Secretary

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Standing Committee: 10, 11

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Standing Committee: 10, 11

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WENSTROM

President Pro Tem for Interim: 1161
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 Conference Committee: 1006, 1011, 1056, 1137, 1166, 1170
 Committees other than Standing: 3, 6, 800
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 Senate Concurrent Resolution: 40, 144, 263, 481 (2)
 Motions: 151, 543, 720 (2), 1092 (2), 1149 (2)
 Remarks Printed: 1161

WRIGHT

Standing Committee: 10 (2)
 Conference Committee: 770, 1009, 1023, 1047, 1091
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 Senate Concurrent Resolution: 240
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RECORD OF SENATE BILLS IN THE SENATE

Senate Bill No. 2001 — (Committee on Appropriations)

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Introduction, first reading, 24
 Referred to Committee on Appropriations
 Reported back, amended 549-551
 Amendments adopted 571
 Engrossed, 591, 1197
 Re-engrossed, 595, 1188
 Amended from the floor, 595.
 Passed, 596, 1189
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 To House, 600
 House amendments, 1075-1076
 Returned to Senate, amended, 1074
 Conference Committee, 1097, 1115
 Conference Committee Report, 1187, 1191
 Senate adopts, 1188, 1191
 Senate does not concur, 1097
 Enrolled, 1197
 Signed by President, 1198
 Sent to House, 1200
 Received from house, 1201
 Message to Governor, 1202

Senate Bill No. 2002 — (Committee on Appropriations)

Senate Bill No. 2002. A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

Introduction, first reading, 24
 Referred to Committee on Appropriations
 Reported back, amended, 319
 Statement of Purpose, 319
 Amendments adopted, 350
 Engrossed, 365, 1198
 Re-engrossed, 1189
 Second reading, 371, 1189
 Passed, 372, 1189
 Clincher motion, 1189
 To House, 392
 House amendments, 1059
 Returned to Senate, amended, 1059
 Conference Committee, 1056, 1096, 1141, 1161, 1162, 1172, 1173
 Conference Committee report, 1140, 1172, 1173, 1189, 1191
 Senate adopts, 1141, 1161, 1172, 1173, 1189, 1191
 Senate does not concur, 1056
 Transmitted to House, 1145
 Enrolled, 1198
 Signed by President, 1198
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2003 — (Committee on Appropriations)

Senate Bill No. 2003. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 24
 Referred to Committee on Appropriations
 Reported back, amended, 91
 Amendments adopted, 105
 Engrossed, 115
 Second reading, 116
 Passed, 116
 To House, 134
 Returned to Senate, 709
 Enrolled, 980
 Signed by President, 994
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2004 — (Committee on Appropriations)

Senate Bill No. 2004. A Bill for an Act making an appropriation for defraying the expenses of various divisions thereof of the state of North Dakota and which are under the supervision of the director of accounts and purchases.

Introduction, first reading, 24
 Referred to Committee on Appropriations
 Reported back, amended, 249
 Statement of Purpose, 249
 Amendments adopted, 270
 Engrossed, 281, 1198
 Re-engrossed, 1130
 Second reading, 283, 1130
 Passed, 283, 1130
 To House, 300
 House amendments, 1061
 Returned to Senate, amended, 1059
 Conference Committee, 1056, 1096
 Conference Committee report, 1129
 Senate adopts, 1130, 1160
 Senate does not concur, 1056
 Enrolled, 1198
 Signed by President, 1198
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2005 — (Committee on Appropriations)

Senate Bill No. 2005. A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 437
 Amendments adopted, 468
 Engrossed, 480, 1197
 Re-engrossed, 1130
 Second reading, 494, 1131

Passed, 495, 1131
 To House, 535
 House amendments, 1076
 Returned to Senate, amended, 1074
 Conference Committee, 1097, 1115
 Conference Committee report, 1130
 Senate adopts, 1130, 1160
 Senate does not concur, 1097
 Enrolled, 1197
 Signed by President, 1198
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No. 2006 — (Committee on Appropriations)

Senate Bill No. 2006. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 55
 Amendments adopted, 71
 Engrossed, 80, 1054, 1198
 Second reading, 86, 1054
 Passed, 86, 1054
 To House, 99
 House amendments, 1061
 Returned to Senate, amended, 1059
 Senate concurs, 1054
 Enrolled, 1198
 Signed by President, 1198
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2007 — (Committee on Appropriations)

Senate Bill No. 2007. A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, do pass, 291
 Engrossed, 1092, 1197
 Second reading, 311, 1092
 Passed, 312, 1093
 To House, 341
 House Amendments, 1002
 Returned to Senate, amended, 1001
 Conference Committee, 1006, 1043
 Conference Committee report, 1092, 1124
 Senate adopts, 1092, 1124
 Senate does not concur, 1006
 Enrolled, 1197
 Signed by President, 1198
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No. 2008 — (Committee on Appropriations)

Senate Bill No. 2008. A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 395
 Amendments adopted, 425
 Engrossed, 433, 1055, 1198
 Second reading, 446, 1055
 Passed, 447, 1055
 To House, 477
 House amendments, 1062
 Returned to Senate, amended 1059
 Senate concurs, 1054
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No. 2009 — (Committee on Appropriations)

Senate Bill No. 2009. A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, do pass, 375
 Second reading, 400
 Passed, 400
 To House, 432
 Returned to Senate, 841
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1191

Senate Bill No. 2010 — (Committee on Appropriations)

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 510-511
 Amendments adopted, 553
 Engrossed, 565, 1055, 1198
 Re-engrossed, 574
 Second reading, 574
 Amended from floor, 574
 Passed, 575, 1055
 Amended from floor, 574, 1055
 To House, 600
 House amendments, 1062
 Returned to Senate, amended, 1059
 Senate concurs, 1055
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2011 — (Committee on Appropriations)

Senate Bill No. 2011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 55
 Amendments adopted, 71
 Engrossed, 80, 1198
 Re-engrossed, 1131, 1151
 Second reading, 86, 1131, 1151
 Passed, 87, 1132, 1152
 To House, 99
 House amendments, 1062
 Returned to Senate, amended, 1059
 Conference Committee, 1056, 1096
 Conference Committee report, 1131, 1151, 1166
 Senate adopts, 1131, 1151, 1166
 Senate does not concur, 1056
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No. 2012 — (Committee on Appropriations)

Senate Bill No. 2012. A Bill for an Act making an appropriation for defraying the expenses of the North Dakota social service board.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 434-436
 Statement of Purpose, 436
 Amendments adopted, 468
 Engrossed, 480, 1198
 Second reading, 495
 Passed, 496
 To House, 535
 House amendments, 1062-1063
 Returned to Senate, amended, 1059
 Conference Committee, 1056, 1096
 Senate does not concur, 1056
 Senate adopts, 1160
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2013 — (Committee on Appropriations)

Senate Bill No. 2013. A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

Introduction, first reading, 25
 Referred to Committee on Appropriations
 Reported back, amended, 435-436
 Amendments adopted, 469

Engrossed, 480, 1198
 Re-engrossed, 1022
 Second reading, 497, 1022
 Passed, 497, 1022
 To House, 536
 House amendments, 1031
 Returned to Senate, amended, 1031
 Senate concurs, 1022
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No. 2014 — (Committee on Appropriations)

Senate Bill No. 2014. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the attorney general's office.

Introduction, first reading, 26
 Referred to Committee on Appropriations
 Reported back, amended, 411-412
 Statement of Purpose, 412
 Amendments adopted, 442
 Engrossed, 456
 Second reading, 472
 Passed, 473
 To House, 501
 Returned to Senate, 1001
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No 2015 — (Committee on Appropriations)

Senate Bill No. 2015. BUDGETS — REGULATORY. A Bill for an Act to amend and reenact section 19-10-19 of the North Dakota Century Code, relating to inspection fees; making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 26
 Referred to Committee on Appropriations
 Reported back, do pass, 483
 Engrossed, 1149, 1198
 Second reading, 529, 1149
 Passed, 530, 1150
 To House, 563
 House amendments, 1063-1064
 Returned to Senate, amended, 1059
 Conference Committee, 1056, 1096
 Conference Committee report, 1147, 1166
 Senate does not concur, 1056
 Senate adopts, 1149, 1166
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1202

Senate Bill No 2016 — (Committee on Appropriations)

Senate Bill No. 2016. A Bill for an Act making an appropriation to the Social Services Board for the purpose of making payments to all welfare recipients and declaring an emergency.

Introduction, first reading, 26
 Referred to Committee on Appropriations
 Reported back, do pass, 249
 Second reading, 270
 Passed, 271
 Emergency carried, 271
 To House, 288
 Returned to Senate, 478
 Enrolled, 599
 Signed by President, 600
 Sent to House, 600
 Received from House, 601
 Message to Governor, 601
 Approved by Governor, 711

Senate Bill No. 2017 — (Tweten and Larson)

Senate Bill No. 2017. A Bill for an Act to amend and reenact Section 2 of chapter 189 of the 1969 Session Laws of North Dakota, providing the superintendent of public instruction and, in case of appeal, the board of public school education with authority to limit certain school construction projects; and to repeal section 1 of chapter 189 of the 1969 Session Laws of North Dakota, providing statements of legislative rationale.

Introduction first reading, 26
 Referred to Committee on Education
 Reported back, do pass, 43
 Second reading, 50
 Passed, 51
 To House, 69
 Returned to Senate, 183
 Enrolled, 317
 Signed by President, 317
 Sent to House, 317
 Received from House, 317
 Message to Governor, 318
 Approved by Governor, 363

Senate Bill No. 2018 — (Melland and Larson)

Senate Bill No. 2018. A Bill for an Act to amend and reenact section 16-01-07, subsection 1 of section 16-04-13, and sections 16-04-17 and 16-06-02 of the North Dakota Century Code, relating to the form and preparation of sample ballots.

Introduction, first reading, 26
 Referred to Committee on Judiciary
 Reported back, do pass, 113
 Second reading, 126
 Passed, 127
 To House, 151
 Returned to Senate, 709
 Enrolled, 1192
 Signed by President, 1193
 Sent to House, 1193
 Received from House, 1194
 Message to Governor, 1194

Senate Bill No. 2019 — (Melland and Larson)

Senate Bill No. 2019. A Bill for an Act to amend and reenact section 46-01-02 of the North Dakota Century Code, relating to printing duties of the department of accounts and purchases.

Introduction, first reading, 26
 Referred to Committee on Judiciary
 Reported back, amended, 101
 Amendments adopted, 115
 Engrossed, 122
 Second reading, 126
 Passed, 126
 To House, 151
 Returned to Senate, 361
 Enrolled, 393
 Signed by President, 393
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2020 — (Melland and Larson)

Senate Bill No. 2020. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, relating to printing classifications and bids.

Introduction, first reading, 26
 Referred to Committee on State and Federal Government
 Reported back, amended, 436
 Amendments adopted, 469
 Engrossed, 480
 Second reading, 498
 Passed, 498
 To House, 536
 Returned to Senate, 709
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2021 — (Melland and Larson)

Senate Bill No. 2021. A Bill for an Act to amend and reenact section 54-44.1-08 of the North Dakota Century Code, relating to the reproduction of the budget report.

Introduction, first reading, 26
 Referred to the Committee on State and Federal Government
 Reported back, do pass, 91
 Second reading, 109
 Passed, 109
 To House, 119
 Returned to Senate, 374
 Enrolled, 472
 Signed by President, 478
 Sent to House, 479
 Received from House, 479
 Message to Governor, 480
 Approved by Governor, 623

Senate Bill No. 2022 — (Melland and Larson)

Senate Bill No. 2022. A Bill for an Act to amend and reenact section 46-02-04 of the North Dakota Century Code, relating to the classes of state printing.

Introduction, first reading, 26
 Referred to Committee on State and Federal Government
 Reported back, do pass, 91
 Second reading, 109
 Passed, 109
 To House, 119
 Returned to Senate, 374
 Enrolled, 980
 Signed by President, 994
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2023 — (Melland and Larson)

Senate Bill No. 2023. A Bill for an Act to amend and reenact section 46-02-15 of the North Dakota Century Code, relating to where state and other political subdivision printing is to be done.

Introduction, first reading, 27
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 113
 Second reading, 127
 Passed, 127
 To House, 151
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2024 — (Melland and Larson)

Senate Bill No. 2024. A Bill for an Act to repeal section 46-03-06 of the North Dakota Century Code, relating to the printing of legislative calendars.

Introduction, first reading, 27
 Referred to Committee on State and Federal Government
 Reported back, do pass, 91
 Second reading, 109
 Passed, 109
 To House, 119
 Returned to Senate, 374
 Enrolled, 472
 Signed by President, 478
 Sent to House, 479
 Received from House, 479
 Message to Governor, 480
 Approved by Governor, 623

Senate Bill No. 2025 — (Tveten)

Senate Bill No. 2025. A Bill for an Act relating to the investment of endowment funds by the institutions under the control of the board of higher education.

Introduction, first reading, 27
 Referred to Committee on Judiciary
 Reported back, amended, 101
 Amendments adopted, 115
 Engrossed, 123, 1198
 Second reading, 127, 162, 1006
 Passed, 128, 162, 1006
 Reconsidered, 140
 Amended from floor, 140
 Re-engrossed, 140, 156, 1006
 To House, 183
 House amendments, 1002
 Returned to Senate, amended, 1001
 Senate concurs, 1006
 Clincher motion, 1006
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2026 — (Nasset, Holand, Sandness and Berube)

Senate Bill No. 2026. A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program and to provide for mill levy reductions in school districts having unlimited mill levies; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-16, 15-40.2-03, 57-15-14, and 57-58-02 of the North Dakota Century Code, relating to the foundation program payments, tax levy limitations in school districts, aid for transportation and tuition payments for school districts, and the computation of grants-in-aid to county equalization funds; and providing that the provisions of this Act shall be temporary; and providing an appropriations.

Introduction, first reading, 27
 Referred to Committee on Education
 Reported back, amended, 331-334
 Reported back, do pass, 356
 Referred to Committee on Appropriations, 351
 Amended from floor, 350
 Amendments adopted, 350
 Engrossed, 365, 1193
 Re-engrossed, 370, 381, 1113
 Second reading, 370, 1113
 Amended from floor, 370
 Passed, 371, 1114
 Clincher motion, 371, 1114
 To House, 392
 House amendments, 1044-1045
 Returned to Senate, amended, 1044
 Conference Committee, 1029, 1067
 Conference Committee report, 1111, 1141
 Conference Committee adopts, 1113, 1141
 Senate does not concur, 1029
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1193
 Received from House, 1194
 Message to Governor, 1194

Senate Bill No. 2027 — (Butler, Goldberg and Jones)

Senate Bill No. 2027. A Bill for an Act to amend and reenact subsections 1, 2, 4, and 6 of section 57-02-11, sections 57-02-31, 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-12-01, 57-12-01.1, 57-12-08, and 57-23-02 of the North Dakota Century Code, relating to property tax assessment procedures, assessment dates, and meeting dates of township, city and county boards of equalization.

Introduction, first reading, 27
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 153
 Second reading, 171, 1094
 Passed, 172, 1094
 To House, 198
 House amendments, 1034
 Returned to Senate, amended, 1034
 Conference Committee, 1023, 1068
 Conference Committee report, 1093, 1124
 Senate adopts, 1094, 1124
 Engrossed, 1094, 1198
 Senate does not concur, 1029
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2028 — (Butler, Goldberg and Jones)

Senate Bill No. 2028. A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to the mailing of notice of increased assessments.

Introduction, first reading, 27
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 92
 Engrossed, 1024, 1198
 Second reading, 110, 1024
 Passed, 110, 1024
 To House, 119
 House amendments, 1034
 Returned to Senate, amended, 1034
 Senate concurs, 1024
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2029 — (Butler and Jones)

Senate Bill No. 2029. A Bill for an Act to provide for the mailing of real estate tax statements.

Introduction, first reading, 27
 Referred to Committee on Finance and Taxation
 Reported back, amended, 92
 Amendments adopted, 105
 Engrossed, 115
 Second reading, 116
 Passed, 117
 To House, 134
 Returned to Senate 906

Enrolled, 1192
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1194

Senate Bill No. 2030 — (Wenstrom and Strinden)

Senate Bill No. 2030. A Bill for an Act to amend and reenact section 54-42-06 of the North Dakota Century Code to authorize the providing of merit system coverage to human service centers and other units providing social and mental health services.

Introduction, first reading, 28
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 49
 Engrossed, 894
 Second reading, 64, 894
 Passed, 64, 894
 To House, 78
 House amendments, 771
 Returned to Senate, amended, 771
 Conference Committee, 778, 799
 Conference Committee report, 893, 968
 Senate does not concur, 778
 Senate adopts, 894, 968
 Enrolled, 1142
 Signed by President, 1146
 Sent to House, 909, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2031 — (Thane, Lips, Mutch and Gronhovd)

Senate Bill No. 2031. A Bill for an Act relating to the compensation of victims of motor vehicle accidents; establishing a system of insurance benefits payable regardless of fault; providing certain limitations on the right to recover in tort for motor vehicle accidents and defining damages for loss of earnings; providing for intercompany arbitration and offset of benefits paid against judgments; regulating evidence and procedures; providing penalties for fraudulent claims, the effect of advance payments made without release of liability, conferring powers and imposing duties upon the insurance commissioner; and providing an effective date.

Introduction, first reading, 28
 Referred to Committee on Industry, Business and Labor
 Reported back, indefinitely postponed, 483
 Roll call vote, 483
 Clincher motion, 483

Senate Bill No. 2032 — (Lips, Thane, Gronhovd and Mutch)

Senate Bill No. 2032. A Bill for an Act to provide for administration of the assets of the North Dakota rural rehabilitation corporation if these assets are released to the state of North Dakota by an Act of Congress of the United States.

Introduction, first reading, 28
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 79
 Second reading, 96
 Passed, 96

To House, 112
 Returned to Senate, 796
 Enrolled, 980
 Signed by President, 994
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2033 — (Holand, Barth and Nething)

Senate Bill No. 2033. A Bill for an Act to provide for alternate methods of disposing of certain traffic offenses; to define moving and nonmoving offenses; to provide for mandatory suspension of motor vehicle operators' licenses when certain numbers of demerits have accumulated on licensees' driving records; to create and enact section 29-27-02.1 of the North Dakota Century Code, relating to disposition of fines and forfeitures; and to amend and reenact subsection 3 of section 29-01-14, sections 29-05-31, 39-05-12, subsections 2 and 9 of section 39-06-03, subsection 1 of section 39-06-17, sections 39-06-31, 39-06-32, 39-07-09, 39-07-11, 39-08-18, 39-09-01, 39-10-31, 39-12-08, 39-12-09, subsection 2 of section 39-16.1-07, subsection 1 of section 39-21-46, sections 39-21-50, 39-24-11, and 40-05-06 of the North Dakota Century Code, relating to restricted licenses and mandatory revocation of licenses, to discretionary authority to suspend licenses, to the form of the uniform traffic summons and complaint, to the powers of halting officers, to the definition of magistrates, to the duties of magistrates, to the penalties to be assessed for certain traffic offenses, and to the maximum penalties for violation of city traffic ordinances.

Introduction, first reading, 28
 Referred to Committee on Judiciary
 Reported back, amended, 412
 Amendments adopted, 442
 Engrossed, 456, 1099, 1198
 Second reading, 473, 1099
 Passed, 473, 1100
 To House, 501
 House amendments, 1031
 Returned to Senate, amended, 1031
 Conference Committee, 1017, 1043
 Conference Committee report, 1099, 1124
 Senate does not concur, 1017
 Senate adopts, 1114, 1124
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2034 — (Christensen, Stroup, Roen and Jacobson)

Senate Bill No. 2034. A Bill for an Act to authorize the North Dakota outdoor recreation agency to determine those tracts of board of university and school land that have exceptional scenic, archaeological, historical, recreational, conservational, or wildlife enhancement value, and to prohibit the sale of these lands unless a court shall find that substantial interests of the schools and the people of the state require such a sale.

Introduction, first reading, 28
 Referred to Committee on National Resources
 Reported back, indefinitely postponed, 319

Senate Bill No. 2035 — (Stroup, Roen, Jacobson, and Christensen)

Senate Bill No. 2035. A Bill for an Act to provide for division of water management districts along county lines; to amend and reenact sections 61-16-05, 61-16-06, 61-16-07, 61-16-08, 61-16-12, 61-16-14, 61-16-18, 61-16-28, 61-16-29, 61-16-36, and 61-16-48 of the North Dakota Century Code, relating to establishment and consolidation of water management districts, the area included within water management districts, the board of commissioners, and joint control by the board of county commissioners and state water conservation commission over maintenance and operation of dams constructed by or with federal assistance; and to repeal sections 61-16-02, 61-16-03, 61-16-04, and 61-16-42 of the North Dakota Century Code, relating to establishment and dissolution of water management districts.

Introduction, first reading, 29
Referred to Committee on Natural Resources
Reported back, do pass, 303
Engrossed, 1174, 1185, 1198
Second reading, 331, 1174, 1185
Passed, 331, 1174, 1185
To House, 361
Senate does not concur, 1029
House amendments, 1035
Returned to Senate, amended, 1034
Conference Committee, 1024, 1068, 1161, 1162, 1172, 1173, 1179
Conference Committee reports, 1115, 1161, 1171, 1173, 1174
Senate adopts, 1116, 1171, 1173, 1174
Climcher motion, 1175
House doesn't adopt, 1161, 1179
Senate concurs, 1185
Reconsidered, 1185
Enrolled, 1198
Signed by President, 1199
Sent to House, 1200
Received from House, 1201
Message to Governor, 1203

Senate Bill No. 2036 — (Rait and Pyle)

Senate Bill No. 2036. A Bill for an Act to provide for the filing of notices relating to buried transmission facilities and to give the owner thereof a civil cause of action in certain cases when these facilities are damaged, and providing an effective date.

Introduction, first reading, 29
Referred to Committee on Political Subdivisions
Reported back, amended, 49
Amendments adopted, 60
Engrossed, 76
Re-engrossed, 76, 715
Second reading, 76
Passed, 76, 715
To House, 90
Returned to Senate, amended, 664
House amendments, 665
Amended from floor, 715
Senate concurs, 715
Enrolled, 869
Signed by President, 870
Sent to House, 870
Received from House, 871
Message to Governor, 872
Approved by Governor, 1005

Senate Bill No. 2037 — (Rait and Pyle)

Senate Bill No. 2037. A Bill for an Act to provide for the initial appointment, with staggered terms, of members to a board of budget review; to create and enact section 40-41-03.1 of the North Dakota Century Code, relating to board of budget review meetings; to amend and reenact sections 40-24-10 and 40-40-04, subsection 2 of section 40-40-06, sections 40-40-09, 40-40-11, 40-41-01, 40-41-02, 40-41-03, 40-41-04, 40-41-05, and 40-41-07, subsection 2 of section 40-61-10, and sections 57-15-02, 57-15-07, 57-15-11, and 57-15-13 of the North Dakota Century Code, relating to the compensation, powers, duties, and functions of a board of budget review and county auditors, and to the dates political subdivisions levy taxes; and to repeal section 40-41-06 of the North Dakota Century Code, relating to board of budget review approval of bond issues.

Introduction, first reading, 29

Referred to Committee on Political Subdivisions.

Reported back, indefinitely postponed, 101

Senate Bill No. 2038 — (Hoffner, Lips and Christensen)

Senate Bill No. 2038. A Bill for an Act to authorize North Dakota's local units of government to spend revenue sharing funds, and declaring an emergency.

Introduction, first reading, 29

Referred to Committee on Political Subdivisions

Reported back, do pass, 49

Second reading, 64

Passed, 64

Emergency carried, 64

To House, 78

Returned to Senate, 216

Enrolled, 252

Signed by President, 252

Sent to House, 252

Received from House, 252

Message to Governor, 252

Approved by Governor, 266

Senate Bill No. 2039 — (Lips, Hoffner and Christensen)

Senate Bill No. 2039 A Bill for an Act to establish a revenue sharing trust fund for deposit of revenue sharing payments received by the state, and declaring an emergency.

Introduction, first reading, 29

Referred to Committee on Appropriations

Reported back, do pass, 153

Second reading, 172

Passed, 172

Emergency carried, 172

To House, 198

Returned to Senate, 341

Enrolled, 393

Signed by President, 393

Sent to House, 394

Received from House, 395

Message to Governor, 395

Approved by Governor, 479

Senate Bill No. 2040 — (Morgan)

Senate Bill No. 2040. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the membership of the emergency commission.

Introduction, first reading, 29
 Referred to Committee on State and Federal Government
 Reported back, amended, 48
 Amendments adopted, 53
 Engrossed, 62
 Second reading, 68
 Passed, 69
 To House, 78
 Returned to Senate, 361
 Enrolled, 393
 Signed by President, 394
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2041 — (Morgan)

Senate Bill No. 2041. A Bill for an Act to amend and reenact section 54-07-01.2 of the North Dakota Century Code, relating to the governor's power to appoint a majority of the members of certain boards and commissions upon commencing his term.

Introduction, first reading, 29
 Referred to Committee on State and Federal Government
 Reported back, do pass, 48
 Second reading, 54
 Passed, 54
 To House, 69
 Returned to Senate, 163
 Enrolled, 182
 Signed by President, 183
 Sent to House, 183
 Received from House, 184
 Message to Governor, 204
 Approved by Governor, 266

Senate Bill No. 2042 — (Erdman)

Senate Bill No. 2042. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to abstracts of operating records and accident reports.

Introduction, first reading, 30
 Referred to Committee on Transportation
 Reported back, do pass, 49
 Engrossed, 810, 1193
 Second reading, 65, 811
 Passed, 66, 811
 To House, 78
 House amendments, 797
 Returned to Senate, amended, 797
 Senate concurs, 810
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1194

Senate Bill No. 2043 — (Melland)

Senate Bill No. 2043. A Bill for an Act to amend and reenact chapter 214 of the 1971 Session Laws of North Dakota, relating to the sale of the university of North Dakota-Ellendale branch property.

Introduction, first reading, 30
 Referred to Committee on Education
 Reported back, do pass, 43
 Second reading, 51
 Passed, 51
 To House, 69
 Returned to Senate, 216
 Enrolled, 317
 Signed by President, 317
 Sent to House, 317
 Received from House, 317
 Message to Governor, 318
 Approved by Governor, 363

Senate Bill No. 2044 — (Freed and Page)

Senate Bill No. 2044. A Bill for an Act to create and enact section 12.1-31-03 of the North Dakota Century Code, relating to sale of tobacco to minors and use of tobacco by minors; providing a penalty; and providing an effective date.

Introduction, first reading, 30
 Referred to Committee on Judiciary
 Reported back, amended, 71
 Amendments adopted, 81
 Engrossed, 93
 Second reading, 97, 255
 Re-referred to Committee on Judiciary, 97
 Returned without recommendation, 217
 Passed, 255
 To House, 276
 Returned to Senate, 796
 Enrolled, 980
 Signed by President, 994
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2045 — (Freed and Page)

Senate Bill No. 2045. A Bill for an Act to create and enact chapters 12.1-01, 12.1-02, 12.1-03, 12.1-04, 12.1-05, 12.1-06, 12.1-07, 12.1-08, 12.1-09, 12.1-10, 12.1-11, 12.1-12, 12.1-13, 12.1-14, 12.1-15, 12.1-16, 12.1-17, 12.1-18, 12.1-19, 12.1-21, 12.1-22, 12.1-23, 12.1-24, 12.1-25, 12.1-26, 12.1-27, 12.1-28, 12.1-29, 12.1-30, 12.1-31, 12.1-32, and 12.1-33, and to create and enact sections 16-12-16, 29-03-01.1, and 29-03-21, all of the North Dakota Century Code, comprising a new criminal code defining all major offenses and providing penalties, providing for alternative sentencing limits and procedures, defining certain electoral offenses, providing jurisdiction over certain offenses commenced outside this state, and providing venue where the offense involves the mailing of a letter; to amend and reenact section 12-53-14, subsection 1 of section 12-55-07, and sections 12-59-17, 16-12-14, and 29-03-01 of the North Dakota Century Code, relating to parole board jurisdiction, to crimes committed partially without this state, and to criminal

penalties for causing probationer or parolee to violate parole, to voting right challenges; to repeal chapters 12-01 through 12-06, chapters 12-08 through 12-21.1, chapters 12-23 through 12-29, chapters 12-31 through 12-43, chapter 12-50, chapter 12-54, and sections 12-07-01, 12-07-02, 12-07-03, 12-07-04, 12-07-05, 12-07-06, 12-22-01, 12-22-14, 12-22-15, 12-22-17, 12-22-19, 12-22-20, 12-22-21, 12-22-22, 12-22-23, 12-22-24, 12-22-25, 12-22-26, 12-22-27, 12-22-28, 12-22-29, 12-22-30, 12-55-21, 12-59-11, 12-59-13, 12-59-13.1, chapter 29-20, and sections 29-26-20 and 31-01-08 of the North Dakota Century Code, relating to definitions of various sexual offenses, to posting notice of probation or parole hearings, to procedures for determining a defendant's mental capacity to stand trial, to provision for successive terms of imprisonment, and to indeterminate sentences; and providing an effective date.

Introduction, first reading, 30
 Referred to Committee on Judiciary
 Reported back, amended, 165
 Amendments adopted, 187
 Engrossed, 204
 Second reading, 205
 Passed, 206
 To House, 247
 Returned to Senate, 709
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2046 — (Freed and Page)

Senate Bill No. 2046: A Bill for and Act to create and enact sections 12-01-02.1 and 12.1-01-05 of the North Dakota Century Code, providing that the state's criminal statutes shall have full force and effect within the territorial jurisdiction of cities, and home rule cities; and providing an effective date for section 12.1-01-05 of the North Dakota Century Code.

Introduction, first reading, 30
 Referred to Committee on Judiciary
 Reported back, do pass, 217
 Engrossed, 918, 1193
 Second reading, 255, 918
 Passed, 256, 919
 To House, 276
 House amendments, 906-907
 Returned to Senate, amended, 906
 Senate concurs, 918
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1194

Senate Bill No. 2047 (Alternative 1). — (Freed and Page)

Senate Bill No. 2047 (Alternative 1). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of rape and other sexual offenses and providing penalties; to amend and reenact subsection 1 of section 12.1-29-05 of the North Dakota Century Code as created by section 28 of Senate Bill No. 2045, as approved by the forty-

third legislative assembly, defining "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

Introduction, first reading, 31
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 303

Senate Bill No. 2048 (Alternative 2) — (Freed and Page)

Senate Bill No. 2048 (Alternative 2). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of criminal sexual offenses and providing penalties; to amend and reenact subsection 3 of section 12.1-16-01 of the North Dakota Century Code, as created by section 16 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, and subsection 1 of section 12.1-29-05 of the North Dakota Century Code, as created by section 28 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, relating to the felony-murder rule and to a definition of "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

Introduction, first reading, 31
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 303

Senate Bill No. 2049 (Alternative 3) — (Freed and Page)

Senate Bill No. 2049 (Alternative 3). A Bill for an Act to create and enact chapter 12.1-20 of the North Dakota Century Code, providing definitions of criminal sexual offenses and providing penalties; to amend and reenact subsection 3 of section 12.1-16-01 of the North Dakota Century Code, as created by section 16 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, and subsection 1 of section 12.1-29-05 of the North Dakota Century Code, as created by section 28 of Senate Bill No. 2045, as approved by the forty-third legislative assembly, relating to the felony-murder rule and to a definition of "sexual activity"; to repeal chapter 12-30, and sections 12-22-02, 12-22-03, 12-22-04, 12-22-05, 12-22-06, 12-22-07, 12-22-08, 12-22-09, 12-22-10, 12-22-11, and 12-22-12 of the North Dakota Century Code, defining rape and other sexual offenses; and providing an effective date.

Introduction, first reading, 31
 Referred to Committee on Judiciary
 Reported back, do pass, 266
 Second reading, 283
 Passed, 284
 To House, 300
 Returned to Senate, 796
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2050 — (Freed and Page)

Senate Bill No. 2050. A Bill for an Act to repeal sections 12-07-07, 12-07-08, and 12-07-09 of the North Dakota Century Code,

providing penalties for the carrying or display of red or black flags, or for displaying or parading flags other than national or state flags, or flags of friendly foreign nations; and providing an effective date.

Introduction, first reading, 31
 Referred to Committee on Judiciary
 Reported back, do pass, 71
 Second reading, 87, 93
 Passed, 87
 Reconsidered, 93
 Lost, 93

Senate Bill No. 2051 — (Barth and C. Schultz)

Senate Bill No. 2051. A Bill for an Act to amend and reenact sections 36-04-01, 36-04-03, 36-04-04, 36-04-05, 36-04-07, 36-04-09, 36-04-10, 36-04-11, 36-04-12, 36-04-13, 36-04-14, 36-04-15, 36-04-16, 36-04-17, 36-04-18, 36-04-19, and 36-04-20 of the North Dakota Century Code; to repeal sections 36-04-06 and 36-04-08 of the North Dakota Century Code, all relating to livestock dealer licensing and bonding.

Introduction, first reading, 32
 Referred to Committee on Agriculture
 Reported back, amended, 101-103
 Amendments adopted, 115
 Engrossed, 123, 1116, 1198
 Second reading, 128, 1116
 Passed, 128
 Reprinted, 128, 1116
 To House, 151
 House amendments, 1032
 Returned to Senate, amended, 1031
 Conference Committee, 1024, 1047, 1068
 Conference Committee report, 1116
 Senate adopts, 1116, 1160
 Senate does not concur, 1030
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2052 — (Barth and C. Schultz)

Senate Bill No. 2052. A Bill for an Act to provide for an additional one-mill levy for county agent work.

Introduction, first reading, 32
 Referred to Committee on Agriculture
 Reported back, do pass, 92
 Second reading, 110
 Passed, 111
 To House, 119
 Returned to Senate, 277
 Enrolled, 393
 Signed by President, 394
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2053 — (Barth and C. Schultz)

Senate Bill No. 2053. A Bill for an Act providing for dairy commissioner, city health department, and district health unit cooperation in the inspection of milk producers and processors, and to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to the adoption of standards and regulations for grade "A" milk and milk products and authorizing the adoption of amendments and new editions thereof.

Introduction, first reading, 32
 Referred to Committee on Agriculture
 Reported back, amended, 56
 Amendments adopted, 71
 Engrossed, 80, 726
 Re-engrossed, 87, 469
 Second reading, 87
 Passed, 88, 470
 To House, 99
 Returned to Senate, amended, 453
 Amended from floor, 469
 Senate concurs, 469, 501
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2054 — (Lips)

Senate Bill No. 2054. A Bill for an Act to require an election on the dissolution of all organized townships within two years.

Introduction, first reading, 32
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 122

Senate Bill No. 2055 — (Goldberg)

Senate Bill No. 2055. A Bill for an Act to create and enact subsection 2 of section 39-10-28 of the North Dakota Century Code, and to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code, relating to pedestrians crossing at intersections.

Introduction, first reading, 32
 Referred to Committee on Transportation
 Reported back, amended, 165
 Amendments adopted, 187
 Engrossed, 204
 Re-engrossed, 206
 Second reading, 206
 Amended from floor, 206
 Passed, 206
 To House, 247
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839, 1214
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842
 Vetoed by Governor, 918
 Reconsidered and second reading as a vetoed measure, 1122

Lost as a vetoed measure, 1123
 Certificated, 1213
 Delivered to Secretary of State as a vetoed bill, together with a copy of Governor's objections, 1214

Senate Bill No. 2056 — (Lips)

Senate Bill No. 2056. A Bill for an Act to allow state agencies to grant easements in land under their jurisdiction and to repeal section 15-10-33 of the North Dakota Century Code, and declaring an emergency.

Introduction, first reading, 32
 Referred to Committee on Natural Resources
 Reported back, amended, 56
 Amendments adopted, 71
 Engrossed, 80
 Second reading, 88,
 Passed, 88, 112
 Reconsidered, 94
 Amended from floor, 112
 Emergency carried, 112
 Re-engrossed, 115
 To House, 119
 Returned to Senate, 341
 Enrolled, 393
 Signed by President, 394
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2057 — (Lips)

Senate Bill No. 2057. A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to tax adjustments for rent paid by individuals.

Introduction, first reading, 32
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 92

Senate Bill No. 2058 — (Lips)

Senate Bill No. 2058. A Bill for an Act to transfer the administration and control of the North Dakota school for the blind and the school for the deaf to the superintendent of public instruction; to create and enact section 25-06-01.1 of the North Dakota Century Code, relating to the administration and control of the North Dakota school for the blind; to amend and reenact subsection 13 of section 25-01-01, and sections 25-01.1-01, 25-04-01, 25-04-02, 25-04-03, 25-04-04, 25-04-05, 25-04-05.1, 25-04-08, 25-04-11, 25-04-13, 25-04.1-01, 25-04.1-07, 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-06-07, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, and sections 25-05-20, 25-05-22, 25-05-23, 25-05-24, 25-05-25, 25-05-27, 25-05-30, 25-05-33, 25-05-34, 25-06-03, 25-06-04, 25-06-05, 25-06-06, 25-07-01, 25-07-04, 25-07-05, 25-07-07, 25-10-04, 54-23-01, 54-23-12, 54-23-19, 54-23-20, 54-23-25, and 54-23-59 of the North Dakota Century Code, relating to the transfer of administration and control of the Grafton state school and San Haven state hospital to the mental health and retardation division of the state department of health and relating to the administration and control of the North Dakota school for the blind and the school for the deaf; and to repeal subsection 9 of section 25-01-01 of the North Dakota Century Code, relating to the director of institutions.

Introduction, first reading, 32
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, indefinitely postponed, 103

Senate Bill No. 2059 — (Rait)

Senate Bill No. 2059. A Bill for an Act to provide for the levy of a tax on real property mineral interests, and to repeal sections 57-02-24 and 57-02-25 of the North Dakota Century Code, relating to the listing and procedure in assessing of coal and mineral reserves, and providing for an effective date.

Introduction, first reading, 33
 Referred to Committee on Finance and Taxation
 Reported back, amended, 319-320, 437
 Referred to Committee on Finance and Taxation, 371
 Amendments adopted, 351, 469
 Engrossed, 365
 Re-engrossed, 480
 Second reading, 525
 Lost, 525

Senate Bill No. 2060 — (Rait)

Senate Bill No. 2060. A Bill for an Act relating to and defining abandoned personal property, providing methods for the same to be taken into custody of the state; for its recovery by the rightful owner; for an administrator; for a penalty; and to repeal sections 6-08-24.1, 12-45-07, 25-01-15, 54-01-02.1, 54-01-02.2, and 54-01-02.3 of the North Dakota Century Code, relating to unclaimed funds.

Introduction, first reading, 33
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 165

Senate Bill No. 2061 — (Lips)

Senate Bill No. 2061. A Bill for an Act to amend and reenact subsection 10 of section 1-03-01 of the North Dakota Century Code, relating to the date of Veterans Day as a public holiday.

Introduction, first reading, 33
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 49
 Second reading, 66
 Passed, 66
 To House, 78
 Senate requests return, 368
 Returned to Senate, 372
 Reconsidered, 372
 Withdrawn, 372

Senate Bill No. 2062 — (Melland)

Senate Bill No. 2062. A Bill for an Act to allow the sale of preserved sandwiches, pre-packaged under federal inspection, from vending machines without the purchase of a restaurant license.

Introduction, first reading, 33
 Referred to Committee on Industry, Business and Labor
 Reported back, amended, 79-80
 Amendments adopted, 93
 Engrossed, 105
 Second reading, 111

Passed, 111
 To House, 119
 Returned to Senate, 822
 Enrolled, 980
 Signed by President, 994
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Vetoed by Governor, 1091
 Reconsidered as a veto measure, second reading, 1123
 Passed over Governor's veto, 1123
 Sent to House over Governor's veto, 1141, 1214
 Not passed over Governor's veto, 1167, 1214
 Certificated, 1213
 Delivered to Secretary of State together with copy of Governor's objections, 1214

Senate Bill No. 2063 — (Lips)

Senate Bill No. 2063. A Bill for an Act to amend and reenact subsection 8 of section 37-25-02 of the North Dakota Century Code, relating to the residency requirement for the Vietnam bonus.

Introduction, first reading, 33
 Referred to Committee on Social Welfare
 Reported back, indefinitely postponed, 103

Senate Bill No. 2064 — (Freed)

Senate Bill No. 2064. A Bill for an Act to amend and reenact subsection 10 of section 57-37-11 and section 57-37-12 of the North Dakota Century Code, relating to estate tax deductions.

Introduction, first reading, 33
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 92
 Second reading, 111
 Passed, 111
 To House, 119
 Returned to Senate, 277
 Enrolled, 472
 Signed by President, 478
 Sent to House, 479
 Received from House, 480
 Message to Governor, 480
 Approved by Governor, 623

Senate Bill No. 2065 — (Barth)

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 5 of section 47-26-01 and section 47-26-05 of the North Dakota Century Code, relating to the definition and maintenance of legal fences; and providing a penalty.

Introduction, first reading, 33
 Referred to Committee on Agriculture
 Reported back, amended, 56
 Amendments adopted, 72
 Engrossed, 80, 1198
 Second reading, 88, 811
 Passed, 89, 812
 To House, 99
 House amendments, 797
 Returned to Senate, amended, 797

Senate concurs, 811
 Re-engrossed, 811
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2066 — (Litten)

Senate Bill No. 2066. A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-05, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to the medical care provided under nonprofit medical service plans.

Introduction, first reading, 34
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 217
 Second reading, 257
 Passed, 257
 To House, 276
 Returned to Senate, 478
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2067 — (Holand)

Senate Bill No. 2067. A Bill for an Act to amend and reenact section 32-28-02 of the North Dakota Century Code, relating to the procedures for changing a person's first name.

Introduction, first reading, 34
 Referred to Committee on Judiciary
 Reported back, do pass, 43
 Second reading, 51
 Passed, 51
 To House, 69
 Returned to Senate, 183
 Enrolled, 317
 Signed by President, 317
 Sent to House, 317
 Received from House, 317
 Message to Governor, 318
 Approved by Governor, 363

Senate Bill No. 2068 — (Butler, Goldberg and Coughlin)

Senate Bill No. 2068. A bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption of oleomargarine from the sales and use tax; and to repeal chapter 19-05 of the North Dakota Century Code relating to the taxation and regulation of oleomargarine.

Introduction, first reading, 34
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 153
 Second reading, 172
 Lost, 173
 Clincher motion, 173

Senate Bill No. 2069 — (Tweten)

Senate Bill No. 2069. A Bill for an Act to create and enact section 4-10.1-09.1 of the North Dakota Century Code, providing for an additional tax upon potato growers and for the termination of the tax; and to amend and reenact section 4-10.1-10 of the North Dakota Century Code, relating to appropriations from the funds created by this chapter.

Introduction, first reading, 34
 Referred to Committee on Agriculture
 Returned to Senate and withdrawn, 270

Senate Bill No. 2070 — (Wenstrom)

Senate Bill No. 2070. A Bill for an Act to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to the bonding authority for junior colleges and educational centers.

Introduction, first reading, 34
 Referred to Committee on Education
 Reported back, amended, 43
 Amendments adopted, 53
 Engrossed, 62
 Second reading, 69
 Passed, 69
 To House, 78
 Returned to Senate, 502
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2071 — (Thane)

Senate Bill No. 2071. A Bill for an Act to provide for overtime payments, and to repeal section 34-06-06 of the North Dakota Century Code, relating to limitations on the hours of labor for women.

Introduction, first reading, 34
 Referred to Committee on Industry, Business and Labor
 Reported back, amended, 92
 Amendments adopted, 105
 Engrossed, 115
 Second reading, 117
 Passed, 117
 To House, 134
 Returned to Senate, 822
 Enrolled, 980
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2072 — (Tweten)

Senate Bill No. 2072. A Bill for an Act to create and enact a new subsection to section 4-10.1-03 of the North Dakota Century Code, relating to definitions and providing a definition of "desig-

nated handler"; to amend and reenact sections 4-10.1-09, 4-10.1-12, 4-10.1-14, and 4-10.1-16 of the North Dakota Century Code, relating to taxes imposed upon potato growers and a referendum concerning same, deleting the phrase "participating grower", the definition of nonparticipating growers, providing for a refund referendum by growers, and substituting "designated handler"; and to repeal subsection 4 of section 4-10.1-03 and sections 4-10.1-11 and 4-10.1-13 of the North Dakota Century Code, relating to the definition of "participating grower", storage breakdown, and referendum by growers.

Introduction, first reading, 34
 Referred to Committee on Agriculture
 Reported back, amended, 279-280
 Amendments adopted, 294
 Engrossed, 308
 Second reading, 312
 Lost, 313

Senate Bill No. 2073 — (Holand)

Senate Bill No. 2073. A Bill for an Act to repeal chapter 59-07 of the North Dakota Century Code, relating to power of attorney.

Introduction, first reading, 35
 Referred to Committee on Judiciary
 Reported back, do pass, 43
 Second reading, 52
 Passed, 52
 To House, 69
 Returned to Senate, 875
 Enrolled, 1142
 Signed by President, 1146
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2074 — (Lips)

Senate Bill No. 2074. A Bill for an Act to amend and reenact sections 43-10.1-01, 43-10.1-02, 43-10.1-03, 43-10.1-04, 43-10.1-06, and 43-10.1-07 of the North Dakota Century Code, relating to pre-need funeral services.

Introduction, first reading, 35
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 320
 Engrossed, 1117, 1198
 Second reading, 357, 1117
 Passed, 357, 1117
 To House, 374
 House amendments, 1064
 Returned to Senate, amended, 1059
 Conference Committee, 1049, 1097
 Conference Committee report, 1116
 Senate adopts, 1117, 1160
 Senate does not concur, 1048
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2075 — (Lips)

Senate Bill No. 2075. A Bill for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to the employment of musicians under twenty-one years of age in establishments where alcoholic beverages are sold, and declaring an emergency.

Introduction, first reading, 35
 Referred to Committee on Industry, Business and Labor
 Reported back, amended, 92-93
 Amendments adopted, 105
 Engrossed, 115, 1198
 Second reading, 117, 146
 Re-engrossed, 123, 146, 156
 Passed, 147, 1050
 To House, 162
 Senate does not concur, 987
 Conference Committee, 987, 1041
 House amendments, 1002
 Amended from floor, 1050
 Returned to Senate, amended, 1001
 Conference Committee report, 1049, 1124
 Senate adopts, 1049, 1124
 Sent to House, 1074
 Enrolled, 1198
 Signed by President, 1199
 Received from House, 1200
 Message to Governor, 1203

Senate Bill No. 2076 — (Goldberg, Stroup and Thane)

Senate Bill No. 2076. A Bill for an Act authorizing the construction of a building for the occupancy and use of the state laboratories department and providing for an appropriation.

Introduction, first reading, 35
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 438

Senate Bill No. 2077 — (Lips and Holand)

Senate Bill No. 2077. A Bill for an Act to provide protection of news sources and information from disclosure except under certain circumstances.

Introduction, first reading, 35
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 103
 Reconsidered, 512
 Engrossed, 560
 Second reading, 560
 Amended from floor, 560
 Passed, 560
 To House, 588
 Returned to Senate, 822
 Enrolled, 980
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2078 — (Morgan and Smykowski)

Senate Bill No. 2078. A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from the sales tax of admission charges to public swimming pools.

Introduction, first reading, 35
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 56

Senate Bill No. 2079 — (Lips)

Senate Bill No. 2079. A Bill for an Act to create and enact section 54-46-08.1 of the North Dakota Century Code, relating to the transfer of records to the state historical society.

Introduction, first reading, 35
 Referred to Committee on State and Federal Government
 Reported back, amended, 217
 Amendments adopted, 251
 Engrossed, 269
 Second reading, 271
 Passed, 271
 To House, 288
 Returned to Senate, 478
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Governor returned without signature

Senate Bill No. 2080 — (Lee)

Senate Bill No. 2080. A Bill for an Act to amend and reenact sections 65-06-01, 65-06-02, 65-06-03, and 65-06-04 of the North Dakota Century Code, relating to volunteer firemen and volunteer civil defense trainees and granting volunteer ambulance drivers coverage under the Workmen's Compensation Act.

Introduction, first reading, 35
 Referred to Committee on Industry, Business and Labor
 Returned and withdrawn, 127

Senate Bill No. 2081 — (Freed)

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 53-02-01, 53-02-02, 53-02-03, 53-02-05, 53-02-08, and 53-02-09 of the North Dakota Century Code, to provide a definition of music festivals, to require a permit for a music festival, to provide who shall issue a permit, to provide who may make application for a permit, to require a law enforcement officer to be present at such festivals, to provide for refusal and revocation of a permit for cause, and to except places of public lodging from certain requirements.

Introduction, first reading, 35
 Referred to Committee on Judiciary
 Reported back, amended, 218-220
 Amendments adopted, 251
 Engrossed, 269, 1198
 Second reading, 271, 919
 Passed, 272, 919

To House, 288
 House amendments, 907
 Returned to Senate, amended, 906
 Senate concurs, 919
 Re-engrossed, 919
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2082 — (Committee on Judiciary)

Senate Bill No. 2082. A Bill for an Act to amend and reenact sections 16-04-16 and 16-08-01 of the North Dakota Century Code, relating to the designations of state offices which appear on the primary election ballot.

Introduction, first reading, 36
 Referred to Committee on Judiciary
 Reported back, do pass, 43
 Second reading, 52
 Passed, 52
 To House, 69
 Returned to Senate, 183
 Enrolled, 317
 Signed by President, 317
 Sent to House, 317
 Received from House, 317
 Message to Governor, 318
 Approved by Governor, 363

Senate Bill No. 2083 — (Committee on Industry Business & Labor)

Senate Bill No. 2083. A Bill for an Act to amend and reenact sections 10-31-06 and 10-31-13 of the North Dakota Century Code, relating to simultaneous officeholding in professional corporations, and the contents and filing of the annual reports of professional corporations.

Introduction, first reading, 36
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 121
 Second reading, 147
 Passed, 148
 To House, 162
 Returned to Senate, 727
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2084 — (Committee on Judiciary)

Senate Bill No. 2084. A Bill for an Act to repeal section 16-04-08 of the North Dakota Century Code, relating to filling vacancies in party primary election ballots.

Introduction, first reading, 36
 Referred to Committee on Judiciary
 Reported back, amended, 103-104
 Amendments adopted, 115
 Reprinted, 116
 Engrossed, 123
 Second reading, amended from floor, 128
 Re-engrossed, 128

Passed, 129
 To House, 151
 Returned to Senate, 300
 Enrolled, 472
 Signed by President, 478
 Sent to House, 479
 Received from House, 480
 Message to Governor, 480
 Approved by Governor, 623

Senate Bill No. 2085 — (Committee on Appropriations)

Senate Bill No. 2085. A Bill for an Act to amend and reenact section 39-06-49 of the North Dakota Century Code, relating to the depositing of driver's license fees in the state treasury.

Introduction, first reading, 36
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 303

Senate Bill No. 2086 — (Roan and Freed)

Senate Bill No. 2086. A Bill for an Act to create and enact subsection 13 to section 15-10-17 of the North Dakota Century Code, granting the state board of higher education power to establish an alternate retirement program.

Introduction, first reading, 36
 Referred to Committee on Education
 Reported back, amended, 185
 Amendments adopted, 204
 Engrossed, 221
 Second reading, 222
 Passed, 222
 To House, 262
 Returned to Senate, 686
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2087 —
 (Committee on State and Federal Government)

Senate Bill No. 2087. A Bill for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to the uniform group insurance program and disposition of refunds, rebates and dividends.

Introduction, first reading, 36
 Referred to Committee on State and Federal Government
 Reported back, do pass, 71
 Second reading, 89
 Passed, 90
 To House, 99
 Returned to Senate, 361
 Enrolled, 393
 Signed by President, 394
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2088 — (Committee on Appropriations)

Senate Bill No. 2088. A Bill for an Act to amend and reenact section 15-03-01.3 of the North Dakota Century Code, relating to the apportionment of maintenance fund balances quarterly.

Introduction, first reading, 36
 Referred to Committee on Appropriations
 Reported back, do pass, 166
 Second reading, 187
 Passed, 188
 To House, 216
 Returned to Senate, 432
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2089 — (Committee on Industry, Business & Labor)

Senate Bill No. 2089. A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignments of wage claims to the commissioner of labor.

Introduction, first reading, 36
 Referred to Committee on Industry, Business and Labor
 Reported back, amended, 93
 Amendments adopted, 105
 Second reading, 117, 830
 Passed, 118, 830
 To House, 134
 Returned to Senate, amended, 727
 House amendments, 728
 Conference Committee, 738, 773
 Senate does not concur, 738
 Conference Committee report, 830
 Conference Committee adopts, 830, 931
 Re-engrossed, 830
 Engrossed, 1193
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2090 — (Committee on Industry, Business & Labor)

Senate Bill No. 2090. A Bill for an Act to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to maximum hours of labor for minors.

Introduction, first reading, 36
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 121
 Second reading, 148, 920
 Passed, 148, 920
 To House, 162
 House amendments, 907
 Returned to Senate, amended, 906
 Senate concurs, 920
 Enrolled, 1193
 Engrossed, 920, 1193

Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2091 — (Stroup, Barth, Christensen, Rait and Roen)

Senate Bill No. 2091. A Bill for an Act to create and enact subsections 14, 15, and 16 of section 38-14-02, sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, relating to definitions, the powers of the public service commission in the regulation of strip coal mining, notice provisions, and limitations in granting permits; to amend and reenact sections 38-14-04, 38-14-05, 38-14-07, 38-14-08, 38-14-12, and 38-14-13 of the North Dakota Century Code, relating to license applications, duties of the operator, bond of the operator, the deposit of forfeitures and penalties, and cooperation with federal and state agencies; and to repeal section 38-14-11 of the North Dakota Century Code, relating to the administrative officer in strip coal mining regulation.

Introduction, first reading, 37
 Referred to Committee on Natural Resources
 Reported back, amended, 153
 Amendments adopted, 167
 Engrossed, 187, 1198
 Second reading, 188, 920
 Passed, 189, 920
 To House, 216
 Returned to Senate, amended, 906
 House amendments, 907
 Senate concurs, 920
 Re-engrossed, 920
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2092 — (Committee on Transportation)

Senate Bill No. 2092. A Bill for an Act to amend and reenact subsection 1 of section 39-04-19 of the North Dakota Century Code, relating to non-resident mile tax in lieu of motor vehicle registration.

Introduction, first reading, 37
 Referred to Committee on Transportation
 Reported back, do pass, 113
 Second reading, 129
 Passed, 129
 To House, 151
 Returned to Senate, 664
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2093 — (Committee on Appropriations)

Senate Bill No. 2093. A Bill for an Act to amend and reenact section 24-02-37 of the North Dakota Century Code, relating to expenditures out of the state highway fund.

Introduction, first reading, 37
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 249

Senate Bill No. 2094 — (Committee on Political Subdivisions)

Senate Bill No. 2094. A Bill for an Act to amend and reenact section 15-22-01 of the North Dakota Century Code, relating to the county superintendent of schools' term of office.

Introduction, first reading, 37
 Referred to Committee on Political Subdivisions
 Reported back, amended, 104
 Amendments adopted, 115
 Engrossed, 123
 Second reading, 129
 Passed, 130
 To House, 151
 Returned to Senate, 341
 Enrolled, 472
 Signed by President, 478
 Sent to House, 479
 Received from House, 480
 Message to Governor, 480
 Approved by Governor, 623

Senate Bill No. 2095 — (Committee on Judiciary)

Senate Bill No. 2095. A Bill for an Act to provide for a time and place for a meeting of the presidential and vice presidential electors.

Introduction, first reading, 37
 Referred to Committee on Judiciary
 Reported back, amended, 137
 Amendments adopted, 156
 Engrossed, 167, 980
 Second reading, 173, 739
 Passed, 173, 739
 To House, 198
 Returned to Senate, amended, 727
 House amendments, 728
 Senate concurs, 739
 Re-engrossed, 739
 Enrolled, 980
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2096 — (Longmire, Barth, Christensen, Wenstrom)

Senate Bill No. 2096. A Bill for an Act to create and enact subsections 10, 11, and 12 of section 15-65-03 of the North Dakota Century Code, relating to powers and duties of the North Dakota educational broadcasting council; and to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council; and providing an appropriation.

Introduction, first reading, 37
 Referred to Committee on Education
 Reported back, amended, 483-484, 540

Re-referred to Committee on Appropriations, 484
 Amendments adopted, 512, 571
 Engrossed, 537
 Re-engrossed, 591
 Second reading, 596
 Passed, 597
 Clincher motion, 597
 To House, 600
 Returned to Senate, failed to pass, 1067

Senate Bill No. 2097 — (Ringsak and Roen)

Senate Bill No. 2097. A Bill for an Act to provide for the licensing of operators of surface ambulance services; to provide a fee therefor; to provide standards for qualifying as licensed operators of ambulance services; to provide for a penalty; and to provide for an effective date.

Introduction, first reading, 37
 Referred to Committee on Political Subdivisions
 Reported back, amended, 104
 Amendments adopted, 115
 Engrossed, 123
 Second reading, 130
 Passed, 130
 To House, 151
 Returned to Senate, 753
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2098 — (Committee on Political Subdivisions)

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 11-19A-17 of the North Dakota Century Code, relating to a limitation on the application of chapter 11-19A and excepting 11-19A-03 from the limitation.

Introduction, first reading, 38
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 105
 Engrossed, 1193
 Second reading, 118, 147
 Passed, 147
 To House, 162, 908
 Returned to Senate, 753, 1030
 House requests return, 862
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2099 — (Finance and Taxation)

Senate Bill No. 2099. A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of sales to residents of adjoining states and Canada.

Introduction, first reading, 38
 Referred to Committee on Finance and Taxation
 Reported back, amended, 137
 Amendments adopted, 156
 Engrosed, 167, 1006
 Second reading, 173, 1006
 Passed, 173, 1006
 To House, 198
 House amendments, 1002
 Returned to Senate, adopted, 1002
 Clincher motion, 1006
 Senate concurs, 1006
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2100 — (Committee on Natural Resources)

Senate Bill No. 2100. A Bill for an Act to amend and reenact section 61-02-12 of the North Dakota Century Code, relating to the compensation and expenses of the appointive members of the state water commission.

Introduction, first reading, 38
 Referred to Committee on Natural Resources
 Reported back, do pass, 166
 Second reading, 189
 Passed, 189
 To House, 216
 Returned to Senate, 664
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2101 — (Committee on Finance and Taxation)

Senate Bill No. 2101. A Bill for an Act to amend and reenact section 57-39.2-13 of the North Dakota Century Code, relating to the collection of tax and the personal liability of corporate officers.

Introduction, first reading, 38
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 93

Senate Bill No. 2102 — (Committee on Industry, Business & Labor)

Senate Bill No. 2102. A Bill for an Act to amend and reenact section 65-05-26 of the North Dakota Century Code to provide an increase in burial expenses.

Introduction, first reading, 38
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 80
 Second reading, 97
 Passed, 97
 To House, 112
 Returned to Senate, 664
 Enrolled, 981

Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2103 — (Committee on Business, Industry & Labor)

Senate Bill No. 2103. A Bill for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code to include the Secretary of State.

Introduction, first reading, 38
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 80
 Engrossed, 105
 Second reading, amended from floor, 97
 Passed, 98
 To House, 112
 Returned to Senate, 664
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2104 — (Committee on Industry, Business & Labor)

Senate Bill No. 2104. A Bill for an Act to amend and reenact sections 65-05-12 and 65-05-13 of the North Dakota Century Code, providing for weekly compensation in the amount of forty dollars.

Introduction, first reading, 38
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 80
 Second reading, 98
 Passed, 98
 To House, 112
 Returned to Senate, 664
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2105 — (Committee on Industry, Business & Labor)

Senate Bill No. 2105. A Bill for an Act to amend and reenact sections 65-04-04 and 65-07-03 of the 1971 Supplement to the North Dakota Century Code, relating to employers obligated to pay premiums, determination of premiums, and premium receipts and certificates to be mailed; and determination of "weekly wage" for premium purposes.

Introduction, first reading, 38
 Referred to Committee on Industry, Business and Labor
 Reported back, indefinitely postponed, 80

Senate Bill No. 2106 — (Committee on Finance and Taxation)

Senate Bill No. 2106. A Bill for an Act to amend and reenact section 2 of chapter 37 of the 1971 Session Laws of North Dakota,

relating to the appropriation for personal property tax replacement, and declaring an emergency.

Introduction, first reading, 39
 Referred to Committee on Finance and Taxation
 Returned to Senate and withdrawn, 431

Senate Bill No. 2107 — (Committee on Education)

Senate Bill No. 2107. A Bill for an Act to amend and reenact sections 40-38-02, 40-38-03, 40-38-04, 40-38-05, 40-38-09, and 40-38-10 of the North Dakota Century Code, relating to the financing of public libraries and the powers and duties of library boards of directors.

Introduction, first reading, 39
 Referred to Committee on Education
 Reported back, amended, 303-304
 Amendments adopted, 326
 Amended from floor, 326-327
 Engrossed, 349, 1198
 Second reading, 352, 778
 Passed, 352, 779
 To House, 374
 Returned to Senate, amended, 771
 House amendments, 772
 Senate concurs, 778
 Re-engrossed, 778
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2108 — (Litten)

Senate Bill No. 2108. A Bill for an Act to create and enact sections 34-13-13.1 and 34-13-16 of the North Dakota Century Code, relating to regulation of employment agency contracts by the state labor commissioner, refunds in certain instances of fees paid to employment agencies, and defining temporary and permanent employment; and providing a penalty.

Introduction, first reading, 39
 Referred to Committee on Industry, Business and Labor
 Reported back, amended, 220
 Amendments adopted, 251
 Engrossed, 269, 1023, 1198
 Second reading, 272, 1023
 Passed, 272, 1023
 To House, 288
 Returned to Senate amended, 1034
 House amendments, 1035-1036
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2109 — (Litten)

Senate Bill No. 2109. A Bill for an Act to regulate, not prohibit, home solicitation sales by:

1. Granting the buyer a statutory period during which time the contract may be cancelled.

2. Providing that any transfer of a note or other evidence of indebtedness shall be deemed an assignment only and all claims and defenses of the buyer against the seller shall be applicable against the transferee.
3. Prohibiting referral selling in conjunction with a home solicitation sale.

Introduction, first reading, 39
 Referred to Committee on Industry, Business and Labor
 Reported back, amended, 375
 Amendments adopted, 398
 Engrossed, 409, 1198
 Second reading, 428, 889
 Passed, 428, 890
 To House, 452
 House amendments, 873
 Returned to Senate, amended, 873
 Senate concurs, 889
 Re-engrossed, 889
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1201
 Message to Governor, 1203

Senate Bill No. 2110 — (Longmire)

Senate Bill No. 2110. A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to the adjustment of taxable income for income received under the United States Civil Service Retirement Act.

Introduction, first reading, 39
 Referred to Committee on Finance and Taxation
 Returned to Senate and withdrawn, 327

Senate Bill No. 2111 — (Committee on Industry, Business & Labor)

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, changing the amount of weekly compensation for death claims.

Introduction, first reading, 39
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 154
 Amendments adopted, 167
 Engrossed, 187
 Second reading, 189, 782
 Passed, 190, 782
 To House, 216
 House amendments, 686
 Returned to Senate, amended, 686
 Senate does not concur, 698
 Conference Committee, 699, 709
 Conference Committee report, 781
 Conference Committee report, adopts, 782, 872
 Re-engrossed, 782
 Enrolled, 1192
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2112 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, providing for a weekly compensation equal to sixty percent of the average weekly wage.

Introduction, first reading, 39
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 166
 Second reading, 190
 Passed, 190
 To House, 216
 Returned to Senate, 664
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2113 — (Jones, Freed, Hoffner and J. Schultz)

Senate Bill No. 2113. A Bill for an Act to create and enact chapter 37-19.1 of the North Dakota Century Code, relating to preferences for veterans in gaining governmental employment, and providing means for enforcing those preferences; to amend and reenact section 37-15-08 of the North Dakota Century Code, relating to appointment of subordinate officers of the soldiers' home; and to repeal chapter 37-19 and section 37-01-31 of the North Dakota Century Code, relating to governmental employment preferences for veterans.

Introduction, first reading, 40
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 185
 Engrossed, 1095, 1198
 Second reading, 206, 1095
 Passed, 207, 1095
 To House, 247
 House amendments, 1002-1003
 Returned to Senate, amended, 1002
 Senate does not concur, 1007
 Conference Committee, 1007, 1043
 Conference Committee report, 1094, 1124
 Senate adopts, 1095, 1124
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2114 — (Hoffner)

Senate Bill No. 2114. A Bill for an Act to provide that the alteration of odometers or other mileage recorders is a misdemeanor, and providing a penalty.

Introduction, first reading, 40
 Referred to Committee on Judiciary
 Reported back, amended, 105
 Amendments adopted, 116
 Engrossed, 123, 393
 Second reading, 131
 Passed, 132

To House, 151, 448
 Returned to Senate, 361, 446; amended, 454
 Senate requests return from Governor, 433, 442
 Senate does not concur, 470, 501
 Conference Committee, 470, 501, 536
 Conference Committee report, 599-600
 Senate adopts, 664
 Enrolled, 393, 869
 Signed by President, 394, 870
 Sent to House, 394, 620, 870
 Received from House, 395, 871
 Message to Governor, 395, 872
 Approved by Governor, 479, 1005

Senate Bill No. 2115 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2115. A Bill for an Act to create a state occupational safety and health law administered by the workmen's compensation bureau; to amend and reenact sections 65-02-05 and 65-08-02 of the North Dakota Century Code, relating to office space for the bureau, and reciprocity in extraterritorial application of compensation acts; and to repeal section 65-01-07, chapter 65-03, subdivision c of subsection 1 of section 65-04-27.1 and chapter 65-11 of the North Dakota Century Code, relating to employers' records of employee injuries, prevention of injuries, procedures for injunctive relief, the safety engineer; and providing a penalty.

Introduction, first reading, 40
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 438
 Amendments adopted, 469
 Engrossed, 480
 Re-engrossed, 526
 Second reading, 526
 Amended from floor, 526
 Passed, 527
 To House, 588
 Returned to Senate, indefinitely postponed, 1001

Senate Bill No. 2116 — (Lips, Litten, Longmire, Hoffner, & Barth)

Senate Bill No. 2116. A Bill for an Act to establish a state personnel system based on merit; and providing an appropriation.

Introduction, first reading, 40
 Referred to Committee on State and Federal Government
 Reported back, amended, 503-506
 Re-referred to Committee on Appropriations, 506, 524
 Amendments adopted, 524
 Engrossed, 537
 Reported back, do pass, 551
 Second reading, 592, 595
 Amended from floor, 592-594
 Re-engrossed, 594
 Passed, 595
 Clincher motion, 595
 To House, 600
 Returned to Senate, amended, 1074
 House amendments, 1077-1088
 Conference Committee, 1097, 1115
 Senate does not concur, 1097
 Conference Committee report, 1164
 Senate does not adopt, 1164
 Amendments laid on table, 1164

Senate Bill No. 2117 — (Committee on Judiciary)

Senate Bill No. 2117. A Bill for an Act to amend and reenact sections 16-01-07, 16-04-13, and 16-06-02 of the North Dakota Century Code, relating to the size of type used in publishing sample election ballots and texts of constitutional amendments.

Introduction, first reading, 40
Referred to Committee on Judiciary
Reported back, indefinitely postponed, 137

Senate Bill No. 2118 — (Committee on Judiciary)

Senate Bill No. 2118. A Bill for an Act to amend and reenact section 16-07-09 of the North Dakota Century Code, relating to notification by the county auditor to the governor when a vacancy occurs in the office of a member of the legislative assembly.

Introduction, first reading, 40
Referred to Committee on Judiciary
Reported back, do pass, 121
Second reading, 148
Passed, 148
To House, 162
Returned to Senate, 664
Enrolled, 869
Signed by President, 870
Sent to House, 870
Received from House, 871
Message to Governor, 872
Approved by Governor, 1005

Senate Bill No. 2119 — (Pyle)

Senate Bill No. 2119. A Bill for an Act to create and enact section 29-06-15.2 of the North Dakota Century Code, relating to subsequent arrest of a person who has fled in a motor vehicle after commission of a traffic offense.

Introduction, first reading, 44
Referred to Committee on Judiciary
Reported back, indefinitely postponed, 154

Senate Bill No. 2120 -- (Wenstrom and Litten)

Senate Bill No. 2120. A Bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century code, to provide for the exemption from the sales and use tax of food and food products.

Introduction, first reading, 44
Referred to Committee on Finance and Taxation
Returned from Committee and withdrawn, 151

Senate Bill No. 2121 — (J. Schultz)

Senate Bill No. 2121. A Bill for an Act to provide that a purchase money security interest in a mobile home shall take certain priorities in the event that taxing officials have failed or refused to try to collect the tax liability.

Introduction, first reading, 53
Referred to Committee on Finance and Taxation
Reported back, do pass, 137
Reported back, indefinitely postponed, 320

Referred to Committee on Finance and Taxation, 160
 Second reading, 157
 Lost, 157
 Reconsidered, 160
 Reported back, indefinitely postponed, 320

Senate Bill No. 2122 — (Holand and Barth)

Senate Bill No. 2122. A Bill for an Act to establish the profession and regulation of professional soil classifying, a creation of a board of professional soil classifiers, and providing penalties.

Introduction, first reading, 62
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 304
 Second reading, 335, 949
 Passed, 335, 949
 To House, 361
 House amendments, 933
 Returned to Senate, amended, 933
 Senate concurs, 949
 Engrossed, 949
 Clincher motion, 949
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2123 — (Holand)

Senate Bill No. 2123. A Bill for an Act to create and enact subsection 4 of section 43-11-27 of the North Dakota Century Code, relating to renewals of cosmetology instructors' licenses; and to amend and reenact sections 43-11-16, 43-11-25, 43-11-26, and subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to qualifications of schools of hairdressing and cosmetology, reciprocity fees, and qualifications for obtaining a manager-operator's license and an instructor's license.

Introduction, first reading, 62
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 138
 Amendments adopted, 156
 Engrossed, 167
 Second reading, 174
 Passed, 174
 To House, 198
 Returned to Senate, 841
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2124 — (Committee on Judiciary)

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-08-02 and subsection 4 of section 16-11-04 of the North Dakota Century Code, relating to voting instructions on no-party and general election ballots.

Introduction, first reading, 62
Referred to Committee on Judiciary
Reported back, amended, 138
Amendments adopted, 156
Engrossed, 167
Second reading, 174, 193
Passed, 193
To House, 216
Returned to Senate, 664
Enrolled, 869
Signed by President, 870
Sent to House, 870
Received from House, 871
Message to Governor, 872
Approved by Governor, 1005

Senate Bill No. 2125 — (Melland and Anderson)

Senate Bill No. 2125. A Bill for an Act to provide a real property tax exemption for improvements to commercial buildings and structures.

Introduction, first reading, 62
Referred to Committee on Finance and Taxation
Reported back, amended, 304-305
Amendments adopted, 327
Engrossed, 349, 1198
Second reading, 352, 1025
Passed, 353, 1025
To House, 374
Re-engrossed, 1025
Returned to Senate, amended, 1034
House amendments, 1036-1037
Senate concurs, 1025
Enrolled, 1198
Signed by President, 1199
Sent to House, 1200
Received from House, 1202
Message to Governor, 1203

Senate Bill No. 2126 — (Committee on Education)

Senate Bill No. 2126. A Bill for an Act to amend and reenact section 15-21-01 of the North Dakota Century Code, relating to term of office of superintendent of public instruction.

Introduction, first reading, 63
Referred to Committee on Education
Reported back, do pass, 185
Second reading, 207
Passed, 207
To House, 247
Returned to Senate, 686
Enrolled, 981
Signed by President, 995
Sent to House, 995
Received from House, 997
Message to Governor, 998
Approved by Governor, 1089

Senate Bill No. 2127 — (Committee on Education)

Senate Bill No. 2127. A Bill for an Act to amend and reenact subsection 1 of section 15-34.1-03 of the North Dakota Century Code, relating to school attendance.

Introduction, first reading, 63
 Referred to Committee on Education
 Reported back, amended, 185
 Amendments adopted, 204
 Engrossed, 221
 Second reading, 222
 Passed, 222
 To House, 262
 Returned to Senate, 686
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2128 — (Committee on Transportation)

Senate Bill No. 2128. A Bill for an Act to create and enact sections 39-04-54 and 39-04-55 of the North Dakota Century Code, and to repeal sections 39-05-10 and 39-05-12 of the North Dakota Century Code, relating to the registration of motor vehicles; and providing a penalty.

Introduction, first reading, 63
 Referred to Committee on Transportation
 Reported back, do pass, 113
 Second reading, 132
 Passed, 132
 To House, 151
 Returned to Senate, 664
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2129 — (Committee on Agriculture)

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees of examiner for installing and examining accounting system.

Introduction, first reading, 63
 Referred to Committee on Agriculture
 Reported back, do pass, 113
 Second reading, 133
 Passed, 133
 To House, 151
 Returned to Senate, indefinitely postponed, 754

Senate Bill No. 2130 — (Committee on Transportation)

Senate Bill No. 2130. A Bill for an Act to amend and reenact subsection 4 of section 49-18-01 of the North Dakota Century Code, relating to definitions of "agricultural carriers".

Introduction, first reading, 63
 Referred to Committee on Transportation
 Reported back, amended, 201
 Amendments adopted, 221
 Engrossed, 252

Second reading, 257
Passed, 258
To House, 276
Returned to Senate, 771
Enrolled, 887
Signed by President, 909
Sent to House, 909
Received from House, 932
Message to Governor, 934
Approved by Governor, 1005

Senate Bill No. 2131 — (Committee on Agriculture)

Senate Bill No. 2131. A Bill for an Act to amend and reenact section 60-05-02 of the North Dakota Century Code, relating to examination of financial accounts of elevator or warehouse by competent examiner.

Introduction, first reading, 63
Referred to Committee on Agriculture
Reported back, do pass, 113
Second reading, 132
Passed, 133
To House, 151
Returned to Senate, 753
Enrolled, 981
Signed by President, 995
Sent to House, 995
Received from House, 997
Message to Governor, 998
Approved by Governor, 1090

Senate Bill No. 2132 — (Mutch and Lee)

Senate Bill No. 2132. A Bill for an Act to amend and reenact section 39-2014 of the North Dakota Century Code, relating to chemical screening tests.

Introduction, first reading, 63
Referred to Committee on Transportation
Reported back, amended, 266
Amendments adopted, 281
Engrossed, 294
Second reading, 295
Passed, 295
To House, 318
Returned to Senate, 875
Enrolled, 1192
Signed by President, 1193
Sent to House, 1194
Received from House, 1194
Message to Governor, 1195

Senate Bill No. 2133 — (Mutch and Lee)

Senate Bill No. 2133. A Bill for an Act to amend and reenact subsection 3 of section 39-20-07 of the North Dakota Century Code, relating to the interpretation of chemical tests.

Introduction, first reading, 63
Referred to Committee on Transportation
Reported back, indefinitely postponed, 266

Senate Bill No. 2134 — (Litten, Ringsak and Christensen)

Senate Bill No. 2134. A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to expense allowances of members of the legislative assembly, and declaring an emergency.

Introduction, first reading, 63
 Referred to Committee on State and Federal Government
 Reported back, do pass, 154
 Engrossed, 174, 187
 Second reading, 174
 Amended from floor, 174
 Passed, 175
 Emergency carried, 175
 To House, 198
 Returned to Senate, 300
 Enrolled, 393
 Signed by President, 394
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2135 — (Lips and Nething)

Senate Bill No. 2135. A Bill for an Act to repeal section 15-38-13 of the North Dakota Century Code, relating to power of the teacher to suspend pupils.

Introduction, first reading, 72
 Referred to Committee on Education
 Reported back, do pass, 185
 Second reading, 207
 Passed, 208
 To House, 247
 Returned to Senate indefinitely postponed, 687

Senate Bill No. 2136 — (Erdman, Coughlin and Goldberg)

Senate Bill No. 2136. A Bill for an Act to repeal chapter 197 of the 1969 Session Laws of North Dakota, relating to adoption of the quarter system educational term by all institutions of higher education.

Introduction, first reading, 72
 Referred to Committee on Education
 Reported back, do pass, 121
 Second reading, 149
 Passed, 149
 To House, 162
 Returned to Senate, failed to pass, 687

Senate Bill No. 2137 — (Committee on Transportation)

Senate Bill No. 2137. A Bill for an Act to amend and reenact section 39-05-32 of the North Dakota Century Code, relating to enforcement of motor vehicle title law.

Introduction, first reading, 72
 Referred to Committee on Transportation
 Reported back, do pass, 114, 438
 Referred to Committee on Transportation, 133
 Second reading, 133, 473

Passed, 474
 To House, 502
 Returned to Senate, 796
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2138 — (Committee on Industry, Business & Labor)

Senate Bill No. 2138. A Bill for an Act to amend and reenact section 43-15-18 of the North Dakota Century Code, relating to registration of pharmacy interns.

Introduction, first reading, 72
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 154
 Second reading, 175
 Passed, 175
 To House, 198
 Returned to Senate, 875
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2139 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2139. A Bill for an Act to amend and reenact section 43-15-25 of the North Dakota Century Code, relating to certificates issued to pharmacists.

Introduction, first reading, 72
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 154
 Second reading, 175
 Passed, 176
 To House, 198
 Returned to Senate, 875
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2140 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2140. A Bill for an Act to amend and reenact section 43-15-34 of the North Dakota Century Code, relating to the permit and fee required for the operation of a pharmacy.

Introduction, first reading, 72
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 154
 Second reading, 176
 Passed, 176
 To House, 198
 Returned to Senate, 875
 Enrolled, 1142
 Signed by President, 1146

Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2141 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2141. A Bill for an Act to amend and reenact subsection 2 of section 43-15-38 of the North Dakota Century Code, relating to the fee to be paid on reinstatement of pharmacy permit.

Introduction, first reading, 72
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 154
 Second reading, 176
 Passed, 176
 To House, 198
 Returned to Senate, 875
 Enrolled, 1142
 Signed by President, 1146
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2142 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2142. A Bill for an Act to amend and reenact section 51-05-13 of the North Dakota Century Code, relative to license applications for auctioneers and renewal thereof.

Introduction, first reading, 72
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 121
 Second reading, 149
 Passed, 149
 To House, 162
 Returned to Senate, 686
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2143 — (Longmire, Coughlin, Tweten, Goodman, Fritzell, Reiten and Anderson)

Senate Bill No. 2143. A Bill for an Act to authorize the state board of higher education to sell self-liquidating tax-exempt bonds and provide for the use of the proceeds of such self-liquidating bonds for the purpose of constructing or purchasing revenue producing buildings and other campus improvements at institutions of higher learning in this state under the jurisdiction of the board, at such maximum amounts, at such locations, and for such purposes as are hereinafter provided.

Introduction, first reading, 72
 Referred to Committee on Education
 Reported back, do pass, 121
 Engrossed, 1193
 Second reading, 149
 Passed, 149
 To House, 162
 Returned to Senate, 822

Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2144 — (Committee on Appropriations)

Senate Bill No. 2144. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the department of the registrar of motor vehicles; and declaring an emergency.

Introduction, first reading, 73
 Referred to Committee on Appropriations
 Reported back, amended, 305
 Statement of Purpose, 305
 Amendments adopted, 327
 Engrossed, 349
 Second reading, 353
 Passed, 353
 Emergency carried, 353
 To House, 374
 Returned to Senate, 709
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2145 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2145. A Bill for an Act to amend and reenact subsection 4 of section 43-15-15 of the North Dakota Century Code, relating to qualifications of registered pharmacists.

Introduction, first reading, 73
 Referred to Committee on Industry, Business and Labor
 Reported back, do pass, 155
 Second reading, 177
 Passed, 177
 To House, 198
 Returned to Senate, 1001
 Enrolled, 1142
 Signed by President, 1146
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2146 —

(Committee on State and Federal Government)

Senate Bill No. 2146. A Bill for an Act to authorize the state park service to lease the Lewis and Clark public use development area and the Fort Stevenson public use development area from the army corps of engineers for twenty-five years and to make these areas part of the state park system.

Introduction, first reading, 73
 Referred to Committee on State and Federal Government
 Reported back, amended, 201-202
 Amendments adopted, 221

Engrossed, 252, 1198
 Second reading, 258, 923
 Passed, 258, 924
 To House, 276
 House amendments, 752
 Returned to Senate, amended, 752
 Senate does not concur, 760
 Conference Committee, 761, 799
 Conference Committee report, 923, 1001
 Senate adopts, 923, 1001
 Re-engrossed, 923
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 932, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2147 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2147. A Bill for an Act to create and enact section 34-14-09.1 of the North Dakota Century Code, to provide that employees are entitled to interest on unpaid wages.

Introduction, first reading, 73
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 121
 Engrossed, 862
 Second reading, 150, 862
 Passed, 150, 863
 To House, 162
 House amendments, 841
 Returned to Senate, amended, 841
 Senate concurs, 862
 Enrolled, 1142
 Signed by President, 1146
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2148 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2148. A Bill for an Act to create and enact section 6-03-76 of the North Dakota Century Code, and to amend and reenact subsection 7 of section 6-01-02 and section 6-03-17, and to repeal sections 6-03-13.1, 6-03-13.2, 6-03-13.3, and 6-03-13.4 of the North Dakota Century Code, all relating to bank services, offices and facilities.

Introduction, first reading, 73
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 438
 Amendments laid on table, 469
 Clincher motion, 469

Senate Bill No. 2149 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2149. A Bill for an Act to create and enact paragraphs 4 and 5 of subdivision b of subsection 5 of section 65-01-02 of the North Dakota Century Code, relating to the definition of employee, and to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment, and providing for an effective date.

Introduction, first reading, 73
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 457
 Second reading, 527
 Passed, 527
 To House, 563
 Returned to Senate, failed to pass, 1033

Senate Bill No. 2150 — (Committee on Industry, Business & Labor)

Senate Bill No. 2150. A Bill for an Act to amend and reenact section 6-01-04 of the North Dakota Century Code, relating to powers and duties of the state banking board and state credit union board.

Introduction, first reading, 73
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 220
 Second reading, 258
 Passed, 259
 To House, 276
 Returned to Senate, indefinitely postponed, 798

Senate Bill No. 2151 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2151. A Bill for an Act to prohibit the business of debt adjusting when conducted for profit; to provide exemptions for certain businesses and activities; and providing a penalty.

Introduction, first reading, 74
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 138
 Amendments adopted, 156
 Engrossed, 167
 Second reading, 177
 Passed, 177
 To House, 198
 Returned to Senate, 796
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2152 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2152 A Bill for an Act to create and enact section 51-13-05.1 of the North Dakota Century Code, relating to installment and conditional sales contracts; and to amend and reenact subsection 12 of section 51-13-01 of the North Dakota Century Code, relating to definition of motor vehicle.

Introduction, first reading, 74
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 220
 Re-referred to Committee on Industry, Business, and Labor, 270
 Amendments adopted, 251
 Engrossed, 269
 Reported back, indefinitely postponed, 345

Senate Bill No. 2153 — (Committee on Appropriations)

Senate Bill No. 2153. A Bill for an Act making an appropriation for the use of the state toxicologist.

Introduction, first reading, 74
 Referred to Committee on Appropriations
 Reported back, do pass, 202
 Second reading, 223
 Passed, 223
 To House, 262
 Returned to Senate, 502
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2154 — (Committee on Transportation)

Senate Bill No. 2154. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 39-04-19 of the North Dakota Century Code, relating to registration of motor buses.

Introduction, first reading, 74
 Referred to Committee on Transportation
 Reported back, amended, 122
 Amendments adopted, 139
 Engrossed, 156
 Second reading, 160
 Passed, 160
 To House, 183
 Returned to Senate, 664
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2155 — (Committee on Transportation)

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 39-04-15.1 of the North Dakota Century Code, relating to the registration of motor vehicles over thirty-six thousand pounds.

Introduction, first reading, 74
 Referred to Committee on Transportation
 Reported back, do pass, 439
 Second reading, 474
 Passed, 474
 To House, 502
 Returned to Senate, 771
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2156 — (Committee on Transportation)

Senate Bill No. 2156. A Bill for an Act to amend and reenact section 39-04-06 of the North Dakota Century Code, relating to motor vehicle registration fees paid by NSF checks; providing for the cost of collection.

Introduction, first reading, 74
 Referred to Committee on Transportation
 Reported back, amended, 202
 Amendments adopted, 222
 Engrossed, 252
 Second reading, 259
 Passed, 259
 To House, 276
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2157 — (Lips)

Senate Bill No. 2157. A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 and subsection 3 of section 57-40.2-01 of the North Dakota Century Code, relating to the sales and use tax on items consumed or destroyed in the process of manufacturing.

Introduction, first reading, 74
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 220, 320
 Reconsidered, 251
 Re-referred to Committee on Finance and Taxation, 251

Senate Bill No. 2158 — (Lips, Melland and Hoffner)

Senate Bill No. 2158. A Bill for an Act providing for an appropriation to match federal funds available for the constructing, furnishing, and equipping of North Dakota national guard air ambulance facilities.

Introduction, first reading, 81
 Referred to Committee on Appropriations
 Reported back, do pass, 366
 Second reading, 384
 Passed, 384
 To House, 406
 Returned to Senate, 709
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2159 — (Solberg)

Senate Bill No. 2159. A Bill for an Act to provide for the voluntary and required inspection of motor vehicles, to provide for the adoption of rules and regulations, to provide a penalty, to make an appropriation, and to provide an effective date.

Introduction, first reading, 81
 Referred to Committee on Transportation
 Reported back, amended, 375-378
 Amendments adopted, 398
 Engrossed, 409
 Second reading, 428, 451
 Amended from floor, 451

Passed, 452
 Re-engrossed, 456
 To House, 477

Senate Bill No. 2160 — (Lips, Litten and Goldberg)

Senate Bill No. 2160. A Bill for an Act to create and enact section 6-09-02.1 of the North Dakota Century Code, relating to the creation of a board of directors for the Bank of North Dakota to be appointed by the governor; to amend and reenact section 6-09-02, 6-09-03, 6-09-04, 6-09-05, 6-09-09, 6-09-11, 6-09-12, 6-09-14, 6-09-15, 6-09-15.1, 6-09-25, 6-09-26, 6-09-29, 6-09.1-03, 6-09.2-09, and 54-17-07 of the North Dakota Century Code, relating to the industrial commission and the Bank of North Dakota; and to repeal section 6-09.1-02 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of North Dakota.

Introduction, first reading, 81
 Referred to Committee on Industry, Business, and Labor
 Reported back, placed on calendar, 345
 Second reading, 405
 Amended from floor, 405
 Lost, 406

Senate Bill No. 2161 — (Hoffner, Fritzell and Page)

Senate Bill No. 2161. A Bill for an Act to amend and reenact subsection 12 of section 19-21-01 of the North Dakota Century Code, relating to the requirements of the labeling of a hazardous substance.

Introduction, first reading, 81
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 138

Senate Bill No. 2162 — (Committee on Transportation)

Senate Bill No. 2162. A Bill for an Act to amend and reenact section 39-18-01 of the North Dakota Century Code, relating to licensing of mobile home dealers.

Introduction, first reading, 81
 Referred to Committee on Transportation
 Reported back, do pass, 114
 Second reading, 133
 Passed, 134
 To House, 151
 Returned to Senate, 686
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2163 — (Committee on Transportation)

Senate Bill No. 2163. A Bill for an Act to amend and reenact section 39-18-03 of the North Dakota Century Code, relating to the registration period for mobile homes, house trailers and travel trailers and declaring an emergency.

Introduction, first reading, 81
 Referred to Committee on Transportation
 Reported back, do pass, 114

Second reading, 134
 Passed, 134
 Emergency carried, 134
 To House, 151
 Returned to Senate, 686
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2164 — (Committee on Political Subdivisions)

Senate Bill No. 2164. A Bill for an Act to amend and reenact section 12-44-15 of the North Dakota Century Code, relating to sheriffs' annual jail report.

Introduction, first reading, 81
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 166
 Second reading, 190
 Passed, 190
 To House, 216
 Returned to Senate, 686
 Enrolled, 869
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2165 — (Committee on Appropriations)

Senate Bill No. 2165. A Bill for an Act to provide an appropriation for the construction of a records management building.

Introduction, first reading, 82
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 412

Senate Bill No. 2166 — ---
 (Committee on State and Federal Government)

Senate Bill No. 2166. A Bill for an Act to amend and reenact section 10 of chapter 462 of the 1969 Session Laws of North Dakota, as amended by section 2 of chapter 526 of the 1971 Session Laws of North Dakota, relating to the permanent repository of the records of the North Dakota Constitutional Convention of 1971-1972.

Introduction, first reading, 82
 Referred to Committee on State and Federal Government
 Reported back, do pass, 138
 Second reading, 160
 Passed, 160
 To House, 183
 Returned to Senate, 361
 Enrolled, 472
 Signed by President, 478
 Sent to House, 479
 Received from House, 480
 Message to Governor, 480
 Approved by Governor, 623

Senate Bill No. 2167 — (Committee on Judiciary)

Senate Bill No. 2167. A Bill for an Act to require state, county and city officials to furnish crime statistics to the director of the North Dakota combined law enforcement council.

Introduction, first reading, 82
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 138

Senate Bill No. 2168 — (Committee on Natural Resources)

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 61-28-03, 61-28-04, 61-28-05, subsection 2 of section 61-28-06, subsection 2 of section 61-28-07, and section 61-28-08 of the North Dakota Century Code, relating to the control, prevention and abatement of pollution of the surface waters of the state; and providing a penalty.

Introduction, first reading, 82
 Referred to Committee on Natural Resources
 Reported back, amended, 439
 Amendments adopted, 469
 Engrossed, 480, 1198
 Second reading, 498, 779
 Passed, 499, 779
 To House, 536
 House amendments, 771
 Returned to Senate, amended, 771
 Senate concurs, 779
 Re-engrossed, 779
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

**Senate Bill No. 2169 —
 (Committee on Social Welfare and Veterans' Affairs)**

Senate Bill No. 2169. A Bill for an Act to amend and reenact section 50-06-03 of the 1971 Supplement to the North Dakota Century Code, relating to the term of office of social service board members, and declaring an emergency.

Introduction, first reading, 82
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 139
 Amendments adopted, 157
 Engrossed, 167
 Second reading, 177
 Amended from floor, 178
 Passed, 178
 Emergency carried, 178
 Re-engrossed, 178, 187
 To House, 198
 Returned to Senate, 753
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2170 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2170. A Bill for an Act to amend and reenact section 65-09-01 of the North Dakota Century Code relating to liability of uninsured employer; section 65-09-02 of the 1971 Supplement to the North Dakota Century Code relating to time for filing original claims for compensation and employer to furnish payroll report; section 65-09-03 of the North Dakota Century Code relating to order of bureau to contain amount of premium and penalty, filing of record of proceedings and entering judgment; section 65-09-04 of the North Dakota Century Code relating to determination of premiums, penalties and interest on wages to be paid by employer; and providing a penalty.

Introduction, first reading, 82
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 155
 Engrossed, 1025, 1198
 Second reading, 178, 1025
 Passed, 179, 1026
 To House, 198
House amendments, 1033
 Returned to Senate, amended, 1031
 Senate concurs, 1025
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2171 — (Committee on Education)

Senate Bill No. 2171. A Bill for an Act to create and enact a new section of chapter 52-10 of the North Dakota Century Code, relating to authorization to exclude from social security coverage, under Section 218 of the Act, service performed in the employ of a public school, college, or university by certain students.

Introduction, first reading, 82
 Referred to Committee on Education
 Reported back, do pass, 202
 Second reading, 223
 Passed, 223
 To House, 262
 Returned to Senate, 727
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2172 —

(Committee on Social Welfare and Veterans' Affairs)

Senate Bill No. 2172. A Bill for an Act to amend and reenact section 25-05-01 of the North Dakota Century Code, relating to the administrative placement of the San Haven state hospital as a division of the Grafton state school.

Introduction, first reading, 82
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 166
 Second reading, 190

Passed, 191
 To House, 216
 Returned to Senate, 686
 Enrolled, 870
 Signed by President, 870
 Sent to House, 870
 Received from House, 871
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2173 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2173. A Bill for an Act to amend and reenact section 52-06-04 of the 1971 Supplement to the North Dakota Century Code, relating to schedule of unemployment compensation benefits, qualifying wages and definitions.

Introduction, first reading, 83
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 155
 Second reading, 179, 761
 Passed, 179, 761
 To House, 198
 House amendments, 753
 Returned to Senate, amended, 752
 Senate concurs, 761
 Re-engrossed, 761
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2174 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2174. A Bill for an Act to amend and reenact section 52-04-16 of the North Dakota Century Code, relating to limitation of time to start civil actions for collection of money owing to the employment security bureau.

Introduction, first reading, 83
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 155
 Second reading, 179
 Passed, 180
 To House, 198
 Returned to Senate, 727
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2175 — (Committee on Finance and Taxation)

Senate Bill No. 2175. A Bill for an Act to amend and reenact subsection 10 of section 57-39.2-04, sections 57-39.2-10, 57-39.2-15, 57-39.2-23 and 57-39.2-24 of the North Dakota Century Code, relating to the provisions of the sales tax law and providing for a penalty; and to repeal subsection 18 of section 57-39.2-04 and subsection 2 of section 57-39.2-17 of the North Dakota Century Code.

Introduction, first reading, 83
 Referred to Committee on Finance and Taxation
 Reported back, amended, 305
 Amendments adopted, 327
 Engrossed, 350
 Second reading, 353
 Amended from floor, 353
 Passed, 354
 Re-engrossed, 366
 To House, 374
 Returned to Senate, 1030
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2176 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2176. A Bill for an Act to establish a manufactured building code and to provide for its administration and enforcement.

Introduction, first reading, 83
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 305

Senate Bill No. 2177 — (Committee on Finance and Taxation)

Senate Bill No. 2177. A Bill for an Act to create and enact sections 57-52-10.1 and 57-54-07.1; to amend and reenact subsections 5 and 8 of section 57-52-03, sections 57-52-12, 57-52-19, subsection 4 of section 57-53-01, sections 57-53-05, 57-53-08, 57-54-03, 57-54-07, 57-54-11, 57-54-1-15 and 57-56-02 of the North Dakota Century Code, relating to provisions of the motor fuel, special fuels, importers for use, aviation fuel and motor fuel tax refunds; and providing for a penalty.

Introduction, first reading, 83
 Referred to Committee on Finance and Taxation
 Reported back, amended 305-306
 Amendments adopted, 327
 Engrossed, 350, 1198
 Second reading, 354, 1026
 Passed, 354, 1026
 To House, 374
 Re-engrossed, 1026
 House amendments, 1037-1038
 Returned to Senate, amended, 1034
 Senate concurs, 1026
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2178 —
 (Committee on State and Federal Government)

Senate Bill No. 2178. A Bill for an Act to amend and reenact section 25-04-03 of the North Dakota Century Code, relating to the qualifications of superintendent of Grafton state school.

Introduction, first reading, 83
 Referred to Committee on State and Federal Government
 Reported back, amended, 220, 484
 Re-referred to Committee on State and Federal Government, 270
 Amendments adopted, 251, 512
 Engrossed, 269, 1142
 Re-engrossed, 537, 890
 Second reading, 538, 890
 Passed, 538, 890
 To House, 588
 House amendments, 873
 Returned to Senate, amended, 873
 Senate concurs, 890
 Enrolled, 1142
 Signed by President, 1146
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2179 —

(Committee on Social Welfare and Veterans' Affairs)

Senate Bill No. 2179. A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to residency determination in child placement cases.

Introduction, first reading, 83
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 186
 Amendments adopted, 204
 Engrossed, 221, 1198
 Second reading, 223, 1144
 Passed, 224, 1144
 To House, 262
 House amendments, 934
 Returned to Senate, amended, 933
 Senate does not concur, 950
 Conference Committee, 950, 1001
 Conference Committee report, 1144
 Senate adopts, 1144, 1160
 Re-engrossed, 1144
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2180 —

(Committee on State and Federal Government)

Senate Bill No. 2180. A Bill for an Act to amend and reenact section 25-05-02 of the North Dakota Century Code, relating to the qualifications of the superintendent of San Haven state hospital.

Introduction, first reading, 84
 Referred to Committee on State and Federal Government
 Reported back, do pass, 249, 507
 Re-referred to Committee on State and Federal Government, 270
 Second reading, 539, 891
 Passed, 539, 891
 To House, 588
 House amendments, 873
 Returned to Senate, amended, 873

Senate concurs, 890
 Engrossed, 890
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2181 — (Committee on Political Subdivisions)

Senate Bill No. 2181. A Bill for an Act to provide regional comprehensive planning; the creation, organization, powers and duties of regional planning commissions; to provide funds for the use of regional planning commissions; and to provide for the supervision of the activities of regional planning commissions under the provisions of this Act.

Introduction, first reading, 84
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 457

Senate Bill No. 2182 — (Kautzmann, Stroup and Jacobson)

Senate Bill No. 2182. A Bill for an Act to provide penalties for harrassing or willfully frightening domestic animals.

Introduction, first reading, 84
 Referred to Committee on Agriculture
 Reported back, do pass, 166
 Engrossed, 191, 204, 887
 Second reading, 191
 Amended from floor, 191, 700
 Passed, 191, 700
 To House, 216
 House amendments, 686
 Returned to Senate, amended, 686
 Senate concurs, 699
 Re-engrossed, 700
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1054

Senate Bill No. 2183 — (Lips and Nething)

Senate Bill No. 2183. A Bill for an Act to create and enact two new subsections to section 15-47-38 of the North Dakota Century Code, and to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of the school board and providing for rules for suspension or dismissal of a teacher.

Introduction, first reading, 84
 Referred to Committee on Education
 Reported back, amended, 412
 Amendments adopted, 442
 Engrossed, 456, 1198
 Second reading, 474, 1132
 Passed, 475, 1133
 To House, 502
 House amendments, 1038

Returned to Senate, amended, 1034
 Senate does not concur, 1021
 Conference Committee, 1021, 1068
 Conference Committee report, 1132
 Senate adopts, 1132, 1160
 Re-engrossed, 1132
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2184 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2184. A Bill for an Act to create and enact a new subdivision of subsection 13 of section 52-01-01 of the North Dakota Century Code, relating to the unemployment compensation definition of employment, to amend and reenact subsection 1 of section 52-01-01, subsection 2 of section 52-01-01, subsection 3 of section 52-01-01, subsection 5 of section 52-01-01, subsection 9 of section 52-01-01, subdivision b of subsection 13 of section 52-01-01, subdivision g of subsection 15 of section 52-01-01, paragraph (6) of subdivision i of subsection 15 of section 52-01-01, section 52-03-01, paragraph (1) and paragraph (2) of subdivision c of subsection 1 of section 52-03-07, subsection 4 of section 52-04-06, section 52-04-10, section 52-06-19, and section 52-06-29 of the North Dakota Century Code, the beginning sentence of section 52-01-01, section 52-01-07, section 52-04-07, subsection 1 of section 52-04-12, subdivision c of subsection 1 of section 52-04-18, and section 52-04-19 of the 1971 Supplement to the North Dakota Century Code, relating to unemployment compensation provisions, such as definitions, exclusions from employment, maintenance of fund, use of Federal funds credited, tax rates, employer appeals, payment of benefits, charge back of benefits, civil collection process, change of payments by non-profit organizations on a reimbursable basis to a rated payment basis, and financing benefits for state hospitals and state institutions of higher education, and to repeal paragraph 2 of subdivision i of subsection 15 of section 52-01-01, subsection 2 and subsection 3 of section 52-04-12, paragraph (1) and paragraph (2) of subdivision b of subsection 3 of section 52-06-01, and paragraph (1) and paragraph (2) of subdivision c of subsection 3 of section 52-06-01 of the North Dakota Century Code, and subsection 7 of section 52-01-01 and subsection 5 of section 52-04-06 of the 1971 Supplement to the North Dakota Century Code, relating to unemployment compensation provisions, such as exclusion from definition of unemployment, civil collection process, removal of certain benefit ineligibility conditions, conflicting definition of division, and rate increase.

Introduction, first reading, 84
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 155
 Second reading, 180
 Passed, 180
 To House, 198
 Returned to Senate, 753
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2185 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2185. A Bill for an Act to amend and reenact section 52-07.1-03 of the 1971 Supplement to the North Dakota Century Code, relating to definitions in chapter 52-07.1 which provides for extended unemployment compensation benefits.

Introduction, first reading, 85
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 155
 Second reading, 181
 Passed, 181
 To House, 199
 Returned to Senate, 753
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2186 — (Committee on Industry, Business, & Labor)

Senate Bill No. 2186. A Bill for an Act to amend and reenact section 52-04-03 of the 1971 Supplement to the North Dakota Century Code, relating to rate of unemployment tax and wages subject to tax; and declaring an emergency.

Introduction, first reading, 85
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 155
 Amendments adopted, 167
 Engrossed, 187, 1193
 Second reading, 191, 780
 Passed, 192, 780
 Emergency carried, 192
 To House, 216
 House amendments, 772
 Returned to Senate, amended, 771
 Senate concurs, 780
 Re-engrossed, 780
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2187 —
 (Committee on State and Federal Government)

Senate Bill No. 2187. A Bill for an Act authorizing the state of North Dakota acting by the North Dakota employment security bureau to sell and convey in separate transactions for each tract of land: lot thirteen in block nineteen of the original townsite of Williston, Williams County, North Dakota; all of lot eighteen in block twenty-four of the original townsite of Jamestown, Stutsman County, North Dakota; the westerly sixty-five feet and the northerly ten feet of the east seventy-five feet of lot eight in block twenty of the original town of Mandan, Morton County, North Dakota; and lots eight and nine of block twenty-eight of Robert's Second Addition to the City of Fargo, less the east seven and one-half feet, Cass County, North Dakota.

Introduction, first reading, 85
 Referred to Committee on State and Federal Government
 Reported back, amended, 139
 Amendments adopted, 157
 Engrossed, 167
 Second reading, 181
 Passed, 181
 To House, 199
 Returned to Senate, 392
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2188 —

(Committee on State and Federal Government)

Senate Bill No. 2188. A Bill for an Act to authorize the North Dakota legislative council to make corrections in the North Dakota Unemployment Compensation Law to be submitted to the publisher of the North Dakota Century Code for inclusion in the publication of Replacement Volume Ten.

Introduction, first reading, 85
 Referred to Committee on State and Federal Government
 Reported back, do pass, 155
 Second reading, 182
 Passed, 182
 To House, 199
 Returned to Senate, 361
 Enrolled, 393
 Signed by President, 394
 Sent to House, 394
 Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2189 — (Nething and Melland)

Senate Bill No. 2189. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota by the North Dakota state hospital.

Introduction, first reading, 95
 Referred to Committee on State and Federal Government
 Reported back, amended, 457-458
 Amendments adopted, 491
 Engrossed, 522, 1198
 Second reading, 530, 1027
 Passed, 530, 1027
 To House, 563
 Senate concurs, 1027
 Re-engrossed, 1027
 House amendments, 1038
 Returned to Senate, amended, 1034
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1204

Senate Bill No. 2190 — (Nothing and Melland)

Senate Bill No. 2190. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

Introduction, first reading, 95
 Referred to Committee on State and Federal Government
 Reported back, amended, 458
 Amendments adopted, 491
 Engrossed, 522, 1142
 Second reading, 530, 891
 Passed, 531, 892
 To House, 563
 House amendments, 873
 Returned to Senate, amended, 873
 Senate concurs, 891
 Re-engrossed, 891
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2191 — (Butler)

Senate Bill No. 2191. A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exemption from sales tax of clothing and wearing apparel sold to Minnesota residents.

Introduction, first reading, 95
 Referred to Committee on Finance and Taxation
 Reported back, amended, 221
 Amendments adopted, 251
 Engrossed, 269
 Second reading, 272
 Lost, 273

Senate Bill No. 2192 — (Nothing)

Senate Bill No. 2192. A Bill for an Act to amend and reenact section 16-04-01, 16-04-11, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to the date of the primary election, precinct committeemen meetings, and party conventions.

Introduction, first reading, 95
 Referred to Committee on Judiciary
 Reported back, do pass, 139
 Second reading, 161
 Passed, 161
 To House, 183
 Returned to Senate, indefinitely postponed, 665

Senate Bill No. 2193 — (Strand)

Senate Bill No. 2193. A Bill for an Act to amend and reenact sections 15-40.2-09 and 15-53.1-41 of the North Dakota Century Code, relating to attendance in public schools of bordering states and to dissolution of school districts when students attend school in another state.

Introduction, first reading, 95
 Referred to Committee on Education
 Reported back, amended, 346
 Amendments adopted, 369
 Engrossed, 381
 Second reading, 385
 Passed, 385
 To House, 406

Senate Bill No. 2194 — (Hoffner and Morgan)

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 20.1-05-06 of the North Dakota Century Code as contained in section 12 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the color of garments worn by big game hunters.

Introduction, first reading, 95
 Referred to Committee on Natural Resources
 Reported back, do pass, 166
 Second reading, 192
 Passed, 192
 To House, 216
 Returned to Senate, 686
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160
 Approved by Governor, 1192

Senate Bill No. 2195 — (Wright)

Senate Bill No. 2195. A Bill for an Act to amend and reenact subsection 1 of section 57-37-24 of the North Dakota Century Code, relating to the specification of principal and interest in estate tax payments.

Introduction, first reading, 96
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 484

Senate Bill No. 2196 — (Lips)

Senate Bill No. 2196. A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for income received under the United States Civil Service Retirement Act, firemen's relief associations, and policemen's pension funds, and providing a limitation.

Introduction, first reading, 107
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 291
 Engrossed, 1007, 1198
 Second reading, 313, 1007
 Passed, 313, 1008
 To House, 341
 House amendments, 1004
 Returned to Senate, amended, 1002
 Senate concurs, 1007
 Clincher motion, 1008
 Enrolled, 1198
 Signed by President, 1199

Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2197 — (Longmire)

Senate Bill No. 2197. A Bill for an Act to amend and reenact subsection 3 of section 29-01-14 and section 29-01-15 of the North Dakota Century Code, relating to the definition of a magistrate, including small claims court referees as magistrates, and relating to the jurisdiction of county justices and county judges; and to repeal subsection 13 of section 12-01-04 of the North Dakota Century Code, defining magistrates.

Introduction, first reading, 107
 Referred to Committee on Judiciary
 Reported back, amended, 155-156, 267
 Re-referred to Committee on Judiciary, 192, 281
 Amendments adopted, 167
 Engrossed, 187, 1142
 Second reading, 192, 499, 892
 Reported back, indefinitely postponed, 439
 Reconsidered, 464
 Amended from floor, 499
 Passed, 499, 892
 Re-engrossed, 522, 892
 To House, 536
 House amendments, 873
 Returned to Senate, 873
 Senate concurs, 892
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2198 — (Longmire)

Senate Bill No. 2198. A Bill for an Act to provide for an extension in the term of office of a member of the board of barber examiners; and to amend and reenact sections 43-04-04, 43-04-07, 43-04-34, and 43-04-42 of the North Dakota Century Code, relating to the board of barber examiners, compensation for the board, provision for re-examination of those who fail, and fees.

Introduction, first reading, 107
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 221
 Second reading, 259
 Passed, 260
 To House, 276
 Returned to Senate, 841
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160
 Approved by Governor, 1192

Senate Bill No. 2199 — (Fritzell and Lee)

Senate Bill No. 2199. A Bill for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved

by the forty-third legislative assembly, relating to the definition of rare and endangered animals; and to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to powers of the commissioner.

Introduction, first reading, 107
 Referred to Committee on Natural Resources
 Reported back, do pass, 186, 306
 Re-referred to Committee on Natural Resources, 208
 Second reading, 208, 336
 Passed, 336
 To House, 361
 Returned to Senate, 686
 Enrolled, 870
 Signed by President, 870
 Sent to House, 870
 Received from House, 872
 Message to Governor, 872
 Approved by Governor, 1005

Senate Bill No. 2200 — (Fritzell and Lee)

Senate Bill No. 2200. A Bill for an Act to amend and reenact subsection 10 of section 20.1-01-02 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of harmful wild birds.

Introduction, first reading, 107
 Referred to Committee on Natural Resources
 Reported back, do pass, 186, 306
 Re-referred to Committee on Natural Resources, 208
 Second reading, 208, 336, 700
 Passed, 336, 701
 To House, 361
 House amendments, 686
 Returned to Senate, amended, 686
 Engrossed, 700
 Senate concurs, 700
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2201 — (Lips ad Nasset)

Senate Bill No. 2201. A Bill for an Act to amend and reenact subsection 5 of section 57-39.2-04 of the North Dakota Century Code, relating to the sales tax exemption upon the sale of books and school supplies to nonprofit institutions of higher learning.

Introduction, first reading, 107
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 250
 Second reading, 273
 Passed, 273
 To House, 288
 Returned to Senate, 709
 Enrolled, 1197
 Signed by President, 1199

Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2202 — (Ringsak, Butler, Shablow and Thane)

Senate Bill No. 2202. A Bill for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to the distribution of the oil and gas gross production tax.

Introduction, first reading, 107
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 267

Senate Bill No. 2203 — (Butler)

Senate Bill No. 2203. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to movement of certain vehicles on the highways of this state and setting limitations

Introduction, first reading, 108
 Referred to Committee on Transportation
 Reported back, do pass, 267
 Engrossed, 1008, 1198
 Second reading, 284, 1008
 Passed, 284, 1008
 To House, 300
 House amendments, 1004
 Returned to Senate, amended, 1002
 Clincher motion, 1008
 Senate concurs, 1008
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2204 — (Coughlin, Strinden, Thane and Page)

Senate Bill No. 2204. A Bill for an Act to amend and reenact sections 24-01-13 and 49-18-45 of the North Dakota Century Code, relating to enforcement activities of appointees of the commissioner of the state highway department.

Introduction, first reading, 108
 Referred to Committee on Transportation
 Reported back, do pass, 202
 Second reading, 224
 Passed, 224
 To House, 262
 Returned to Senate, 771
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2205 — (Lee)

Senate Bill No. 2205. A Bill for an Act to amend and reenact section 65-07-01 of the North Dakota Century Code, to include self-employed persons and members of volunteer organizations, and

sections 65-07-02 and 65-07-03 of the North Dakota Century Code, redefining insurance, and section 65-07-04 of the North Dakota Century Code to include self-employed persons and members of volunteer organizations under benefits.

Introduction, first reading, 114
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 221
 Second reading, 260
 Passed, 260
 To House, 276
 Returned to Senate, 841
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2206 — (Barth and C. Schultz)

Senate Bill No. 2206. A Bill for an Act to repeal chapter 80 of the 1957 Session Laws, providing an appropriation for grasshopper control.

Introduction, first reading, 114
 Referred to Committee on Appropriations
 Reported back, do pass, 202
 Second reading, 224
 Passed, 225
 To House, 262
 Returned to Senate, 478
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2207 — (Lips)

Senate Bill No. 2207. A Bill for an Act to appropriate funds in accordance with chapter 54-35 of the North Dakota Century Code to study the need for computerized assessment of real property in North Dakota.

Introduction, first reading, 123
 Referred to Committee on Appropriations
 Reported back, amended, 395
 Statement of Purpose, 395
 Amendments adopted, 425
 Engrossed, 433
 Second reading, 447
 Passed, 447
 To House, 477
 Returned to Senate, indefinitely postponed, 932

Senate Bill No. 2208 — (Reiten)

Senate Bill No. 2208. A Bill for an Act to create and enact sections 43-29-05.1 and 43-29-16.1 of the North Dakota Century Code, relating to the executive secretary of the state board of veterinary medical examiners and abandonment of animals by the owner; and to amend and reenact sections 43-29-01, 43-29-02, 43-29-03, 43-29-05, 43-29-06, 43-29-07, 43-29-08, 43-29-09, 43-29-11, 43-29-13,

43-29-14, 43-29-15, and subsection 3 of section 43-29-17 of the North Dakota Century Code, relating to purposes, appointment, qualifications, officers, rules and regulations, examinations, compensation, application for licenses, fees, renewals, temporary permits, exemptions, refusal to issue and grounds for revocation of licenses, hearings and penalties of the state board of veterinary medical examiners.

Introduction, first reading, 123
 Referred to Committee on Agriculture
 Reported back, do pass, 366
 Second reading, 385
 Passed, 385
 To House, 406
 Returned to Senate, 771
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2209 — (Lee)

Senate Bill No. 2209. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to the membership of the district executive committee of each political party.

Introduction, first reading, 123
 Referred to Committee on Judiciary
 Reported back, do pass, 250, 413
 Re-referred to Committee on Judiciary, 278
 Engrossed, 831, 1193
 Second reading, 273, 447, 831
 Passed, 448, 831
 To House, 477
 House amendments, 753
 Returned to Senate, amended, 752
 Senate does not concur, 761
 Conference Committee, 761, 799
 Conference Committee report, 830
 Conference Committee report adopts, 831, 872
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2210 — (Page)

Senate Bill No. 2210. A Bill for an Act to amend and reenact section 14-03-09 of the North Dakota Century Code, relating to who may perform marriages.

Introduction, first reading, 123
 Referred to Committee on Judiciary
 Reported back, do pass, 250
 Second reading, 273, 778
 Passed, 274, 778
 To House, 288
 House amendments, 772
 Returned to Senate, amended, 771
 Senate concurs, 778
 Engrossed, 778

Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2211 — (Freed and Hoffner)

Senate Bill No. 2211. A Bill for an Act to amend and reenact subsection 11 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

Introduction, first reading, 123
 Referred to Committee on Transportation
 Reported back, indefinitely postponed, 202

Senate Bill No. 2212 —

(Jones, Lips, Christensen, Barth and Anderson)

Senate Bill No. 2212. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme court judges and district court judges.

Introduction, first reading, 124
 Referred to Committee on Judiciary
 Reported back, amended, 320, 484-485
 Re-referred to Committee on Judiciary, 351
 Re-referred to Committee on Appropriations, 413
 Reported back, do pass, 413
 Amendments adopted, 512
 Engrossed, 537
 Second reading, 539
 Passed, 539
 To House, 588
 Returned to Senate, indefinitely postponed, 932

Senate Bill No. 2213 — (Butler)

Senate Bill No. 2213. A Bill for an Act to amend and reenact sections 57-54-16 and 57-54-22 of the North Dakota Century Code, relating to deduction of cost of collecting motor vehicle fuel taxes.

Introduction, first reading, 124
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 413

Senate Bill No. 2214 — (Butler)

Senate Bill No. 2214. A Bill for an Act to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to the purchase of cigarette stamps at a discount.

Introduction, first reading, 124
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 485

Senate Bill No. 2215 — (Committee on Political Subdivisions)

Senate Bill No. 2215. A Bill for an Act to amend and reenact section 40-24-10 and subsection 2 of section 40-61-10 of the North Dakota Century Code, relating to municipal bonds and debts

being approved by boards of budget review, and to repeal chapter 40-41 of the North Dakota Century Code, relating to boards of budget review.

Introduction, first reading, 124
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 280
 Re-referred to Committee on Political Subdivisions, 295
 Second reading, 295
 Reported back, indefinitely postponed, 346

Senate Bill No. 2216.— (Committee on Appropriations)

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 50-26-01, subsection 1 of section 50-26-02, and section 50-26-03 of the North Dakota Century Code, relating to the activities of the governor's council on human resources.

Introduction, first reading, 124
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 291-292
 Amendments adopted, 308
 Re-referred to Committee on Social Welfare and Veterans' Affairs, 337
 Second reading, 336, 448
 Engrossed, 409
 Reported back, do pass, 413
 Passed, 448
 To House, 477
 Returned to Senate, indefinitely postponed, 872

Senate Bill No. 2217 — (Butler)

Senate Bill No. 2217. A Bill for an Act to create and enact section 39-04-37.1 of the North Dakota Century Code, relating to motor vehicles operating in violation of registration laws.

Introduction, first reading, 124
 Referred to Committee on Transportation
 Reported back, do pass, 347
 Second reading, 389, 406, 431
 Returned to Senate and withdrawn, 433

Senate Bill No. 2218 — (Lee)

Senate Bill No. 2218. A Bill for an Act to create and enact a new subsection to section 54-12-01 of the North Dakota Century Code, relating to duties of the attorney general.

Introduction, first reading, 124
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 250

Senate Bill No. 2219 — (Lee)

Senate Bill No. 2219. A Bill for an Act to amend and reenact subsection 7 of section 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal investigation.

Introduction, first reading, 124
 Referred to Committee on Judiciary
 Reported back, amended, 267
 Amendments adopted, 281

Engrossed, 294
 Second reading, 296
 Passed, 296
 To House, 318
House amendments, 874
 Returned to Senate, amended, 873
 Senate does not concur, 892
 Conference Committee, 892, 968
 Conference Committee report, 1050, 1124
 Conference Committee report adopts, 1050, 1124
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1074, 1200
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2220 — (Lips, Strand and Christensen)

Senate Bill No. 2220. A Bill for an Act to amend and reenact subsection 2 of section 15-38.1-13 of the North Dakota Century Code, providing for machinery for the resolution of impasses in professional negotiations in the public schools.

Introduction, first reading, 141
 Referred to **Committee on Education**
 Reported back, indefinitely postponed, 320

Senate Bill No. 2221 — (Berube and Nething)

Senate Bill No. 2221. A Bill for an Act to amend and reenact section 48-10-01 of the North Dakota Century Code, relating to the capitol grounds planning commission, and declaring an emergency.

Introduction, first reading, 141
 Referred to Committee on State and Federal Government
 Reported back, amended, 202
 Amendments adopted, 222
 Engrossed, 252
 Second reading, 260
 Passed, 261
 Emergency carried, 261
 To House, 276
 Returned to Senate, 478
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Governor, 729
 Approved by Governor, 755

Senate Bill No. 2222 — (Melland, Anderson and Wright)

Senate Bill No. 2222. A Bill for an Act to repeal section 5-01-07 of the North Dakota Century Code, relating to township beer and liquor licenses.

Introduction, first reading, 141
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 267
 Second reading, 284
 Passed, 285
 To House, 300
 Returned to Senate, indefinitely postponed, 754

Senate Bill No. 2223 — (Longmire, Lips, Hoffner and Strand)

Senate Bill No. 2223. A Bill for an Act to create and enact a new subsection to section 15-47-38 and to amend and reenact section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

Introduction, first reading, 141
Referred to Committee on Education
Reported back, amended, 347, 396-397
Referred to Committee on Education, 369
Amendments adopted, 425
Engrossed, 433, 1022, 1198
Second reading, 449, 1022
Passed, 449, 1022
To House, 478
House amendments, 1039
Returned to Senate, amended, 1034
Senate concurs, 1021
Enrolled, 1198
Signed by President, 1199
Sent to House, 1200
Received from House, 1202
Message to Governor, 1203

Senate Bill No. 2224 — (Holand)

Senate Bill No. 2224. A Bill for an Act to require a statement for a certificate or declaration of full consideration with certain deeds filed for record in the office of the county register of deeds; and providing for a penalty.

Introduction, first reading, 141
Referred to Committee on Political Subdivisions
Reported back, amended, 347, 541
Amendments adopted, 369, 571
Engrossed, 381
Second reading, 385, 597
Lost, 385
Reconsidered, 398
Re-referred to Committee on Political Subdivisions, 398
Re-engrossed, 591
Passed, 597
Clincher motion, 597
To House, 600
Returned to Senate, indefinitely postponed, 932

Senate Bill No. 2225 — (Holand)

Senate Bill No. 2225. A Bill for an Act to amend and reenact section 54-03-02 of the North Dakota Century Code, relating to the convening date of the legislative assembly.

Introduction, first reading, 142
Referred to Committee on State and Federal Government
Reported back, do pass, 203
Second reading, 225
Passed, 225
To House, 262
Returned to Senate, 361
Enrolled, 393
Signed by President, 394
Sent to House, 394

Received from House, 395
 Message to Governor, 395
 Approved by Governor, 479

Senate Bill No. 2226 — (Longmire and Ringsak)

Senate Bill No. 2226. A Bill for an Act to amend and reenact section 11-15-03.1 of the North Dakota Century Code and to create and enact a new subsection thereto, relating to salary of county sheriff.

Introduction, first reading, 142
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 542

Senate Bill No. 2227 — (Jacobson)

Senate Bill No. 2227. A Bill for an Act relating to and defining abandoned severed mineral interests, providing methods for same to be taken into the custody of the state, for its sale, for an administrator, for a penalty, and providing an appropriation.

Introduction, first reading, 142
 Referred to Committee on Natural Resources
 Reported back, do pass, 439, 542
 Referred to Committee on Appropriations, 475
 Second reading, 475, 575
 Passed, 575
 Clincher motion, 575
 To House, 600
 Returned to Senate, indefinitely postponed, 872

Senate Bill No. 2228 —

(Thane, Mutch, Ringsak, Erdman and Jacobson)

Senate Bill No. 2228. A Bill for an Act to amend and reenact sections 26-01-11 and 26-15-13 of the North Dakota Century Code, relating to a county mutual insurance premium tax, and the territorial limits of operation of county mutual insurance companies.

Introduction, first reading, 142
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 378
 Roll call vote, 378
 Engrossed, 456

Senate Bill No. 2229 — (Nasset)

Senate Bill No. 2229. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land owned by the state of North Dakota for the use and benefit of the Hettinger sub-station of the North Dakota agricultural college of the state of North Dakota to the Hettinger municipal airport authority and appropriating the proceeds of sale to the state board of higher education for the purpose of acquiring other land.

Introduction, first reading, 142
 Referred to Committee on Education
 Reported back, do pass, 203
 Second reading, 225
 Passed, 225
 To House, 262
 Returned to Senate, 933

Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2230 — (Ringsak, Jones and Kautzmann)

Senate Bill No. 2230. A Bill for an Act to regulate and license persons offering or performing accounting services for the public, and providing a penalty.

Introduction, first reading, 142
 Referred to Committee on Judiciary
 Reported back, amended, 507-508
 Amendments laid on table, 553
 Amendments taken from table, 571
 Amendments lost on roll call vote, 571
 Second reading, 572
 Lost, 572

Senate, Bill No. 2231 — (Litten)

Senate Bill No. 2231. A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state.

Introduction, first reading, 142
 Referred to Committee on Appropriations
 Reported back, do pass, 366
 Second reading, 386
 Passed, 386
 To House, 406
 Returned to Senate, 771
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1054

Senate Bill No. 2232 — (Holand)

Senate Bill No. 2232. A Bill for an Act to amend and reenact section 4-22-17 of the North Dakota Century Code, relating to the filing of the nominating petition of a candidate for the office of soil conservation district supervisor.

Introduction, first reading, 142
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 280
 Second reading, 297
 Passed, 297
 To House, 318
 Returned to Senate, 686
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2233 — (Thane, Strinden, Mutch and Pyle)

Senate Bill No. 2233. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to the exemption of self-propelled fertilizer spreaders from width limitations on vehicles.

Introduction, first reading, 143
 Referred to Committee on Agriculture
 Reported back, amended, 458
 Amendments adopted, 492
 Engrossed, 522, 1193
 Second reading, 531, 780
 Passed, 531, 781
 To House, 563
 House amendments, 772
 Returned to Senate, amended, 771
 Senate concurs, 780
 Re-engrossed, 780
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2234 — (Longmire and Coughlin)

Senate Bill No. 2234. A Bill for an Act to amend and reenact section 40-51.2-10 of the North Dakota Century Code, relating to the annexation review commission and changing the composition of the commission.

Introduction, first reading, 143
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 485

Senate Bill No. 2235 — (Sandness)

Senate Bill No. 2235. A Bill for an Act to amend and reenact section 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township supervisors, clerks, and treasurers.

Introduction, first reading, 143
 Referred to Committee on Political Subdivisions
 Reported back, amended, 267-268
 Amendments adopted, 281
 Engrossed, 294
 Second reading, 297
 Passed, 298
 To House, 318
 Returned to Senate, 686
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1054

Senate Bill No. 2236 — (Ringsak, Page, Shablow and Larson)

Senate Bill No. 2236. A Bill for an Act to provide an appropriation for the construction of a new administration building at the Grafton state school.

Introduction, first reading, 143
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 413

Senate Bill No. 2237 — (Christensen)

Senate Bill No. 2237. A Bill for an Act to amend and reenact section 20.1-01-11 of the North Dakota Century Code as contained in section 8 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to hunting game from motor-driven vehicles.

Introduction, first reading, 143
 Referred to Committee on Natural Resources
 Reported back, indefinitely postponed, 306

Senate Bill No. 2238 — (Christensen)

Senate Bill No. 2238. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land, appropriating the proceeds of such sale to the state board of higher education for the purpose for which the land was originally received, and declaring an emergency.

Introduction, first reading, 143
 Referred to Committee on State and Federal Government
 Reported back, do pass, 203
 Second reading, 226
 Passed, 226
 Emergency carried, 226
 To House, 262
 Returned to Senate, 933
 Enrolled, 1193
 Signed by President, 1194
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2239 — (Fritzell and Christensen)

Senate Bill No. 2239. A Bill for an Act to provide for actions for declaratory and equitable relief for protection of the air, water, and other natural resources; to prescribe the rights, duties, and functions of the attorney general, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization, or other legal entity; and to provide for judicial proceedings relative thereto.

Introduction, first reading, 143
 Referred to Committee on Natural Resources
 Reported back, indefinitely postponed, 485
 Roll call vote, 485

Senate Bill No. 2240 —
 (Ringsak, Morgan, Stroup, Nething and Hoffner)

Senate Bill No. 2240. A Bill for an Act to require the state and all its political subdivisions to carry liability insurance in areas of common risk, and to repeal section 39-01-08 of the North Dakota Century Code, authorizing political subdivisions to carry insurance on vehicles.

Introduction, first reading, 144
 Referred to Committee on Judiciary
 Reported back, amended, 458
 Returned without recommendation, 458
 Amendments placed on calendar without recommendation, 492
 Engrossed, 522
 Second reading, 531, 538
 Lost, 538

Senate Bill No. 2241 — (Fritzell and Christensen)

Senate Bill No. 2241. A Bill for an Act to repeal chapter 15-66 of the North Dakota Century Code, relating to the regional medical education board.

Introduction, first reading, 144
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 347
 Referred to Committee on Appropriations, 347
 Reported back, amended, 459
 Amendments adopted, 492
 Engrossed, 522
 Second reading, 531
 Passed, 532
 To House, 563
 Returned to Senate, 771
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2242 — (Nothing and Pyle)

Senate Bill No. 2242. A Bill for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code as amended by section 3 of chapter 493 of the 1971 Session Laws of North Dakota, relating to auditing of political subdivisions.

Introduction, first reading, 144
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 268
 Second reading, 285
 Passed, 285
 To House, 300
 Returned to Senate, 771
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2243 — (Reiten and Larson)

Senate Bill No. 2243. A Bill for an Act to amend and reenact sections 11-19-18 and 23-06-03 of the North Dakota Century Code, relating to duty of burial of deceased persons and disposition of bodies by coroners.

Introduction, first reading, 144
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 486

Amendments adopted, 512
 Engrossed, 537
 Second reading, 539
 Passed, 540
 To House, 588
 Returned to Senate, 771
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2244 — (Litten)

Senate Bill No. 2244. A Bill for an Act to prohibit referral sales, multilevel sales distributorships, and chain sales schemes, and to provide penalties for such sales.

Introduction, first reading, 144
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 221
 Second reading, 261
 Passed, 261
 To House, 276
 Returned to Senate, 727
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2245 — (Strinden, Ringsak, Schultz and Coughlin)

Senate Bill No. 2245. A Bill for an Act to provide for a transfer from the general fund to the Vietnam veterans' bonus adjusted compensation fund, and to provide an appropriation to the adjutant general for the purpose of administering the provisions of the Vietnam Conflict Veterans' Adjusted Compensation Act.

Introduction, first reading, 158
 Referred to Committee on Appropriations
 Reported back, do pass, 508
 Second reading, 540, 542
 Lost, 540, 543
 Reconsidered, 542
 Clincher motion, 543

Senate Bill No. 2246 — (Kautzmann)

Senate Bill No. 2246. A Bill for an Act to repeal subsection 5 of section 20.1-03-04 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to hunting and fishing without a license by military personnel, during the open season in a time of war.

Introduction, first reading, 158
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 306
 Second reading, 337
 Passed, 337
 To House, 361

Returned to Senate, 536
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1054

Senate Bill No. 2247 — (Barth, Page, Hoffner, Wright and Berube)

Senate Bill No. 2247. A Bill for an Act to create and enact sections 26-26-07.1, 26-27-10.1, 26-27-10.2, 26-27.1-11.1, and 26-27.1-11.2 of the North Dakota Century Code, and to amend and reenact sections 26-26-01, 26-26-08, 26-27-02, 26-27-08, 26-27-10, 26-27.1-02, 26-27.1-09, and 26-27.1-11 of the North Dakota Century Code, to subject hospital, medical, and dental service corporations to regulations by the insurance commissioner.

Introduction, first reading, 158
 Referred to Committee on Industry, Business and Labor
 Reported back, indefinitely postponed, 413

Senate Bill No. 2248 — (Wenstrom and Litten)

Senate Bill No. 2248. A Bill for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption from the sales and use tax of food and food products.

Introduction, first reading, 158
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 542
 Roll call vote, 542

Senate Bill No. 2249 — (Wenstrom)

Senate Bill No. 2249. A Bill for an Act to amend and reenact section 35-01-05.1 of the North Dakota Century Code, relating to security interests in motor vehicles.

Introduction, first reading, 158
 Referred to Committee on Transportation
 Reported back, do pass, 268
 Second reading, 285
 Passed, 285
 To House, 300
 Returned to Senate, 709
 Enrolled, 981
 Sent to House, 995
 Signed by President, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2250 — (Wenstrom)

Senate Bill No. 2250. A Bill for an Act to amend and reenact section 39-24-02 of the North Dakota Century Code, relating to the registration and titling of snowmobiles.

Introduction, first reading, 158
 Referred to Committee on Transportation
 Reported back, do pass, 268
 Engrossed, 1008, 1198

Second reading, 285, 1009
 Passed, 286, 1009
 To House, 300
 House amendments, 1004
 Returned to Senate, amended, 1002
 Senate concurs, 1008
 Clincher motion, 1009
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2251 — (Page, Morgan and Barth)

Senate Bill No. 2251. A Bill for an Act to amend and reenact sections 39-04-08 and 39-04-11 of the North Dakota Century Code, relating to license plates on motor vehicles.

Introduction, first reading, 158
 Referred to Committee on Transportation
 Reported back, placed on calendar, 268
 Referred to Committee on Appropriations, 269
 Reported back, indefinitely postponed, 378

Senate Bill No. 2252 — (Nasset)

Senate Bill No. 2252. A Bill for an Act to amend and reenact sections 15-55-20 and 15-55-21 of the North Dakota Century Code, relating to the maintaining of financial records and expenses of revenue producing buildings, and declaring an emergency.

Introduction, first reading, 159
 Referred to Committee on Education
 Reported back, amended, 203
 Amendments adopted, 222
 Engrossed, 252
 Second reading, 261
 Passed, 261
 Emergency carried, 261
 To House, 276
 Returned to Senate, 841
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2253 — (Longmire, Lips, Reiten and Butler)

Senate Bill No. 2253. A Bill for an Act to amend and reenact subsection 1 of section 2-06-03 of the North Dakota Century Code, relating to the creation of a regional airport authority.

Introduction, first reading, 159
 Referred to Committee on Transportation
 Reported back, do pass, 268
 Second reading, 286
 Passed, 286
 To House, 300
 Returned to Senate, 933
 Enrolled, 1193

Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2254 — (Committee on Appropriations)

Senate Bill No. 2254. A Bill for an Act to provide an appropriation for the salaries and expenses of the state economic opportunity office.

Introduction, first reading, 159
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 397

Senate Bill No. 2255 — (Committee on Appropriations)

Senate Bill No. 2255. A Bill for an Act to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor fuel tax laws.

Introduction, first reading, 159
 Referred to Committee on Appropriations
 Reported back, do pass, 292
 Second reading, 313
 Passed, 314
 To House, 341
 Returned to Senate, 536
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2256 — (Committee on Appropriations)

Senate Bill No. 2256. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys.

Introduction, first reading, 159
 Referred to Committee on Appropriations
 Reported back, amended, 366
 Statement of Purpose, 366
 Amendments adopted, 380
 Engrossed, 393, 1198
 Second reading, 400, 1152
 Passed, 401, 1152
 To House, 432
 House amendments, 1109
 Returned to Senate, amended, 1104
 Conference Committee, 1111, 1125
 Conference Committee report, 1152, 1166
 Senate adopts, 1152, 1166
 Re-engrossed, 1152
 Senate does not concur, 1111
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2257 — (Butler)

Senate Bill No. 2257. A Bill for an Act to amend and reenact sections 11-10.1-01, 11-10.1-05 and 11-10.1-07 of the North Dakota Century Code, relating to qualifications, duties and term of office of county director of tax equalization and city assessor.

Introduction, first reading, 159
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 320
 Referred to Committee on Appropriations, 351
 Reported back, amended, 508
 Amendments adopted, 553
 Engrossed, 565
 Second reading, 576
 Clincher motion 576
 Lost, 576

Senate Bill No. 2258 — (Melland and Nething)

Senate Bill No. 2258. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota and used by the North Dakota state hospital.

Introduction, first reading, 159
 Referred to Committee on State and Federal Government
 Reported back, amended, 347-348
 Amendments adopted, 369
 Engrossed, 381, 1027, 1198
 Second reading, 386, 1027
 Passed, 387, 1028
 To House, 406
 House amendments, 1033
 Returned to Senate, amended, 1031
 Senate concurs, 1027
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2259 — (Schultz)

Senate Bill No. 2259. A Bill for an Act to amend and reenact section 57-55-10 of the North Dakota Century Code, relating to exemptions and exceptions to the taxation of mobile homes.

Introduction, first reading, 159
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 321
 Second reading, 354
 Passed, 355
 To House, 374
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2260 — (Committee on Appropriations)

Senate Bill No. 2260. A Bill for an Act to provide an appropriation for salaries and expenses of the merit system council.

Introduction, first reading, 159
 Referred to Committee on Appropriations
 Reported back, amended, 366
 Statement of Purpose, 366
 Amendments adopted, 380
 Engrossed, 393
 Second reading, 401
 Passed, 401
 To House, 432
 Returned to Senate, 771
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2261 — (Sands, Thane and Freed)

Senate Bill No. 2261. A Bill for an Act to create and enact sections 8-10-07.2 and 8-10-07.3 of the North Dakota Century Code, relating to the criminal offense of making, selling, or possessing a device to be used for fraudulently obtaining telecommunication services, and to the criminal offense of publishing a credit card number or code with intent or belief that it will be used to avoid lawful telecommunication charges, and providing penalties.

Introduction, first reading, 160
 Referred to Committee on Judiciary
 Reported back, do pass, 203
 Second reading, 226
 Passed, 226
 To House, 262
 Returned to Senate, 727
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2262 — (Goldberg, Reiten and Redlin)

Senate Bill No. 2262. A Bill for an Act to establish a state crime laboratory.

Introduction, first reading, 167
 Referred to Committee on Judiciary
 Reported back, do pass, 306
 Second reading, 337
 Passed, 337
 To House, 361
 Returned to Senate, 822
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2263 — (Goldberg)

Senate Bill No. 2263. A Bill for an Act to provide for regulation and licensing of mobile home parks and providing a penalty.

Introduction, first reading, 167
Referred to Committee on Industry, Business, and Labor
Reported back, indefinitely postponed, 397

Senate Bill No. 2264 — (Nothing and Thane)

Senate Bill No. 2264. A Bill for an Act to create and enact a new subsection to section 20.1-01-02, and a new section to chapter 20.1-03 of the North Dakota Century Code as contained in sections 8 and 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the definition of waterfowl, and the time period during which nonresidents may hunt and possess waterfowl.

Introduction, first reading, 167
Referred to Committee on Natural Resources
Reported back, do pass, 459
Second reading, 527
Passed, 528
To House, 563
Returned to Senate, 933
Enrolled, 1193
Signed by President, 1193
Sent to House, 1194
Received from House, 1194
Message to Governor, 1195

Senate Bill No. 2265 — (Nothing)

Senate Bill No. 2265. A Bill for an Act to amend and reenact subsection 2 of section 39-17-07 of the North Dakota Century Code, relating to the limitation of amounts payable from the unsatisfied judgment fund.

Introduction, first reading, 167
Referred to Committee on Judiciary
Reported back, do pass, 321
Second reading, 355
Passed, 355
To House, 374
Returned to Senate, failed to pass, 1001

Senate Bill No. 2266 — (Ringsak, Morgan, Freed and Holand)

Senate Bill No. 2266. A Bill for an Act to create and enact section 30-10-02.1 of the North Dakota Century Code, authorizing the appointment of a guardian of the person or estate of a competent person.

Introduction, first reading, 168
Referred to Committee on Judiciary
Reported back, do pass, 268
Engrossed, 1133, 1198
Second reading, 286, 1133
Passed, 287, 1134
To House, 300
House amendments, 772
Returned to Senate, amended, 771
Conference Committee, 781, 799, 923
Conference Committee report, 894, 1133
Senate does not adopt, 894, 1133
Senate does not concur, 781
Adopted, 1160
Enrolled, 1198

Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2267 — (Melland and Tweten)

Senate Bill No. 2267. A Bill for an Act to amend and reenact section 23-17.2-06 of the North Dakota Century Code, relating to authority of the North Dakota state health council regarding certificates of need.

Introduction, first reading, 168
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 268, 348
 Re-referred to Committee on Social Welfare and Veterans' Affairs, 287
 Engrossed, 812
 Second reading, 287, 372, 812
 Passed, 372, 812
 To House, 392
 House amendments, 797-798
 Returned to Senate, amended, 797
 Senate concurs, 812
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2268 — (Melland and Tweten)

Senate Bill No. 2268. A Bill for an Act to amend and reenact sections 43-34-03, 43-34-05, and 43-34-10 of the North Dakota Century Code, relating to the licensing of nursing home administrators.

Introduction, first reading, 168
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 280
 Second reading, 298
 Passed, 298
 To House, 318
 Returned to Senate, 771
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2269 — (Melland and Tweten)

Senate Bill No. 2269. A Bill for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to exemptions from real property taxation.

Introduction, first reading, 168
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 321
 Second reading, 355
 Passed, 355
 To House, 374
 House amendments, 1004

Returned to Senate, amended, 1002
 Senate adopts, 1095, 1124
 Conference Committee, 1009, 1043
 Conference Committee report, 1095, 1124
 Senate does not concur, 1009
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2270 — (Berube and Nasset)

Senate Bill No. 2270. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to county committees on school district reorganization.

Introduction, first reading, 168
 Referred to Committee on Education
 Reported back, indefinitely postponed, 543

Senate Bill No. 2271 — (Melland)

Senate Bill No. 2271. A Bill for an Act to provide legal redress for franchisees whose franchises have been cancelled, terminated, or not renewed by a franchisor without due cause.

Introduction, first reading, 168
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 378

Senate Bill No. 2272 — (Strinden)

Senate Bill No. 2272. A Bill for an Act to repeal chapter 54-53 of the North Dakota Century Code, relating to the upper great plains transportation institute.

Introduction, first reading, 168
 Referred to Committee on Transportation
 Reported back, indefinitely postponed, 348

Senate Bill No. 2273 — (Strinden)

Senate Bill No. 2273. A Bill for an Act to provide an appropriation to the North Dakota winter show for the showing and competition of livestock.

Introduction, first reading, 168
 Referred to Committee on Appropriations
 Reported back, do pass, 306
 Second reading, 337
 Passed, 338
 To House, 361
 Returned to Senate, indefinitely postponed, 754

Senate Bill No. 2274 — (Christensen and Fritzell)

Senate Bill No. 2274. A Bill for an Act to require permits for and environmental impact statements from all persons whose activities significantly affect the quality of the human environment, and providing a penalty.

Introduction, first reading, 168
 Referred to Committee on Natural Resources

Reported back, indefinitely postponed, 486
Roll call vote, 486

Senate Bill No. 2275 — (Goldberg and Stroup)

Senate Bill No. 2275. A Bill for an Act to amend and reenact section 29-06-15 of the North Dakota Century Code, relating to arrest of a person without a warrant.

Introduction, first reading, 169
Referred to Committee on Judiciary
Returned to Senate and withdrawn, 251

Senate Bill No. 2276 — (Goldberg and Stroup)

Senate Bill No. 2276. A Bill for an Act to amend and reenact section 12-21-11 of the North Dakota Century Code, relating to seizure of equipment used in connection with manufacture or display of obscene matter.

Introduction, first reading, 169
Referred to Committee on Social Welfare and Veterans' Affairs
Returned to Senate and withdrawn, 269

Senate Bill No. 2277 — (Ringsak)

Senate Bill No. 2277. A Bill for an Act to permit the depositing in school district general funds of moneys accumulated in such districts from tuition levies for now defunct county agricultural and training schools, and declaring an emergency.

Introduction, first reading, 169
Referred to Committee on Education
Reported back, do pass, 306
Second reading, 338
Passed, 338
Emergency carried, 338
To House, 361
Returned to Senate, 709
Enrolled, 887
Signed by President, 909
Sent to House, 909
Received from House, 933
Message to Governor, 934
Approved by Governor, 1005

Senate Bill No. 2278 —

(Roen, Jacobson, Anderson, Nasset and Christensen)

Senate Bill No. 2278. A Bill for an Act to create and enact section 2-07-06.4, 2-07-06.5, 2-07-06.6, and 2-07-06.7, and to amend and reenact section 2-07-06, subsections 2 and 3 of section 2-07-06.1, and sections 2-07-06.2, 2-07-06.3, 2-07-08, 2-07-09, and 2-07-10 of the North Dakota Century Code, relating to the creation of a weather modification authority, continuation of an authority, contents of the petition, powers of the authority, liability for activities, and providing procedures for abolishment.

Introduction, first reading, 169
Referred to Committee on Natural Resources
Reported back, amended, 459
Amendments adopted, 492
Engrossed, 522, 1198
Second reading, 532, 1153

Passed, 532, 1153
 To House, 563
 House amendments, 1109
 Returned to Senate, amended, 1104
 Senate does not concur, 1119
 Conference Committee, 1119, 1125
 Conference Committee report, 1152, 1166
 Senate adopts, 1153, 1166
 Re-engrossed, 1153
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2279 — (Jones, Anderson and Wright)

Senate Bill No. 2279. A Bill for an Act to prohibit a bank or bank holding company or its affiliates or any employee, officer or agent, thereof being licensed as an insurance agent or organized as an insurer within this state, and providing exceptions.

Introduction, first reading, 195
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 307

Senate Bill No. 2280 — (Wright and Page)

Senate Bill No. 2280. A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the North Dakota Century Code, to provide for the inclusion of certain motor vehicles used in the business of a dealer within the definition of trade-in for purposes of determining the purchase price for excise tax purposes.

Introduction, first reading, 195
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 292
 Second reading, 314
 Passed, 314
 To House, 341
 Returned to Senate, 686
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2281 — (Lee)

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 57-38-49 and subsections 4 and 5 of section 57-39.2-13 of the North Dakota Century Code, relating to preservation of liens.

Introduction, first reading, 195
 Referred to Committee on Judiciary
 Reported back, do pass, 378
 Second reading, 401
 Passed, 401
 To House, 432
 Returned to Senate, 709
 Enrolled, 981
 Signed by President, 995

Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2282 — (Stroup, Rait and Roen)

Senate Bill No. 2282. A Bill for an Act to amend and reenact section 65-05-05 of the North Dakota Century Code, relating to workmen's compensation coverage for coal miners who are disabled and to dependents of coal miners who have died as a result of pneumoconiosis; and to provide such benefits as required by the Federal Coal Mine Health and Safety Act of 1969 and amendments thereto.

Introduction, first reading, 195
 Referred to Committee on Natural Resources
 Returned to Senate
 Re-referred to Committee on State and Federal Government, 433
 Reported back, amended, 487-488
 Amendments adopted, 512
 Engrossed, 537
 Second reading, 557
 Passed, 557
 To House, 588
 Returned to Senate, 875
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2283 — (Melland, Jones, Kautzmann and Wenstrom)

Senate Bill No. 2283. A Bill for an Act to provide for the creation of a North Dakota student financial assistance program, and providing an appropriation.

Introduction, first reading, 195
 Referred to Committee on Education
 Reported back, do pass, 460, 543
 Re-referred to Committee on Appropriations, 460
 Engrossed, 1143, 1198
 Second reading, 576, 1143
 Passed, 576, 1144
 Clincher motion, 576
 To House, 600
 House amendments, 1039
 Returned to Senate, amended, 1034
 Senate does not concur, 1048
 Conference Committee, 1048, 1097
 Conference Committee report, 1143
 Senate adopts, 1143, 1160
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2284 — (Ringsak, Freed and Morgan)

Senate Bill No. 2284. A Bill for an Act to provide a limitation on the recovery for damages arising from the illegal sale or disposition of alcoholic beverages.

Introduction, first reading, 195
 Referred to Committee on Judiciary
 Returned to Senate, 431
 Withdrawn, 432

Senate Bill No. 2285 — (Roen, Nasset and Freed)

Senate Bill No. 2285. A Bill for an Act to provide an appropriation for the development of recreational facilities in the city of Medora.

Introduction, first reading, 195
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 367

Senate Bill No. 2286 — (Holand)

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to salaries paid to judges of county courts of increased jurisdiction and raising such salaries.

Introduction, first reading, 195
 Referred to Committee on Judiciary
 Reported back, amended, 459
 Amendments not adopted, 512
 Further amended and adopted, 513
 Engrossed, 537, 1198
 Second reading, 557, 1118
 Passed, 557, 1118
 To House, 588
 House amendments, 874
 Returned to Senate, amended, 873
 Conference Committee, 892, 968
 Senate does not concur, 892
 Conference Committee report, 1117
 Senate adopts, 1118, 1160
 Re-engrossed, 1118
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2287 — (Holand)

Senate Bill No. 2287. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the salary and expenses of county commissioners.

Introduction, first reading, 196
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 543

Senate Bill No. 2288 — (Holand)

Senate Bill No. 2288. A Bill for an Act to create and enact sections 15-53.1-19.1, 15-53.1-19.2, and 15-53.1-19.3, and to amend and reenact sections 15-47-21, subsection 2 of section 15-53.1-01, and sections 15-53.1-05, 15-53.1-06, 15-53.1-07, 15-53.1-14, 15-53.1-15, 15-53.1-16, 15-53.1-17, 15-53.1-18, 15-53.1-19, 15-53.1-20, 15-53.1-25, 15-53.1-26, 15-53.1-28, 15-53.1-29, 15-53.1-30, 15-53.1-32, 15-53.1-33, 15-53.1-37, 15-53.1-39, 15-53.1-41, and 15-53.1-42 of the North Dakota Century Code, relating to area reorganization committees.

Introduction, first reading, 196
 Referred to Committee on Education
 Reported back, amended, 413-419
 Amendments adopted, 442
 Second reading, 475, 528
 Passed, 528
 To House, 563
 Returned to Senate, indefinitely postponed, 1001

Senate Bill No. 2289 — (Kautzmann)

Senate Bill No. 2289. A Bill for an Act to amend and reenact section 21-04-14 of the North Dakota Century Code, relating to bid proposals for public deposits.

Introduction, first reading, 196
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 307
 Second reading, 338
 Passed, 339
 To House, 361
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842
 Approved by Governor, 911

Senate Bill No. 2290 — (Freed and Nothing)

Senate Bill No. 2290. A Bill for an Act to amend and reenact sections 33-12-31 and 40-18-12 of the North Dakota Century Code, relating to the power of county justices and municipal judges to commit convicted persons to jail for offenses or ordinance violations; and to repeal sections 29-26-21 and 40-11-12 of the North Dakota Century Code, relating to imprisonment for failure to pay a fine imposed.

Introduction, first reading, 196
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 292

Senate Bill No. 2291 — (Freed and Nothing)

Senate Bill No. 2291. A Bill for an Act to repeal section 29-05-22 of the North Dakota Century Code, relating to involuntary waivers of preliminary examinations through posting of bond.

Introduction, first reading, 196
 Referred to Committee on Judiciary
 Reported back, do pass, 292
 Second reading, 314
 Passed, 315
 To House, 341
 Returned to Senate, 709
 Enrolled, 887
 Signed by President, 909
 Sent to House, 909
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2292 — (Mutch)

Senate Bill No. 2292. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to obtaining absentee voters' ballots.

Introduction, first reading, 196
 Referred to Committee on Judiciary
 Reported back, do pass, 292
 Second reading, 315
 Passed, 315
 To House, 341
 Returned to Senate, indefinitely postponed, 842

Senate Bill No. 2293 — (J. Schultz)

Senate Bill No. 2293. A Bill for an Act to establish a state board of assessing officials, providing for the establishing, conducting, reviewing, supervising, coordinating or approving courses in assessment practices, and establishing criteria for determining qualifications of assessors and county directors of tax equalization.

Introduction, first reading, 196
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 543
 Engrossed, 577
 Second reading, 577
 Amended from floor, 577
 Passed, 577
 Clincher motion, 577
 To House, 600
 Returned to Senate, indefinitely postponed, 872

Senate Bill No. 2294 — (Goldberg)

Senate Bill No. 2294. A Bill for an Act to amend and reenact section 10-19-44 of the North Dakota Century Code, relating to corporate dividends, and declaring an emergency.

Introduction, first reading, 196
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 420
 Second reading, 449
 Passed, 449
 Emergency carried, 449
 To House, 478
 Returned to Senate, 841
 Enrolled, 1033
 Signed by President, 1033
 Sent to House, 1034
 Received from House, 1039
 Message to Governor, 1039
 Approved by Governor, 1089

Senate Bill No. 2295 — (Thane and Nething)

Senate Bill No. 2295. A Bill for an Act to create and enact a new subsection to sections 20.1-01-02, 20.1-02-05, and 20.1-03-12 of the North Dakota Century Code as contained in sections 8, 9, and 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to guides.

Introduction, first reading, 197
 Referred to Committee on Natural Resources
 Reported back, amended, 460

Amendments adopted, 492
 Engrossed, 522, 1198
 Second reading, 532
 Passed, 533
 To House, 563
 Returned to Senate, 796
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2296 — (Stroup and Freed)

Senate Bill No. 2296. A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to the calling of a state's attorney's inquiry; and to repeal section 11-19A-09 and 11-19A-17 of the North Dakota Century Code, relating to state's attorneys' inquiries in counties of over eight thousand population.

Introduction, first reading, 197
 Referred to Committee on Judiciary
 Reported back, amended, 321
 Amendments adopted, 351
 Engrossed, 365
 Second reading, 372
 Passed, 372
 To House, 392
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2297 — (Fritzell)

Senate Bill No. 2297. A Bill for an Act to create a state board of nature preserves, to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves.

Introduction, first reading, 197
 Referred to Committee on Natural Resources
 Reported back, amended, 509
 Amendments adopted, 553
 Engrossed, 565
 Second reading, 577, 578
 Re-engrossed, 578
 Amended from floor, 578
 Clincher motion, 578
 To House, 600
 Returned to Senate, indefinitely postponed, 1001

Senate Bill No. 2298 — (Barth)

Senate Bill No. 2298. A Bill for an Act to repeal section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of the list of publications of the agricultural college.

Introduction, first reading, 209
 Referred to Committee on Agriculture

Reported back, do pass, 280
 Re-referred to Committee on Agriculture, 298
 Referred back, indefinitely postponed, 367

Senate Bill No. 2299 — (Barth)

Senate Bill No. 2299. A Bill for an Act to repeal section 15-12-11 of the North Dakota Century Code, relating to the furnishing of a list of its publications by the agricultural college to county auditors.

Introduction, first reading, 209
 Referred to Committee on Agriculture
 Reported back, do pass, 280
 Re-referred to Committee on Agriculture, 298
 Reported back, indefinitely postponed, 367

Senate Bill No. 2300 — (Wright)

Senate Bill No. 2300. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code, relating to the definition of a telephone company for taxation purposes.

Introduction, first reading, 209
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 420
 Second reading, 450
 Passed, 450
 To House, 478
 Returned to Senate, 822
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2301 — (Wright)

Senate Bill No. 2301. A Bill for an Act to create and enact section 57-15-51.1 of the North Dakota Century Code, to authorize a special townships tax levy for ambulance services.

Introduction, first reading, 210
 Referred to Committee on Political Subdivisions
 Returned to Senate and re-referred to Committee on Finance and Taxation, 269
 Reported back, amended, 420
 Amendments adopted, 442
 Engrossed, 456
 Second reading, 475
 Passed, 475
 To House, 502
 Returned to Senate, 796
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2302 — (Naaden and Strinden)

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsections 1 and 2 of section 37-25-02 of the North Dakota Century Code, relating to the period of service needed to be eligible for the Vietnam bonus.

Introduction, first reading, 210
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, indefinitely postponed, 460
 Engrossed, 522
 Second reading, 496
 Amended from floor, 496
 Passed, 497
 To House, 536
 Returned to Senate, indefinitely postponed, 872

Senate Bill No. 2303 — (Lips)

Senate Bill No. 2303. A Bill for an Act to provide for bonding of each person charged with the responsibility of setting aside and depositing funds in a perpetual care fund; to create and enact sections 23-21.1-02.1 and 23-21.1-02.2 of the North Dakota Century Code, relating to licensing of perpetual care cemeteries; to amend and reenact sections 23-06-04, 23-06-10, 23-06-20, 23-21.1-02, 23-21.1-03, 23-21.1-05, and 23-21.1-09 of the North Dakota Century Code, relating to the time within which burial must be made, contents of burial-transit permits, duties of sextons, regulation of cemeteries, definition of cemeteries, creation of perpetual care funds, and non-perpetual care cemeteries; and providing a penalty.

Introduction, first reading, 210
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 321
 Second reading, 356
 Passed, 357
 To House, 374
 Returned to Senate, 875
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2304 — (Solberg)

Senate Bill No. 2304. A Bill for an Act to amend and reenact section 19-10-19 of the North Dakota Century Code, relating to inspection fees payable to the state laboratories department for the shipping or transporting of petroleum fuels into this state.

Introduction, first reading, 210
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 460

Senate Bill No. 2305 — (Lee)

Senate Bill No. 2305. A Bill for an Act to amend and reenact subsections 1 and 7 of section 54-52.1-01 and sections 54-52.1-02, 54-52.1-03, 54-52.1-04, 54-52.1-06, and 54-52.1-09 of the North Dakota Century Code, relating to the uniform group insurance program and membership therein for county employees.

Introduction, first reading, 210
 Referred to Committee on Political Subdivisions

Reported back, do pass, 543
 Second reading, 578
 Passed, 579
 Clincher motion, 579
 To House, 600
 Returned to Senate, indefinitely postponed, 872

Senate Bill No. 2306 — (Stroup)

Senate Bill No. 2306. A Bill for an Act to require hearing examiners in matters of administrative agencies.

Introduction, first reading, 210
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 460

Senate Bill No. 2307 — (Anderson, Coughlin, Jacobson and Rait)

Senate Bill No. 2307. A Bill for an Act to provide an option to postpone the reporting of crop insurance proceeds for income tax purposes.

Introduction, first reading, 210
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 307
 Second reading 339
 Passed, 339
 To House, 361
 Returned to Senate, 727
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2308 — (Litten)

Senate Bill No. 2308. A Bill for an Act to provide that the name of the department of accounts and purchases be changed to the department of administration; and to amend and reenact chapter 54-44, and sections 54-44.1-02, 54-44.1-11, and 54-44.2-01 of the North Dakota Century Code, relating to changing the name of the department of accounts and purchases to the department of administration.

Introduction, first reading, 210
 Referred to Committee on State and Federal Government
 Reported back, do pass, 321
 Second reading, 357
 Passed, 357
 To House, 374
 Returned to Senate, not passed, 502

Senate Bill No. 2309 — (Litten)

Senate Bill No. 2309. A Bill for an Act to provide for the licensure of audiologists, and providing a penalty.

Introduction, first reading, 211
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 348

Senate Bill No. 2310 — (Holand)

Senate Bill No. 2310. A Bill for an Act to create the North Dakota post-secondary education commission and to repeal sections 15-10-29, 15-10-30, 15-10-31 and 15-10-32 of the North Dakota Century Code.

Introduction, first reading, 211
 Referred to Committee on Education
 Reported back, do pass, 543
 Second reading, 579
 Passed, 579
 Clincher motion, 579
 To House, 600
 Returned to Senate, indefinitely postponed, 1001

Senate Bill No. 2311 — (Butler)

Senate Bill No. 2311. A Bill for an Act to amend and reenact subsections 5 and 6 of section 57-39.2-01 of the North Dakota Century Code, relating to sales conducted at auction.

Introduction, first reading, 211
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 321
 Engrossed, 1009, 1198
 Second reading, 355, 1009
 Passed, 356, 1009
 To House, 374
 House amendments, 1004
 Returned to Senate, amended, 1002
 Senate concurs, 1009
 Clincher motion, 1009
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2312 — (Barth and Hoffner)

Senate Bill No. 2312. A Bill for an Act to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to salary deductions from employee.

Introduction, first reading, 211
 Referred to Committee on State and Federal Government
 Reported back, do pass, 488
 Second reading, 533
 Passed, 533
 To House, 563
 Returned to Senate, 1034
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2313 — (Barth and Hoffner)

Senate Bill No. 2313. A Bill for an Act to amend and reenact section 57-02-33 of the North Dakota Century Code, relating to assessor districts for unorganized territory.

Introduction, first reading, 211
Referred to Committee on Political Subdivisions
Reported back, do pass, 367
Second reading, 387
Passed, 387
To House, 406

Senate, Bill No. 2314 — (C. Schultz)

Senate Bill No. 2314. A Bill for an Act to amend and reenact section 57-53-09 of the North Dakota Century Code, relating to the deposit of special fuel tax levy funds.

Introduction, first reading, 211
Referred to Committee on Appropriations
Reported back, indefinitely postponed, 307

Senate Bill No. 2315 — (Barth and Ringsak)

Senate Bill No. 2315. A Bill for an Act to amend and reenact section 16-13-47.1 of the North Dakota Century Code, relating to the availability of a recount of ballots cast for candidates to a congressional, state, legislative, or county office.

Introduction, first reading, 211
Referred to Committee on Political Subdivisions
Reported back, do pass, 367
Second reading, 387
Passed, 388
To House, 406
Returned to Senate, 771
Enrolled, 981
Signed by President, 995
Sent to House, 995
Received from House, 997
Message to Governor, 998
Approved by Governor, 1090

Senate Bill No. 2316 — (Jones)

Senate Bill No. 2316. A Bill for an Act to authorize the director of institutions to sell and convey certain land owned by the state of North Dakota which was formerly used by the state school for the deaf.

Introduction, first reading, 211
Referred to Committee on State and Federal Government
Reported back, indefinitely postponed, 348

Senate Bill No. 2317 — (Holand)

Senate Bill No. 2317. A Bill for an Act to amend and reenact subsection 1 of section 30-17-01, the initial paragraph of section 30-17-05, and subsection 1 of section 30-17-07 of the North Dakota Century Code, providing the maximum size of a decedent's estate where summary administration or transfer by probate will be allowed.

Introduction, first reading, 211
Referred to Committee on Judiciary
Reported back, do pass, 321
Second reading, 358
Passed, 358
To House, 374

Returned to Senate, 822
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2318 — (Butler)

Senate Bill No. 2318. A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for farm structures and improvements.

Introduction, first reading, 212
 Referred to Committee on Finance and Taxation
 Reported back, amended, 460-461
 Amendments adopted, 492
 Engrossed, 522, 1056, 1198
 Second reading, 533, 556, 1056
 Passed, 556, 1057
 To House, 588
 Senate concurs, 1056
 Returned to Senate, amended, 1059
 House amendments, 1064
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2319 — (Lee)

Senate Bill No. 2319. A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code as contained in section 10 of House Bill No. 1041, as approved by the forty-third legislative assembly, relating to the compensation retained by county auditors for the issuance of hunting and fishing licenses.

Introduction, first reading, 212
 Referred to Committee on Natural Resources
 Reported back, indefinitely postponed, 439

Senate Bill No. 2320 —

(Jones, C. Schultz, Butler, Tweten and Anderson)

Senate Bill No. 2320. A Bill for an Act to create and enact section 39-02-03.1 of the North Dakota Century Code, requiring the motor vehicle registrar, when establishing a branch office, or when an existing contract for an already established branch office expires, to select the chamber of commerce of the city as the operator of the branch office if the chamber applies therefor.

Introduction, first reading, 212
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 461

Senate Bill No. 2321 — (Roen, Mutch, Nasset and Anderson)

Senate Bill No. 2321. A Bill for an Act to amend and reenact section 15-29-13 of the North Dakota Century Code, relating to increasing the amount of a school district's incidental revolving fund.

Introduction, first reading, 212
 Referred to Committee on Education
 Reported back, amended, 292
 Amendments adopted, 308
 Engrossed, 326
 Second reading, 339
 Passed, 339
 To House, 361
 Returned to Senate, 709
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2322 — (Morgan and Jacobson)

Senate Bill No. 2322. A Bill for an Act to repeal sections 4-01-17, 18-08-05, and 18-08-06 of the North Dakota Century Code, relating to regulations governing control of the European corn borer, and setting fires for the destruction of grasshoppers.

Introduction, first reading, 212
 Referred to Committee on Agriculture
 Reported back, do pass, 367
 Second reading, 388
 Passed, 388
 To House, 406
 Returned to Senate, 686
 Enrolled, 887
 Signed by President, 909
 Sent to House, 910
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2323 — (Butler)

Senate Bill No. 2323. A Bill for an Act to amend and reenact section 57-38-30.2 of the North Dakota Century Code, relating to the surtax on income, providing for an effective date, and declaring an emergency.

Introduction, first reading, 212
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 379
 Second reading, 401
 Passed, 402
 Emergency carried, 402
 To House, 432
 Returned to Senate, 822
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2324 — (Butler)

Senate Bill No. 2324. A Bill for an Act to create and enact a new section to chapter 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of jet aviation motor fuel used by aircraft.

Introduction, first reading, 212
 Referred to Committee on Finance and Taxation
 Reported back, amended, 461-462
 Amendments adopted, 492
 Engrossed, 522, 1142
 Second reading, 533
 Amended from floor, 533
 Passed, 534
 Re-engrossed, 533
 To House, 588
 Returned to Senate, 1001
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2325 — (Butler)

Senate Bill No. 2325. A Bill for an Act to amend and reenact section 57-34-03 of the North Dakota Century Code, relating to taxation of mutual or cooperative telephone companies; and providing for an effective date.

Introduction, first reading, 213
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 462

Senate Bill No. 2326 — (Butler)

Senate Bill No. 2326. A Bill for an Act to create and enact section 57-36-06.1 of the North Dakota Century Code, to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to permission for deferred payments for purchase of cigarette stamps and meter register settings; providing for a surety bond, establishing due dates, penalties, provisions for cancellation of permits and relating to discounts; and providing for an appropriation.

Introduction, first reading, 213
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 462

Senate Bill No. 2327 — (Butler)

Senate Bill No. 2327. A Bill for an Act to amend and reenact subsection 1 of section 57-33-04 and subsection 1 of section 57-33.1-02 of the North Dakota Century Code, relating to taxation of rural electric cooperatives and cooperative electrical generating plants; and providing for an effective date.

Introduction, first reading, 213
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 488
 Roll call vote, 488

Senate Bill No. 2328 — (Freed)

Senate Bill No. 2328. A Bill for an Act to repeal section 25-01-01.1 of the North Dakota Century Code, relating to the coordinating committee on mental retardation.

Introduction, first reading, 213
 Referred to Committee on Social Welfare and Veterans' Affairs

Reported back, do pass, 462
 Second reading, 499
 Passed, 500
 To House, 536
 Returned to Senate, indefinitely postponed, 754

Senate Bill No. 2329 — (Melland and Butler)

Senate Bill No. 2329. A Bill for an Act relating to income tax credits for charitable contributions to nonprofit private institutions of higher education.

Introduction, first reading, 213
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 379
 Second reading, 402
 Passed, 402
 To House, 432
 Returned to Senate, failed to pass, 872

Senate Bill No. 2330 — (Jacobson, Christensen, Lips and Thane)

Senate Bill No. 2330. A Bill for an Act to provide an appropriation to the state soil conservation committee for the purpose of employing soil scientists for the completion of a soils survey of North Dakota.

Introduction, first reading, 213
 Referred to Committee on Natural Resources
 Reported back, do pass, 439, 509
 Re-referred to Committee on Appropriations, 439
 Second reading, 557
 Passed, 558
 To House, 588
 Returned to Senate, indefinitely postponed, 969

Senate Bill No. 2331 — (Wenstrom and Redlin)

Senate Bill No. 2331. A Bill for an Act relating to investments of state banks.

Introduction, first reading, 213
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 307
 Second reading, 339
 Passed, 340
 To House, 361
 Returned to Senate, 709
 Enrolled, 981
 Signed by President, 995
 Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1090

Senate Bill No. 2332 — (Nasset and Melland)

Senate Bill No. 2332. A Bill for an Act to amend and reenact sections 15-22-23, 15-28-03, 15-28-04, 15-28-07, 15-28-08, 15-28-10, 15-51-01, and 15-51-02 of the North Dakota Century Code, relating to the holding of school district elections in conjunction with municipal elections, and the date on which school district elections are held.

Introduction, first reading, 213
 Referred to Committee on Education
 Reported back, indefinitely postponed, 420

Senate Bill No. 2333 — (Wenstrom and Goldberg)

Senate Bill No. 2333. A Bill for an Act to amend and reenact section 54-06-04.1 of the North Dakota Century Code, relating to reports to be made by state agencies charging fees.

Introduction, first reading, 214
 Referred to Committee on State and Federal Government
 Reported back, do pass, 462
 Second reading, 500
 Passed, 500
 To House, 536
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2334 —

(Wenstrom, Solberg, Jones, Larson and Jacobson)

Senate Bill No. 2334. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-08 of the North Dakota Century Code, relating to state aid to educational centers.

Introduction, first reading, 214
 Referred to Committee on Education
 Reported back, do pass, 307
 Referred to Committee on Appropriations, 307
 Reported back, amended, 521-522
 Amendments adopted, 553
 Engrossed, 565
 Second reading, 579
 Passed, 580
 Clincher motion, 580
 To House, 600
 Returned to Senate, 1001
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2335 —

(Barth, Ringsak, Morgan, Hoffner and Nething)

Senate Bill No. 2335. A Bill for an Act to provide for the salary of the clerk of the district court; and to amend and reenact subsections 1 and 2 of section 11-10-10 and section 11-15-03.1 of the North Dakota Century Code, relating to the compensation of sheriffs and other elected county officials.

Introduction, first reading, 214
 Referred to Committee on Political Subdivisions
 Reported back, amended, 544-546
 Amendments adopted, 571
 Engrossed, 591, 1198
 Re-engrossed, 597, 1119
 Second reading, 597, 598, 1119

Amended from floor, 597
 Passed, 598, 1120
 Clincher motion, 598
 To House, 600
 House amendments, 1104
 Returned to Senate, amended, 1104
 Senate concurs, 1119
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2336 — (Redlin, Wright and Anderson)

Senate Bill No. 2336. A Bill for an Act to amend and reenact subsection 1 of section 15-03-04 and section 15-03-07 of the North Dakota Century Code, relating to investments and farm loans made by the board of university and school lands.

Introduction, first reading, 214
 Referred to Committee on State and Federal Government
 Reported back, do pass, 322
 Second reading, 358
 Passed, 358
 To House, 374
 Returned to Senate, 686
 Enrolled, 887
 Signed by President, 909
 Sent to House, 910
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2337 — (Lips)

Senate Bill No. 2337. A Bill for an Act to provide state solid waste management and land protection, and providing a penalty.

Introduction, first reading, 214
 Referred to Committee on Natural Resources
 Reported back, do pass, 440
 Second reading, 476
 Passed, 476
 To House, 502
 Returned to Senate, failed to pass, 842

Senate Bill No. 2338 — (Butler and Lips)

Senate Bill No. 2338. A Bill for an Act to create and enact subsections 14, 15, and 16 of section 2-06-01, sections 2-06-11.1, 2-06-11.2, 2-06-11.3, and 2-06-11.4, and to amend and reenact subsections 12 and 13 of section 2-06-01 of the North Dakota Century Code, relating to the imposition, collection, and use of airport service fees by airport authorities; and providing a penalty.

Introduction, first reading, 214
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 462

Senate Bill No. 2339 — (Reiten)

Senate Bill No. 2339. A Bill for an Act to authorize the North Dakota state department of health to make and administer grants

within legislative appropriations for the purpose of aiding in the construction of water pollution control projects; and to provide an appropriation.

Introduction, first reading, 214
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 367

Senate Bill No. 2340 — (Kautzmann)

Senate Bill No. 2340. A Bill for an Act to require a prescription for the sale and purchase of hypodermic needles and hypodermic syringes, to forbid the possession of such instruments, to require records to be kept, to exempt certain individuals and professions, and to provide a penalty.

Introduction, first reading, 214
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 307
 Second reading, 340
 Passed, 340
 To House, 361
 Returned to Senate, failed to Pass, 872

Senate Bill No. 2341 — (Kautzmann)

Senate Bill No. 2341. A Bill for an Act to amend and reenact sections 28-23-08 and 28-29-05 of the North Dakota Century Code, relating to postponement of foreclosure sales and orders of the court in foreclosure proceedings.

Introduction, first reading, 215
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 420

Senate Bill No. 2342 — (Ringsak, Morgan and Goldberg)

Senate Bill No. 2342. A Bill for an Act to amend and reenact subsection 7 of section 57-23-04 of the North Dakota Century Code, relating to the abatement or refund of taxes by county commissioners in cases of property destroyed or injured by fire, flood, or tornado; and to repeal subsection 4 of section 57-02-11 of the North Dakota Century Code.

Introduction, first reading, 215
 Referred to Committee on Finance and Taxation
 Reported back, amended, 322
 Amendments adopted, 351
 Engrossed, 365
 Second reading, 373
 Passed, 373
 To House, 392
 Returned to Senate, 753
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842

Senate Bill No. 2343 — (Nothing and Barth)

Senate Bill No. 2343. A Bill for an Act to create and enact chapter 47-20.1 of the North Dakota Century Code, relating to landmarks, land surveying and corner recording; to repeal chapter 47-20 of the North Dakota Century Code; and providing an effective date; and providing a penalty.

Introduction, first reading, 215
 Referred to Committee on State and Federal Government
 Reported back, do pass, 551
 Second reading, 580
 Passed, 580
 Clincher motion, 580
 To House, 600
 Returned to Senate, 841
 Enrolled, 1197
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2344 — (Nething and Melland)

Senate Bill No. 2344. A Bill for an Act to amend and reenact section 25-09-04 of the North Dakota Century Code, relating to liability of relatives for expenses of care and treatment of patients of the state hospital, state school, and San Haven state hospital.

Introduction, first reading, 215
 Referred to Committee on State and Federal Government
 Reported back, do pass, 509
 Second reading, 558, 950
 Passed, 558, 950
 House amendments, 753
 Returned to Senate, amended, 752
 Senate does not concur, 761
 Conference Committee, 762, 799
 Conference Committee report, 950, 1001
 Senate adopts, 950, 1001
 Engrossed, 950, 1193
 Clincher motion, 951
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 966, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2345 — (Nething and Melland)

Senate Bill No. 2345. A Bill for an Act to authorize the director of the North Dakota mental health and retardation division of the state health department to sell and convey certain lands, owned by the state of North Dakota and used by the state hospital, at public auction or by sealed bids, the proceeds of which will be used for the benefit of the state hospital, and declaring an emergency.

Introduction, first reading, 215
 Referred to Committee on State and Federal Government
 Reported back, amended, 348
 Amendments adopted, 369
 Engrossed, 381
 Second reading, 388
 Passed, 388
 Emergency carried, 388
 To House, 406
 Returned to Senate, 753
 Enrolled, 981
 Signed by President, 995

Sent to House, 995
 Received from House, 997
 Message to Governor, 998
 Approved by Governor, 1089

Senate Bill No. 2346 — (Larson)

Senate Bill No. 2346. A Bill for an Act relating to citizens' rights to know the activities of their government, and to provide for the disclosure of the financial interests of public officials, for the regulation of lobbyists, and for open governmental meetings; and to repeal sections 44-04-19, 54-05-02, 54-05-03, 54-05-04, 54-05-05, 54-05-06, 54-05-07, 54-05-08, 54-05-09, and 54-05-10 of the North Dakota Century Code, relating to open governmental meetings and legislative lobbying, and providing penalties.

Introduction, first reading, 228
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 510

Senate Bill No. 2347 — (Wenström)

Senate Bill No. 2347. A Bill for an Act to create and enact sections 54-38-01.1, 54-38-02.1, 54-38-10, 54-38-11, 54-38-12, 54-38-13, 54-38-14, 54-38-15, 54-38-16, 54-38-17, 54-38-18, 54-38-18.1, 54-38-19, 54-38-20, 54-38-21, 54-38-22, 54-38-23, 54-38-24, 54-38-25, 54-38-26, 54-38-27, 54-38-28, 54-38-29, 54-38-30, 54-38-31, 54-38-32, 54-38-33, 54-38-34, 54-38-35, 54-38-36, 54-38-37, 54-38-38, and 54-38-39 of the North Dakota Century Code, relating to a statement of policy, enumeration of the powers of the division, an interdepartmental coordinating committee, citizens advisory council, regional facilities, standards and enforcement procedures for public and private treatment facilities, rules for acceptance of treatment, involuntary, voluntary, and emergency treatment, records, visitation with patients, emergency service patrols, criminal law limitations, procedures for adoption of rules and their promulgation, procedures for judicial review and rules of evidence and appeal; and to amend sections 54-38-01, 54-38-02, 54-38-05, and 54-38-09 of the North Dakota Century Code, relating to definitions, creation of a division of alcoholism and drug abuse, duties of the division, and reimbursement for treatment; and to repeal sections 5-01-05.1, 5-01-05.2, 54-38-06, and 54-38-07 of the North Dakota Century Code, relating to assistance and medical care for intoxicated persons, criminal penalties for intoxication, contracting by the department of health with other agencies and facilities for the treatment of alcoholism; and providing a penalty.

Introduction, first reading, 228
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 348

Senate Bill No. 2348 — (Smykowski and Nething)

Senate Bill No. 2348. A Bill for an Act to amend and reenact sections 47-18-01, 47-18-03, 47-18-17, 47-18-18, and 47-18-19 of the North Dakota Century Code, relating to definitions of homesteads subject to exemption, selection of homestead exemption, who may make declaration of homestead, execution and acknowledgment of homestead declaration, and the contents of a homestead declaration.

Introduction, first reading, 229
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 440

Senate Bill No. 2349 — (Wenstrom)

Senate Bill No. 2349. A Bill for an Act to enact the Uniform Consumer Sales Practices Act, providing for the regulation of consumer sales practices, an enforcing authority, enforcement procedures, rulemaking procedures, and providing remedies.

Introduction, first reading, 229

Referred to Committee on Industry, Business, and Labor

Reported back, indefinitely postponed, 440

Senate Bill No. 2350 — (Naaden, Coughlin, Thane, Page and Mutch)

Senate Bill No. 2350. A Bill for an Act to amend and reenact section 39-06-13 of the North Dakota Century Code, relating to examination of applicants for driver's licenses and requiring that the highway patrol appoint examiners for that purpose.

Introduction, first reading, 229

Referred to Committee on Transportation

Reported back, indefinitely postponed, 348

Senate Bill No. 2351 — (Shablow and Nething)

Senate Bill No. 2351. A Bill for an Act to amend and reenact section 39-10-46 of the North Dakota Century Code, relating to overtaking and passing a school bus.

Introduction, first reading, 229

Referred to Committee on Transportation

Reported back, indefinitely postponed, 349

Senate Bill No. 2352 — (Lips)

Senate Bill No. 2352. A Bill for an Act to create and enact section 40-58-20 of the North Dakota Century Code, relating to the computation, certification, and remittance of tax increments resulting from urban renewal for reimbursement of the cost of renewal and the interest and redemption premiums on obligations issued to pay such costs.

Introduction, first reading, 229

Referred to Committee on Political Subdivisions

Reported back, do pass, 462

Second reading, 528

Passed, 529

To House, 563

Returned to Senate, 968

Enrolled, 1197

Signed by President, 1199

Sent to House, 1201

Received from House, 1202

Message to Governor, 1203

Senate Bill No. 2353 — (Strand and Hoffner)

Senate Bill No. 2353. A Bill for an Act to amend and reenact section 57-40.3-04 of the North Dakota Century Code, relating to tax exemptions.

Introduction, first reading, 230

Referred to Committee on Finance and Taxation

Reported back, amended, 379

Amendments adopted, 398

Engrossed, 409, 1142

Second reading, 428
 Passed, 428
 To House, 452
 Returned to Senate, 822
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2354 — (Wenstrom)

Senate Bill No. 2354. A Bill for an Act to create and enact title 17 of the North Dakota Century Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation; to amend and reenact sections 6-01-01, relating to the authority of the commissioner of banking and financial institutions; 6-03-62, relating to interest on loans of a state banking association; 7-04-17, relating to the repayment of loans of a building and loan association; 28-22-14, relating to the exemption of property from execution; 28-25-11, relating to the exemption of earnings from execution; 32-09-01, relating to the right of a creditor to proceed by garnishment; subsection 2 of section 41-09-16, relating to the priority of statutes in case of conflict; 47-14-01, relating to the definition of a loan of money; 47-14-05, relating to the rate of interest on legal indebtedness in the absence of contract; 47-14-06, relating to an annual rate when period not specified; and 47-14-08, relating to the deduction of interest in advance on a loan; to repeal sections 6-06-18, 7-02-04, 47-14-09, 47-14-10, and 47-14-11, and chapters 13-03, 13-04, 51-13, and 51-14 of the North Dakota Century Code; providing a penalty; and providing for an appropriation.

Introduction, first reading, 230
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 440

Senate Bill No. 2355 — (Reiten)

Senate Bill No. 2355. A Bill for an Act to create a livestock feeding research fund under the supervision of the North Dakota business and industrial development department, and making an appropriation.

Introduction, first reading, 230
 Referred to Committee on Agriculture
 Reported back, indefinitely postponed, 462

Senate Bill No. 2356 — (Reiten)

Senate Bill No. 2356. A Bill for an Act to amend and reenact sections 6-03-13.1, 6-03-13.2 and 6-03-13.3 of the North Dakota Century Code, relating to drive-in facilities of banks, their locations, and providing for the approval, in certain instances, of the controller of the currency.

Introduction, first reading, 230
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 420

Engrossed, 1014, 1198
 Second reading, 450, 1014
 Passed, 450, 1014
 To House, 478
 House amendments, 968
 Returned to Senate, amended, 968
 Conference Committee, 972, 1004
 Senate does not concur, 972
 Senate concurs, 1013
 Reconsidered, 1013
 Clincher motion, 1014
 Enrolled, 1198
 Signed by President, 1199
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2357 — Committee on Finance and Taxation)

Senate Bill No. 2357. A Bill for an Act making a deficiency appropriation for personal property tax replacement for the fiscal year ending June 30, 1973, and declaring an emergency.

Introduction, first reading, 230
 Referred to Committee on Appropriations
 Reported back, do pass, 332
 Second reading, 358
 Passed, 359
 Emergency carried, 359
 To House, 374
 Returned to Senate, 1001
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2358 — (Melland)

Senate Bill No. 2358. A Bill for an Act to repeal sections 15-55-18 and 15-55-19 of the North Dakota Century Code, relating to authority of junior colleges and off-campus educational institutions to issue and sell tax exempt bonds, and providing for the validity of bonds previously issued.

Introduction, first reading, 230
 Referred to Committee on Education
 Reported back, indefinitely postponed, 420

Senate Bill No. 2359 — (Melland)

Senate Bill No. 2359. A Bill for an Act to amend and reenact sections 15-18-04, 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to the board of higher education prescribing vocational education course standards at junior colleges and educational centers.

Introduction, first reading, 231
 Referred to Committee on Education
 Reported back, indefinitely postponed, 397

Senate Bill No. 2360 — (Committee on Appropriations)

Senate Bill No. 2360. A Bill for an Act to repeal section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

Introduction, first reading, 231
 Referred to Committee on Appropriations
 Reported back, do pass, 322
 Second reading, 359
 Passed, 359
 To House, 374
 Returned to Senate, 727
 Enrolled, 823
 Signed by President, 839
 Sent to House, 840
 Received from House, 842
 Message to Governor, 842
 Returned to Senate without Governor's signature, 911

Senate Bill No. 2361 —

(Goldberg, Strinden, Pyle, Anderson, J. Schultz and Jacobson)

Senate Bill No. 2361. A Bill for an Act to transfer one million dollars from the accumulated profits of the state mill and elevator association to the general fund.

Introduction, first reading, 231
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 462

Senate Bill No. 2362 — (Goldberg)

Senate Bill No. 2362. A Bill for an Act to amend and reenact section 24-09-08.1 of the North Dakota Century Code, relative to highway fund and increasing amount to be expended therefrom.

Introduction, first reading, 231
 Referred to Committee on State and Federal Government
 Reported back, do pass, 463, 510
 Re-referred to Committee on Appropriations, 463
 Second reading, 558
 Passed, 559
 To House, 588
 Returned to Senate, 1001
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2363 — (Goldberg)

Senate Bill No. 2363. A Bill for an Act to provide for a reservation on the sale of all land under the control of the board of university and school lands.

Introduction, first reading, 231
 Referred to Committee on State and Federal Government
 Reported back, do pass, 463
 Engrossed, 921
 Second reading, 500, 921
 Passed, 501, 922
 To House, 536
 House amendments, 907

Returned to Senate, amended, 906
 Senate concurs, 921
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2364 — Hoffner and Freed)

Senate Bill No. 2364. A Bill for an Act, not applicable to banks and certain other financial businesses, in relation to the definition, licensing, and regulating of the business of selling, issuing or delivering checks, drafts, and money orders as a service or for a fee or other consideration; to provide for the licensing of such business; and to prescribe remedies and penalties.

Introduction, first reading, 231
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 322-326
 Amendments adopted, 351
 Engrossed, 365
 Second reading, 373
 Passed, 373
 To House, 392
 Returned to Senate, 709
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2365 — (Hoffner)

Senate Bill No. 2365. A Bill for an Act to create a constitutional revision commission and set forth its membership, powers, and duties; to provide an appropriation; and declaring an emergency.

Introduction, first reading, 231
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 463
 Roll call vote, 463

Senate Bill No. 2366 — (Anderson and Butler)

Senate Bill No. 2366. A Bill for an Act to amend and reenact sections 5-01-09 and 5-02-06 of the North Dakota Century Code, relating to delivery of or dispensing of alcoholic beverages to persons under twenty-one years of age.

Introduction, first reading, 231
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, indefinitely postponed, 463

Senate Bill No. 2367 — (Freed and Nething)

Senate Bill No. 2367. A Bill for an Act to provide for continuing legislative concern for redress of citizens' governmental grievances and complaints through a special committee of the legislative council.

Introduction, first reading, 232
 Referred to Committee on State and Federal Government

Reported back, do pass, 440
 Rereferred to Committee on Appropriations, 440
 Reported back, amended, 551-552
 Amendments adopted, 572
 Engrossed, 591
 Second reading, 598
 Amended from floor, 598
 Clincher motion, 599
 Passed, 599
 To House, 600
 Returned to Senate, failed to pass, 1001

Senate Bill No. 2368 — (Freed and Iszler)

Senate Bill No. 2368. A Bill for an Act to create trustees for commercial buildings during foreclosures.

Introduction, first reading, 232
 Referred to Committee on Judiciary
 Reported back, amended, 463-464
 Amendments adopted, 492
 Engrossed, 522, 1142
 Second reading, 534, 893
 Passed, 534, 893
 To House, 563
 House amendments, 874
 Returned to Senate, amended, 873
 Senate concurs, 893
 Re-engrossed, 893
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2369 — (Freed)

Senate Bill No. 2369. A Bill for an Act relating to hearing procedures in dealing with interstate parolees or probationers being supervised under the interstate compact for the supervision of parolees and probationers.

Introduction, first reading, 232
 Referred to Committee on Judiciary
 Reported back, do pass, 307
 Second reading, 340
 Passed, 341
 To House, 361
 Returned to Senate, 875
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2370 — (Sands)

Senate Bill No. 2370. A Bill for an Act to provide cities with exclusive jurisdiction of zoning of all land lying within three miles of the corporate limits of the city; and to amend and reenact sections 11-35-02, 40-47-01, 40-47-02, and 40-47-03 of the North Dakota Century Code, relating to zoning of territory adjacent to cities, authority of cities to zone, division of adjacent territory into districts to carry out zoning regulations and purposes for which regulation for zoning shall be made.

Introduction, first reading, 232
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 464

Senate Bill No. 2371 — (Strinden and Coughlin)

Senate Bill No. 2371. A Bill for an Act to transfer the regulatory functions of the state laboratories department to the state department of health and provide for the testing functions of the state laboratories department to be performed by North Dakota state university; to amend and reenact sections 19-01-01, 19-01-02, 19-01-04, 19-01-05, 19-01-06, 19-01-07, 19-01-08, 19-01-10, 19-01-13, 19-01-18, subsection 1 of section 19-02.1-01, subsection 4 of section 19-02.1-05, section 19-02.1-07, subdivision c of subsection 5 of section 19-02.1-10, sections 19-02.1-11, 19-02.1-20, 19-02.1-21, subsection 12 of section 19-03.1-01, sections 19-03.1-02, 19-03.1-04, 19-03.1-06, 19-03.1-08, subsection 6 of section 19-03.1-09, section 19-03.1-10, subsection 3 of section 19-03.1-11, sections 19-03.1-12, 19-03.1-14, 19-03.1-15, 19-03.1-16, 19-03.1-17, 19-03.1-18, 19-03.1-19, 19-03.1-20, subsection 2 of section 19-03.1-22, section 19-03.1-26, subsection 2 of section 19-03.1-33, section 19-03.1-35, subsections 2, 4, 5, and 8 of section 19-03.1-36, sections 19-03.1-38, 19-03.1-39, subsection 4 of section 19-03.1-40, sections 19-05-01, 19-05-02, 19-05-11, 19-10-16, 19-13.1-01, 19-13.1-09, 19-13.1-10, 19-13.1-11, 19-13.1-12, subsection 3 of section 19-14-03, sections 19-16.1-01, 19-16.1-03, 19-16.1-14, 19-18-10, 19-20.1-01, subsection 8 of section 19-20.1-02, sections 19-20.1-08, 19-20.1-12, 12-20.1-17, subsection 1 of section 19-21-01, sections 19-22-03, 19-22.1-02, 23-10-02, 23-10-03, 23-10-04, 23-10-06, 23-10-10, 23-10-12, 47-23-01, 47-23-02, 47-23-03, 47-23-04, 47-23-05, 47-23-06, 47-23-07, 47-23-08, 47-23-09, and subsection 1 of section 54-06-04 of the North Dakota Century Code, relating to functions of the state laboratories department which are transferred to the state department of health; and to repeal section 19-01-03 of the North Dakota Century Code, relating to the appointment of a director of the state laboratories department by the state laboratories commission.

Introduction, first reading, 232
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 464

Senate Bill No. 2372 — (Sands and C. Schultz)

Senate Bill No. 2372 A Bill for an Act to suspend the operation of chapter 39-17 of the North Dakota Century Code, relating to the unsatisfied judgment fund, for all claims arising after July 1, 1973.

Introduction, first reading, 233
 Referred to Committee on Judiciary
 Reported back, amended, 349
 Amendments adopted, 369
 Engrossed, 381
 Second reading, 389
 Lost, 389

Senate Bill No. 2273 — (Melland)

Senate Bill No. 2273 A Bill for an Act to provide for the establishment of recreation service districts for the purpose of providing police protection, water and sewer, and garbage removal services, to provide for elections and for a board of recreation service commissioners, and to provide for the levying of taxes and special assessments.

Introduction, first reading, 233
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 488

Senate Bill No. 2374 — (Redlin)

Senate Bill No. 2374 A Bill for an Act to provide for treble damage recovery for persons damaged due to violation of provisions prohibiting purchase or receipt of stolen property; and to provide for presumptions in regard to dealers in secondhand property.

Introduction, first reading, 233
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 379

Senate Bill No. 2375 — (Fritzell)

Senate Bill No. 2375 A Bill for an Act to amend and reenact section 40-54-10 of the North Dakota Century Code, relating to permission to sell gravel assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

Introduction, first reading, 233
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 465
 Placed on consent calendar, 465
 Second reading, 501
 Passed, 501
 To House, 536
 Returned to Senate, 796
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2376 — (Fritzell)

Senate Bill No. 2376 A Bill for an Act to amend and reenact section 40-31-09 of the North Dakota Century Code, relating to permission to sell curbing and gutter assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

Introduction, first reading, 233
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 465
 Placed on consent calendar, 465
 Second reading, 501
 Passed, 501
 To House, 536
 Returned to Senate, 797
 Enrolled, 1069
 Signed by President, 1069
 Sent to House, 1070
 Received from House, 1071
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2377 — (Fritzell)

Senate Bill No. 2377. A Bill for an Act to amend and reenact section 40-29-15 of the North Dakota Century Code, relating to permission to sell sidewalk assessment warrants for cash at not less than ninety-eight percent of the par value thereof.

Introduction, first reading, 233
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 465
 Placed on consent calendar, 465
 Second reading, 501
 Passed, 501
 To House, 536
 Returned to Senate, 797
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2378 — (Holand)

Senate Bill No. 2378. A Bill for an Act to amend and reenact section 26-26-01 of the North Dakota Century Code, granting additional powers to hospital service corporations.

Introduction, first reading, 233
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 326
 Second reading, 359
 Passed, 360
 To House, 374
 Returned to Senate, 1030
 Enrolled, 1197
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2379 — (Butler and Ringsak)

Senate Bill No. 2379. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to definitions, adjustments to taxable income for corporations; and providing for an effective date.

Introduction, first reading, 233
 Referred to Committee on Finance and Taxation
 Reported back, amended, 465
 Amendments adopted, 492
 Engrossed, 522
 Second reading, 535
 Passed, 535
 To House, 563
 Returned to Senate, failed to pass, 1033

Senate Bill No. 2380 — (Ringsak and Butler)

Senate Bill No. 2380. A Bill for an Act to create and enact a new section to chapter 40-57.1 and to amend and reenact section 40-57.1-02 of the North Dakota Century Code, relating to tax exemptions for new industries.

Introduction, first reading, 234
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 379
 Engrossed, 1118, 1198
 Second reading, 402, 1118
 Passed, 403, 1118

To House, 432
 House amendments, 1065
 Returned to Senate, amended, 1059
 Senate does not concur, 1053
 Conference Committee, 1053, 1115
 Conference Committee report, 1118
 Senate adopts, 1118, 1160
 Enrolled, 1198
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2381 — (Butler and Lips)

Senate Bill No. 2381. A Bill for an Act to regulate the practice of public accounting in the public interest; to create a state board of accountancy and to prescribe its powers and duties; and to provide penalties for violations of the provisions of this Act; and to repeal Chapter 43-02 of the North Dakota Century Code.

Introduction, first reading, 234
 Referred to Committee on Industry, Business, and Labor
 Returned to Senate and re-referred to Committee on Judiciary, 251
 Reported back, indefinitely postponed, 488

Senate Bill No. 2382 — (Solberg and Nething)

Senate Bill No. 2382. A Bill for an Act to amend and reenact section 27-11-11 of the North Dakota Century Code, relating to compensation of members of the state bar board.

Introduction, first reading, 234
 Referred to Committee on Judiciary
 Reported back, do pass, 326
 Second reading, 360
 Passed, 360
 To House, 374
 Returned to Senate, 686
 Enrolled, 887
 Signed by President, 909
 Sent to House, 910
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2383 — (Redlin)

Senate Bill No. 2383. A Bill for an Act to create a new subsection to section 51-13-02 of the North Dakota Century Code, relating to retail installment sales contracts and providing that the holder of such a contract shall be responsible to the buyer of personal property for all guarantees and representations made to such buyer by the seller of the property.

Introduction, first reading, 234
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 420

Senate Bill No. 2384 — (Redlin)

Senate Bill No. 2384. A Bill for an Act to amend and reenact subsection 5 of section 40-49-12 of the North Dakota Century Code, to increase the maximum compensation payable to a clerk of a park district.

Introduction, first reading, 234
 Referred to Committee on Political Subdivisions
 Reported back, amended, 488-489
 Amendments adopted, 513
 Engrossed, 537
 Second reading, 559
 Passed, 559
 To House, 588
 Returned to Senate, 906
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2385 — (Melland)

Senate Bill No. 2385. A Bill for an Act designating the board of higher education as the board of vocational education; and to amend and reenact sections 15-18-04, 15-18-07, 15-18-08, 15-18-09, subsection 1 of section 15-20.1-01, sections 15-20.1-02, 15-20.1-03, 15-20.1-07, 15-41-05, 15-50-01, and 15-50-02 of the North Dakota Century Code, relating to the administration of vocational education by the board of higher education in place of the state board of public school education.

Introduction, first reading, 234
 Referred to Committee on Education
 Reported back, indefinitely postponed, 397

Senate Bill No. 2386 — (Redlin, Nasset, and J. Schultz)

Senate Bill No. 2386. A Bill for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security interests in growing and unharvested crops.

Introduction, first reading, 234
 Referred to Committee on Agriculture
 Reported back, amended, 367
 Amendments adopted, 380
 Engrossed, 393
 Second reading, 403
 Passed, 403
 To House, 432
 House amendments, 968
 Returned to Senate, amended, 968
 Senate does not concur, 972
 Conference Committee, 972, 1004
 Conference Committee report, 1095, 1124
 Senate adopts, 1096, 1124
 Enrolled, 1197
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1204

Senate Bill No. 2387 — (Solberg)

Senate Bill No. 2387. A Bill for an Act to amend and reenact section 57-40.3-09 of the North Dakota Century Code, relating to reciprocity given for taxes paid in another state.

Introduction, first reading, 234
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 292
 Second reading, 315
 Passed, 316
 To House, 341
 Returned to Senate, 727
 Enrolled, 887
 Signed by President, 909
 Sent to House, 910
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2388 — (Hoffner, Rait and Jacobson)

Senate Bill No. 2388. A Bill for an Act to amend and reenact sections 16-12-06, 16-12-07, and 16-13-02 of the North Dakota Century Code, relating to write-in votes, to pasting or writing names over a printed name on a ballot, and to allowing election boards not to count the vote total in certain uncontested elections.

Introduction, first reading, 235
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 307

Senate Bill No. 2389 — (Jones)

Senate Bill No. 2389. A Bill for an Act to provide incentive payments to school districts which send students to another district to take vocational education courses; to provide procedures for the administration of such payments; and to provide an appropriation.

Introduction, first reading, 235
 Referred to Committee on Education
 Reported back, indefinitely postponed, 421

Senate Bill No. 2390 — (Tveten)

Senate Bill No. 2390. A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to issuance of general obligation bonds under agreements for federal aid highway projects and permitting cities to pay for one hundred percent of the total cost of all right of way to be acquired in connection therewith.

Introduction, first reading, 235
 Referred to Committee on Transportation
 Reported back, indefinitely postponed, 349

Senate Bill No. 2391 — (Tveten)

Senate Bill No. 2391. A Bill for an Act to amend and reenact section 40-44-06 of the North Dakota Century Code, relating to compensation and expenses of a civil service commissioner and commission members.

Introduction, first reading, 235
 Referred to Committee on Political Subdivisions
 Reported back, amended, 465
 Amendments adopted, 492
 Engrossed, 522, 1142
 Second reading, 535

Passed, 535
 To House, 563
 Returned to Senate, 906
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2392 — (Nothing)

Senate Bill No. 2392. A Bill for an Act to amend and reenact subsections 17, 25, 26, 27, and 28 of section 1, and subsections 17, 25, 26, 27, and 28 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Introduction, first reading, 235
 Referred to Committee on Joint Re-apportionment
 Reported back, do pass, 552
 Second reading, 580
 Passed, 581
 Clincher motion, 581
 To House, 600
 Returned to Senate, failed to pass, 932

Senate Bill No. 2393 — (Smykowski)

Senate Bill No. 2393. A Bill for an Act to amend and reenact Section 46-05-03 of the North Dakota Century Code relating to the fees to be paid for the publication of legal notices.

Introduction, first reading, 235
 Referred to Committee on Political Subdivisions
 Reported back, amended, 489
 Amendments adopted, 513
 Engrossed, 537, 1049, 1198
 Second reading, 559, 1049
 Passed, 559, 1049
 To House, 588
 House amendments, 1065
 Senate concurs, 1049
 Returned to Senate, amended, 1059
 Enrolled, 1198
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1204

Senate Bill No. 2394 — (Nothing)

Senate Bill No. 2394. A Bill for an Act to amend and reenact subsections 35 and 37 of section 1, and subsections 35 and 37 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Introduction, first reading, 235
 Referred to Committee on Joint Reapportionment
 Reported back, do pass, 552
 Second reading, 583
 Passed, 583
 Clincher motion, 583
 Returned to Senate, failed to pass, 908

Senate Bill No. 2395 — (Shablow and J. Schultz)

Senate Bill No. 2395. A Bill for an Act to create and enact section 15 to chapter 346 of the 1971 Session Laws of North Dakota to provide an appropriation; to create and enact section 17 to chapter 496 of the 1971 Session Laws of North Dakota to provide an appropriation; and to amend and reenact sections 2 and 16 of chapter 496 of the 1971 Session Laws of North Dakota to provide authority for issuing additional bonds of North Dakota Vietnam conflict adjusted compensation series and to appropriate funds required for payment of the principal and interest thereon.

Introduction, first reading, 235
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 440
 To House, 600
 House amendments, 728
 Returned to Senate, amended, 727

Senate Bill No. 2396 — (Nothing)

Senate Bill No. 2396. A Bill for an Act to provide for the inspection, licensing, and regulation of carnival and amusement rides; to provide for the safety of the public utilizing carnival and amusement rides; to create a carnival-amusement safety board in the department of labor; to provide for the disposition of revenues; to make an appropriation; to provide a penalty; and declaring an emergency.

Introduction, first reading, 236
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 379
 Re-referred to Committee on Appropriations, 379
 Reported back, indefinitely postponed, 489

Senate Bill No. 2397 — (Rait, J. Schultz, Lee and Wright)

Senate Bill No. 2397. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund and to the apportionment and distribution of such fund to the state highway department, counties and cities.

Introduction, first reading, 236
 Referred to Committee on Finance and Taxation
 Reported back, amended, 522
 Amendments withdrawn, 554
 Second reading, 592
 Clincher motion, 592
 Lost, 592

Senate Bill No. 2398 — (Jones)

Senate Bill No. 2398. A Bill for an Act to amend and reenact subsection 10 of section 1 and subsections 10 and 15 of section 3, as contained in House Bill No. 1042, as approved by the forty-third legislative assembly, relating to state legislative apportionment.

Introduction, first reading, 236
 Referred to Committee on Joint Reapportionment
 Reported back, do pass, 552
 Second reading, 584
 Clincher motion, 584
 Lost, 584

Senate Bill No. 2399 — (Hoffner and Solberg)

Senate Bill No. 2399. A Bill for an Act to provide for the creation of a board of corrections and a division of corrections within the social service board; to create an advisory board of corrections; to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the powers and duties of the social service board; to amend and reenact sections 27-21-01 and 54-23-01 of the North Dakota Century Code, relating to the state youth authority and to institutions under the control of the director of institutions; and to repeal chapters 12-52 and 12-59 and sections 12-47-27, 12-55-07, 12-55-15, 12-55-21, 12-55-27, 12-55-28, 12-55-30, 12-55-31, 54-21-25, 54-23-22, and 54-23-28 of the North Dakota Century Code, relating to the custody and imprisonment of persons convicted of public offenses and to the parole and probation of such persons.

Introduction, first reading, 236
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 379
 Roll call vote, 379

Senate Bill No. 2400 — (Nothing and Nasset)

Senate Bill No. 2400. A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for a trust fund and for the allocation of the interest from such fund to counties; and to provide a penalty.

Introduction, first reading, 236
 Referred to Committee on Finance and Taxation
 Returned to Senate and re-referred to Committee on Industry, Business, and Labor, 251
 Reported back, amended, 465
 Amendments adopted, 492
 Engrossed, 522, 1198
 Second reading, 556, 1178
 Passed, 556, 1178
 To House, 588, 1179
 Senate does not concur, 1049
 Returned to Senate, amended, 1059
 Conference Committee, 1049, 1100, 1165
 Conference Committee report, 1164, 1178
 Senate does not adopt, 1165
 Senate adopts, 1178, 1179
 Re-engrossed, 1178
 Clincher motion, 1178
 Enrolled, 1198
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1203

Senate Bill No. 2401 — (Lips, Christensen and Nasset)

Senate Bill No. 2401. A Bill for an Act expressing the intent of the forty-third legislative assembly regarding medical education, authorizing the state board of higher education to enter into intra-state and interstate medical education contracts, directing review of such contracts by a legislative council committee, and declaring an emergency.

Introduction, first reading, 236
 Referred to Committee on Education
 Reported back, amended, 293
 Amendments adopted, 309
 Engrossed, 326
 Second reading, 341, 403, 431, 452, 524
 Re-referred to Committee on Appropriations, 341
 Reported back, do pass, 380
 Amended from floor, 524
 Re-engrossed, 524
 Passed, 525
 Clincher motion, 525
 Emergency carried, 525
 To House, 588
 Returned to Senate, 1030
 Enrolled, 1193
 Signed by President, 1193
 Sent to House, 1194
 Received from House, 1194
 Message to Governor, 1195

Senate Bill No. 2402 — (Goodman)

Senate Bill No. 2402. A Bill for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to resolutions of necessity for sewer and water main projects.

Introduction, first reading, 237
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 466

Senate Bill No. 2403 — (Goodman)

Senate Bill No. 2403. A Bill for an Act to amend and reenact 40-21-05 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks at municipal elections.

Introduction, first reading, 237
 Referred to Committee on Judiciary
 Reported back, do pass, 293
 Engrossed, 701
 Second reading, 316, 701
 Passed, 316, 701
 To House, 341
 House amendments, 686
 Returned to Senate, amended, 686
 Senate concurs, 701
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1159
 Message to Governor, 1160

Senate Bill No. 2404 — (Butler, Melland, Freed and Ringsak)

Senate Bill No. 2404. A Bill for an Act regulating abortion; providing for punishment for unauthorized abortion; providing for record keeping by the Division of Vital Statistics; and to repeal Section 12-25-01, 12-25-02, 12-25-04 and 12-25-07 of the North Dakota Century Code.

Introduction, first reading, 237
 Referred to Committee on Social Welfare and Veterans' Affairs
 Returned to Senate and withdrawn, 433

Senate Bill No. 2405 — (Lee and Sandness)

Senate Bill No. 2405. A Bill for an Act to amend and reenact section 36-21.1-03 of the North Dakota Century Code, to require that vehicles hauling live animals in the winter months be covered, and providing a penalty.

Introduction, first reading, 237
 Referred to Committee on Agriculture
 Reported back, indefinitely postponed, 368

Senate Bill No. 2406 — (Kautzmann)

Senate Bill No. 2406. A Bill for an Act to amend and reenact section 50-09-21 of the North Dakota Century Code, relating to county reimbursement liability in aid to dependent children cases.

Introduction, first reading, 237
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 368
 Second reading, 389
 Passed, 389
 To House, 406
 Returned to Senate, 686
 Enrolled, 1069
 Signed by President, 1070
 Sent to House, 1070
 Received from House, 1072
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2407 — (Longmire)

Senate Bill No. 2407. A Bill for an Act to provide for the salary of the clerk of the district court and to amend and reenact subsections 1 and 2 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county officers.

Introduction, first reading, 237
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 552

Senate Bill No. 2408 — (Naaden and Mutch)

Senate Bill No. 2408. A Bill for an Act to provide for the state board of equalization to review the amount of surplus in the general fund, to make rate adjustments to the sales and use tax law, and to repeal sections 57-39.2-03.1 and 57-40.2-03.1 of the North Dakota Century Code.

Introduction, first reading, 237
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 380

Senate Bill No. 2409 — (Naaden and Mutch)

Senate Bill No. 2409. A Bill for an Act to prohibit discrimination in employment because of race, color, religion, sex, or national origin, and providing a penalty.

Introduction, first reading, 237
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 380
 Amendments adopted, 398

Engrossed, 409
 Second reading, 429
 Passed, 429
 To House, 452
 Returned to Senate, indefinitely postponed, 842

Senate Bill No. 2410 — (Erdman, Redlin and Ringsak)

Senate Bill No. 2410. A Bill for an Act to provide for the comprehensive regulation of persons and organizations owning, controlling, operating, and managing community antenna television systems; and providing a penalty.

Introduction, first reading, 238
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 440

Senate Bill No. 2411 — (Reiten, Lips and Pyle)

Senate Bill No. 2411. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, defining "projects" under the Municipal Industrial Development Act of 1955 as amended, and declaring an emergency.

Introduction, first reading, 238
 Referred to Committee on Political Subdivisions
 Returned to Senate and re-referred to Committee on Industry, Business, and Labor, 269
 Reported back, do pass, 380
 Second reading, 404, 781
 Passed, 404, 781
 To House, 432
 House amendments, 772-773
 Returned to Senate, amended, 771
 Senate concurs, 781
 Engrossed, 781
 Enrolled, 1197
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1204

Senate Bill No. 2412 — (Lips)

Senate Bill No. 2412. A Bill for an Act making an appropriation to permit North Dakota to continue the provisions of the National Defense Education Act for purposes of improving instruction in the state in accordance with the Act.

Introduction, first reading, 238
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 368

Senate Bill No. 2413 — (Lips)

Senate Bill No. 2413. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the Bank of North Dakota.

Introduction, first reading, 238
 Referred to Committee on Appropriations
 Reported back, amended, 421
 Amendments adopted, 442
 Engrossed, 456

Second reading, 476
 Passed, 476
 To House, 502
 Returned to Senate, 841
 Enrolled, 1069
 Signed by President, 1070
 Sent to House, 1070
 Received from House, 1072
 Message to Governor, 1072
 Approved by Governor, 1192

Senate Bill No. 2414 — (Lips)

Senate Bill No. 2414. A Bill for an Act to create and enact section 11-33-21 of the North Dakota Century Code, relating to the general penalties for violation of zoning regulations and restrictions.

Introduction, first reading, 238
 Referred to Committee on Political Subdivisions
 Reported back, amended, 368
 Amendments adopted, 380
 Engrossed, 393
 Second reading, 404, 431
 Passed, 431
 To House, 452
 Returned to Senate, 771
 Enrolled, 887
 Signed by President, 909
 Sent to House, 910
 Received from House, 933
 Message to Governor, 934
 Approved by Governor, 1005

Senate Bill No. 2415 — (Lips)

Senate Bill No. 2415. A Bill for an Act authorizing the issuance of additional general obligation bonds in an amount not exceeding four million dollars for the purpose of the payment of adjusted compensation to North Dakota veterans of the Vietnam conflict; to amend and reenact section 54-17.1-02 of the North Dakota Century Code, relating to the authority for issuing the Vietnam bonus bonds; providing for an appropriation for the expense of issuance of such bonds and the administration of the payment of Vietnam adjusted compensation claims; and declaring an emergency.

Introduction, first reading, 238
 Referred to Committee on Appropriations
 Reported back, do pass, 553
 Engrossed, 586
 Second reading, 585, 587
 Amended from floor, 585-586
 Clincher motion, 587
 Passed, 587
 To House, 600
 Returned to Senate, 906
 Enrolled, 1197
 Signed by President, 1200
 Sent to House, 1201
 Received from House, 1202
 Message to Governor, 1204

Senate Bill No. 2416 — (Christensen and Jacobson)

Senate Bill No. 2416. A Bill for an Act to provide for a tax on coal mined in North Dakota, to provide for the administration thereof, to provide for the distribution of the proceeds of such tax; and providing for a penalty.

Introduction, first reading, 238

Referred to Committee on Natural Resources

Returned to Senate and re-referred to Committee on Finance and Taxation, 251

Re-referred to Committee on Industry, Business, and Labor, 251

Reported back, indefinitely postponed, 421

Senate Bill No. 2417 — (Christensen and Larson)

Senate Bill No. 2417. A Bill for an Act to amend and reenact sections 16-17-01, 16-17-02, 16-17-10, 16-17-13, 16-17-16, 16-17-17, and 16-17-18 of the North Dakota Century Code, relating to the election of precinct committeemen and to party organization.

Introduction, first reading, 238

Referred to Committee on Judiciary

Reported back, indefinitely postponed, 421

Senate Bill No. 2418 — (Christensen)

Senate Bill No. 2418. A Bill for an Act to create and enact chapter 54-55 and sections 38-14-03.1, 38-14-04.1, 38-14-05.1, and 38-14-07.1 of the North Dakota Century Code, establishing a department of natural resources through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee; providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies; to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission; to amend and reenact section 20.1-02-07, as contained in section 9 of House Bill No. 1041, as approved by the forty-third legislative assembly; to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, subsection 12 of section 38-14-02, sections 38-14-03, 38-14-04, the first paragraph and subsections 7, 8, 9, 10, 11, and 12 of section 38-14-05, sections 38-14-06, 38-14-07, 38-14-09, 38-14-10, 38-14-12, 38-14-13, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee and the game and fish department, the licensing of surface mine operations, the regulation of strip mined lands, the personnel, powers and duties of the outdoor recreation agency, North Dakota park service, and water conservation commission, and placing certain agencies in the department of natural resources; and to repeal sections 38-14-11 and 61-03-14 of the North Dakota Century Code, relating to the strip mine regulation authority or the mine inspector, and relating to modification of rules by the state water conservation commission, and providing an effective date.

Introduction, first reading, 239

Referred to Committee on Natural Resources

Reported back, do pass, 440, 553

Re-referred to Committee on Natural Resources, 477

Second reading, 476, 487

Lost, 488

Clincher motion, 588

Senate Bill No. 2419 — (Wenstrom)

Senate Bill No. 2419. A Bill for an Act to create and enact sections 41-09-13.1 and 41-09-46.2, relating to the priority of a consignee over a secured party, to the assignment of security interests, and to the filing of assignments of financing statements; to amend and reenact subsection 2 of section 41-01-05, subsections 9 and 37 of section 41-01-11, subsections 1 and 2 of section 41-02-07, subsection 2 of section 41-05-16, subsection 1 of section 41-09-02, sections 41-09-03, 41-09-04, 41-09-05, 41-09-06, 41-09-16, 41-09-17, 41-09-18, 41-09-22, 41-09-23, 41-09-25, 41-09-26, subsections 1, 2, 3, and 4 of section 41-09-27, sections 41-09-28, 41-09-29, 41-09-33, 41-09-34, 41-09-39, 41-09-40, 41-09-41, 41-09-42, 41-09-43, 41-09-44, 41-09-45, subsection 3 of section 41-09-47, subsection 2 of section 41-09-48, subsections 1, 2, and 3 of section 41-09-50, and subsection 2 of section 41-09-51 of the North Dakota Century Code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning same, including sales, commercial paper, bank deposits, bank collections, letters of credit, bulk transfers, warehouse receipts, bills of lading and other documents of title, investment securities, and secured transactions; and providing for transition and an effective date.

Introduction, first reading, 239
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 421
 Second reading, 529, 922
 Passed, 529, 923
 To House, 563
 House amendments, 907
 Returned to Senate, amended, 906
 Senate concurs, 922
 Engrossed, 922
 Enrolled, 1142
 Signed by President, 1147
 Sent to House, 1147
 Received from House, 1160
 Message to Governor, 1160

Senate Bill No. 2420 — (Wenstrom and Christensen)

Senate Bill No. 2420. A Bill for an Act to enter into the interstate mining compact, and for related purposes; and providing an appropriation.

Introduction, first reading, 239
 Referred to Committee on Appropriations
 Reported back, indefinitely postponed, 368

Senate Bill No. 2421 — (Committee on Delayed Bills)

Senate Bill No. 2421. A Bill for an Act to amend and reenact section 12-48-14 of the North Dakota Century Code, relating to the compensation of inmates at the state penitentiary.

Introduction, first reading, 889
 Referred to Committee on State and Federal Government
 Reported back, amended, 911
 Amendments adopted, 947
 Further amended, 947
 Engrossed, 972
 Second reading, 973

Passed, 974
Clincher motion, 974
To House, 998
Returned to Senate, 1074
Enrolled, 1197
Signed by President, 1200
Sent to House, 1201
Received from House, 1202
Message to Governor, 1204

Senate Concurrent Resolution No. 4001 —
(Strinden, Wenstrom and Kautzmann)

Senate Concurrent Resolution No. 4001. A Concurrent Resolution directing the State Departments of Health and Social Services to coordinate and consolidate human services provided by community mental health and retardation centers and area social service centers.

Introduction, first reading, 40
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 56
 Second reading, amended from floor, 77
 Adopted, 77
 To House, 90
 Returned to Senate, 771
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4002 —
(Lips, Thane, Gronhovd and Mutch)

Senate Concurrent Resolution No. 4002. A Concurrent Resolution requesting the Congress of the United States to unconditionally release to the State of North Dakota, free of any trust agreement, the assets of the North Dakota Rural Rehabilitation Corporation.

Introduction, first reading, 41
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 80
 Second reading, 97
 Adopted, 97
 To House, 112
 Returned to Senate, 875
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4003 —
(Nething, Barth, Coughlin and Holand)

Senate Concurrent Resolution No. 4003. A Concurrent Resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts; the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges, to confirmation of incumbent judges running unopposed, and to tribunals of conciliation; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

Introduction, first reading, 41
 Referred to Committee on Judiciary
 Reported back, amended, 105
 Re-referred to Committee on Rules, 140
 Amendments adopted, 116
 Engrossed, 123
 Second reading, 140
 Returned to Senate and re-referred to Committee on Judiciary
 269
 Reported back, indefinitely postponed, 804
 Clincher motion, 804

Senate Concurrent Resolution No. 4004 — (Erdman)

Senate Concurrent Resolution No. 4004. A Concurrent Resolution expressing support for the imposition of more appropriate sentences by the courts of this state for persons convicted of driving while intoxicated.

Introduction, first reading, 41
 Referred to Committee on Transportation
 Reported back, amended, 122
 Amendments adopted, 139
 Engrossed, 156
 Second reading, 161
 Adopted, 161
 To House, 183
 Returned to Senate, 968
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4005 — (Morgan and Christensen)

Senate Concurrent Resolution No. 4005. A Concurrent Resolution for a study by the Legislative Council of the field of land use planning and zoning at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

Introduction, first reading, 41
 Referred to Committee on Agriculture
 Reported back, do pass, 50, 853
 Re-referred to Committee on Legislative Council Resolutions
 Committee, 66
 Second reading, 66, 894
 Passed, 895
 Clincher motion, 895
 To House, 909
 Returned to Senate, 1030
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4006 —
 (Committee on Natural Resources)

Senate Concurrent Resolution No. 4006. A Concurrent Resolution directing a study by the Legislative Council for the purpose of determining if some control is needed over the location and construction of power transmission lines, both public and private.

Introduction, first reading, 41
 Referred to Committee on Natural Resources
 Reported back, do pass, 186, 853
 Re-referred to Legislative Council Resolutions Committee, 208
 Second reading, 208, 894
 Passed, 895
 Clincher motion, 895
 To House, 909
 Returned to Senate, 1030
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4007 —
 (Committee on Political Subdivisions)

Senate Concurrent Resolution 4007. A Concurrent Resolution directing the legislative council to study the governmental organization and financing of public library service and the role of the state library in the provision and coordination of such public library service.

Introduction, first reading, 64
 Referred to Committee on Education
 Reported back, indefinitely postponed, 877

Senate Concurrent Resolution No. 4008 — (Lee)

Senate Concurrent Resolution No. 4008. A Concurrent Resolution directing the Board of University and School Lands to confer with appropriate agencies.

Introduction, first reading, 108
 Referred to Committee on Natural Resources
 Reported back, amended, 308
 Amendments adopted, 327
 Engrossed, 350, 1204
 Second reading, 360, 1092
 Adopted, 360, 1092
 Returned to Senate, amended, 873
 Conference Committee, 893, 968
 To House, 374
 House amendments, 874-875
 Senate does not concur, 893
 Conference Committee report, 1091, 1124
 Senate adopts, 1092, 1124
 Re-engrossed, 1092
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4009 —
 (Longmire and Wenstrom)

Senate Concurrent Resolution No. 4009. A Concurrent Resolution designating February 2, 1973, as North Dakota Editors Day at the Forty-third Legislative Assembly, and welcoming Mr. John Finnegan, a distinguished journalist and executive editor of the St. Paul Pioneer Press and Dispatch, to North Dakota.

Introduction, first reading, 144
 Second reading, 145
 Adopted, 145
 To House, 151
 Returned to Senate, 163
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Secretary of State, 729

Senate Concurrent Resolution No. 4010 — (Hoffner and Reiten)

Senate Concurrent Resolution No. 4010. A Concurrent Resolution for a constitutional amendment requiring all meetings of governmental bodies to be open to the public, unless otherwise provided by law, and for the amendment of section 50 of the Constitution of the State of North Dakota, relating to open meetings of the legislative assembly and its committees, and providing an effective date.

Introduction, first reading, 160
 Referred to Committee on State and Federal Government
 Returned to Senate and re-referred to Committee on Judiciary, 269
 Reported back, amended, 805
 Amendments adopted, 829
 Further amended from floor, 829
 Engrossed, 843
 Second reading, 863
 Passed, 863
 To House, 905
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4011 — (Morgan and Mutch)

Senate Concurrent Resolution No. 4011. A Concurrent Resolution urging the United States Department of Agriculture, the United States Department of Commerce, and the United States Department of Transportation to assist and encourage further experimentation to determine the feasibility of using grain alcohol in motor vehicle fuels.

Introduction, first reading, 197
 Referred to Committee on Transportation
 Reported back, do pass, 349
 Second reading, 374
 Adopted, 374
 To House, 392
 Returned to Senate, 797
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4012 — (Stroup and Roen)

Senate Concurrent Resolution No. 4012. A concurrent resolution urging that public agencies and private individuals cooperate with the North Dakota Geological Survey by furnishing data from lignite test holes.

Introduction, first reading, 215
 Referred to Committee on Natural Resources
 Second reading, 560,
 Adopted, 560
 To House, 588
 Returned to Senate, 906
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1205
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4013 — (Jones and Jacobson)

Senate Concurrent Resolution No. 4013. A concurrent resolution directing the Legislative Council to conduct a study to determine what progress has been made in exploring the feasibility of developing and improving certain North Dakota waterways for the purpose of utilizing these waterways for barge traffic and other navigational purposes, and to investigate any other means of transporting goods into and out of North Dakota.

Introduction, first reading, 215
 Referred to Committee on Natural Resources
 Reported back, amended, 466
 Engrossed, 523
 Re-referred to Legislative Council Resolutions Committee, 561
 Amendments adopted, 492
 Engrossed, 523
 Second reading, 560
 Reported back, indefinitely postponed, 877

Senate Concurrent Resolution No. 4014 — (Litten)

Senate Concurrent Resolution No. 4014. A concurrent resolution authorizing and directing the Legislative Council to form a continuing interim committee composed of legislators and citizens to review constitutional proposals.

Introduction, first reading, 240
 Referred to Committee on Judiciary
 Reported back, do pass, 489
 Re-referred to Legislative Council Resolutions Committee, 489
 Reported back, indefinitely postponed, 877

Senate Concurrent Resolution No. 4015 — (Redlin and Wright)

Senate Concurrent Resolution No. 4015. A concurrent resolution urging the President of the United States to restore funding of federal rural development and environmental programs vital to the present and future economy of the State of North Dakota.

Introduction, first reading, 240
 Referred to Committee on Agriculture
 Reported back, indefinitely postponed, 489

Senate Concurrent Resolution No. 4016 —

(Ringsak, Strinden, Morgan and Smykowski)

Senate Concurrent Resolution No. 4016. A concurrent resolution urging the North Dakota Board of Higher Education to authorize veterans attending a state college, university, or technical or vocational school on the GI Bill to pay their tuition and fees on an installment basis.

Introduction, first reading, 240
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 466
 Second reading, 561
 Adopted, 561
 To House, 588
 Returned to Senate, 797
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4017 —
 (Ringsak, Strinden, Morgan and Smykowski)

Senate Concurrent Resolution No. 4017. A concurrent resolution urging the Board of Higher Education of the State of North Dakota to require that married veterans be given priority for openings as they occur in married housing at state colleges, universities, and technical and vocational schools.

Introduction, first reading, 240
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 490
 Amendments adopted, 513
 Engrossed, 537
 Second reading, 561
 Adopted, 561
 To House, 588
 Returned to Senate, 797
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4018 —
 (Shablow, Page and Wenstrom)

Senate Concurrent Resolution No. 4018. A concurrent resolution urging the railroads serving North Dakota to use every means possible to provide an adequate number of boxcars and hopper cars in order that North Dakota farmers and grain shippers may market their products on a timely basis.

Introduction, first reading, 263
 Second reading, 264
 Adopted, 264
 To House, 276
 Returned to Senate, 406
 Enrolled, 726
 Signed by President, 728
 Sent to House, 728
 Received from House, 729
 Message to Secretary of State, 729

Senate Concurrent Resolution No. 4019 — (Mutch and Naaden)

Senate Concurrent Resolution No. 4019. A concurrent resolution urging the United States Congress to exercise its power, granted under Article 3, Section 2, of the United States Constitution to limit the jurisdiction of the Supreme Court.

Introduction, first reading, 294
 Referred to Committee on Judiciary
 Returned without recommendation, 911
 Second reading, 964
 Lost, 964
 Clincher motion, 964

Senate Concurrent Resolution No. 4020 — (Litten)

Senate Concurrent Resolution No. 4020. A concurrent resolution requesting the Office of the Executive Budget to develop a plan and to begin converting all state agency and institution budgets to a program budgeting basis, and to direct the State Departments of Health, Social Services, and Vocational Rehabilitation, and the State Industrial School to continue program budgeting.

Introduction, first reading, 329
 Referred to Committee on Appropriations
 Reported back, do pass, 466
 Second reading, 561
 Adopted, 561
 To House, 588
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4021 — (Strinden and Nasset)

Senate Concurrent Resolution No. 4021. A concurrent resolution providing for a study by the Legislative Council of the functions, responsibilities, and operations of the Extension Division and the Experiment Stations of the North Dakota State University of Agriculture and Applied Science.

Introduction, first reading, 329
 Referred to Committee on Agriculture
 Reported back, do pass, 441, 853
 Re-referred to Legislative Council Resolutions Committee, 561
 Second reading, 561, 894
 To House, 909
 Clincher motion, 895
 Passed, 895
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4022 — (Redlin and Litten)

Senate Concurrent Resolution No. 4022. A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, prohibiting states from denying a citizen equality of rights under law on account of sex.

Introduction, first reading, 334
 Referred to Committee on Judiciary
 Reported back without recommendation, 421
 Second reading, 427

Passed, 427
 Clincher motion, 427
 To House, 432
 Returned to Senate, indefinitely postponed, 754

Senate Concurrent Resolution No. 4023 — (Melland and Goldberg)

Senate Concurrent Resolution No. 4023. A Concurrent Resolution providing for a study by the Legislative Council of the North Dakota Workmen's Compensation laws and program and the Workmen's Compensation Bureau responsibilities in the employment safety field.

Introduction, first reading, 363
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 568, 854
 Re-referred to Legislative Council Resolutions Committee, 568
 Second reading, 895
 Passed, 895
 To House, 909
 Clincher motion, 895
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4024 — (Goldberg)

Senate Concurrent Resolution No. 4024. A Concurrent Resolution urging the United States Congress to enact effective legislation to deal with strikes in the transportation industry.

Introduction, first reading, 363
 Referred to Committee on Transportation
 Reported back, amended, 690
 Amendments adopted, 714
 Engrossed, 733
 Second reading, 739
 Passed, 739
 To House, 770
 Returned to Senate, 1001
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4025 — (Erdman)

Senate Concurrent Resolution No. 4025. A Concurrent Resolution urging that officials at all levels of government who have responsibilities for the construction and maintenance of public roads, as well as private citizens that occupy lands abutting public roads, exert a concentrated effort to improve safety for the traveler.

Introduction, first reading, 382
 Referred to Committee on Transportation
 Reported back, do pass, 466
 Second reading, 561
 Adopted, 561
 To House, 588
 Returned to Senate, 968

Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4026 —
 (Committee on Appropriations)

Senate Concurrent Resolution No. 4026. A Concurrent Resolution directing the Director of Institutions to conduct a space utilization study and a facility needs and improvement study of the institutions and facilities under his control.

Introduction, first reading, 398
 Referred to Committee on Appropriations
 Reported back, do pass, 511
 Second reading, 561
 Adopted, 561
 To House, 588
 Returned to Senate, 727
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4027 — (Freed and Nething)

Senate Concurrent Resolution No. 4027. A Concurrent Resolution directing the Legislative Council to conduct an interim study of law enforcement and regulatory activities in the State of North Dakota.

Introduction, first reading, 426
 Referred to Committee on Judiciary
 Reported back, do pass, 490
 Re-referred to Legislative Council Resolutions Committee, 490
 Placed on calendar, 877
 Second reading, 899
 Adopted, 899
 Clincher motion, 899
 To House, 931
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4028 — (Nething)

Senate Concurrent Resolution No. 4028. A Concurrent Resolution directing the Legislative Council to study the relationship between franchisors and franchisees, the laws relating to franchises, and protections available to franchisees and consumers.

Introduction, first reading, 443
 Referred to Committee on Judiciary
 Reported back, do pass, 623
 Re-referred to Legislative Council Resolutions Committee, 623
 Reported back, indefinitely postponed, 878

Senate Concurrent Resolution No. 4029 —
(Committee on Appropriations)

Senate Concurrent Resolution No. 4029. A Concurrent Resolution urging the Congress of the United States to assume full responsibility for funding and administering the Aid to Families with Dependent Children Program and the Medical Assistance Program on Federal Indian reservations.

Introduction, first reading, 443
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 623
 Second reading, 652
 Adopted, 652
 To House, 685
 Returned to Senate, 906
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4030 — (Roen and Lee)

Senate Concurrent Resolution No. 4030. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility and desirability of legislation regulating clay, sand, and gravel pit and other land disturbing operations.

Introduction, first reading, 443
 Referred to Committee on Natural Resources
 Reported back, do pass, 568, 854
 Re-referred to Legislative Council Resolutions Committee, 599
 Second reading, 599, 895
 Passed, 895
 Clincher motion, 895
 To House, 909
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4031 — (Litten)

Senate Concurrent Resolution No. 4031. A Concurrent Resolution for the amendment of sections 74 and 77 of the Constitution of the state of North Dakota, relating to the election of the governor and lieutenant governor and to the powers and duties of the lieutenant governor.

Introduction, first reading, 443
 Referred to Committee on Judiciary
 Reported back, placed on calendar, 805
 Second reading, 831, 898
 Amended from floor, 897
 Engrossed, 898, 916
 Passed, 898
 Clincher motion, 898
 To House, 931
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205

Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4032 — (Litten)

Senate Concurrent Resolution No. 4032. A concurrent resolution commending Senator Milton R. Young for his service to North Dakota.

Introduction, first reading, 443
 Second reading, 444
 Adopted, 445
 To House, 452
 Returned to Senate, 502
 Signed by President, 562
 Sent to House, 562
 Received from House, 563, 729
 Enrolled, 726
 Message to Secretary of State, 729

Senate Concurrent Resolution No. 4033 — (Barth and Stroup)

Senate Concurrent Resolution No. 4033. A Concurrent Resolution commending the rural electric and rural telephone cooperatives for their significant and long-standing contributions to the social and economic development of North Dakota by virtue of providing dependable and low cost electric and telephone service to all areas regardless of density and load area factors, and thereby contributing an important and strategic part in the effort to stem the forced migration of rural citizens to urban areas.

Introduction, first reading, 445
 Referred to Committee on State and Federal Government
 Reported back, do pass, 490
 Second reading, 561
 Adopted, 562
 To House, 588
 Returned to Senate, failed to pass, 1067

Senate Concurrent Resolution No. 4034 — (Hoffner and Barth)

Senate Concurrent Resolution No. 4034. A Concurrent Resolution directing the Legislative Council to study the entire system of corrections in North Dakota, including the possibility of decentralizing incarcerative facilities.

Introduction, first reading, 472
 Referred to Committee on Judiciary
 Reported back, do pass, 623
 Re-referred to Legislative Council Resolutions Committee, 623
 Reported back, indefinitely postponed, 878

Senate Concurrent Resolution No. 4035 — (Morgan and Christensen)

Senate Concurrent Resolution No. 4035. A Concurrent Resolution directing the Legislative Council to make a study of necessary legislation and costs to the State of North Dakota to comply with the Federal Environmental Pesticide Control Act of 1972, requiring implementation of training programs for certification of all commercial and private applicators of pesticide chemicals.

Introduction, first reading, 472
 Referred to Committee on Agriculture
 Reported back, do pass, 568, 854

Re-referred to Legislative Council Resolutions Committee, 599
 Second reading, 599, 895
 Passed, 895
 Clincher motion, 895
 To House, 909
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4036 — (Jones)

Senate Concurrent Resolution No. 4036. A Concurrent Resolution urging the Aviation Subcommittee of the Commerce Committee of the United States Senate to give favorable consideration to Senate Bill No. 3460, which authorizes the United States Civil Aeronautics Board to contract for experimental commuter airline service to be provided to small communities in sparsely populated states, such as North Dakota.

Introduction, first reading, 472
 Referred to Committee on Transportation
 Reported back, do pass, 624
 Second reading, 652
 Adopted, 652
 To House, 685
 Returned to Senate, 968
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1206
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4037 — (Holand)

Senate Concurrent Resolution No. 4037. A Concurrent Resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools.

Introduction, first reading, 480
 Referred to Committee on Education
 Reported back, do pass, 668
 Re-referred to Legislative Council Resolutions Committee, 668
 Second reading, 882
 Adopted, 882
 Reconsidered, 882
 Reported back, indefinitely postponed, 882
 To House, 931
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4038 — (Nothing)

Senate Concurrent Resolution No. 4038. A Concurrent Resolution requesting the State Auditor to make a study of the cash flow and investment practices and policies of the several county governments.

Introduction, first reading, 481
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 691
 Second reading, 715
 Adopted, 716
 To House, 751
 Returned to Senate, 906
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4039 — (Barth and Holand)

Senate Concurrent Resolution No. 4039. A Concurrent Resolution directing the Legislative Council to study the laws, practices and procedures involved and concerned with the North Dakota sales, market, productivity and other studies for assessment purposes.

Introduction, first reading, 481
 Referred to Committee on Finance and Taxation
 Reported back, amended, 691
 Re-referred to Legislative Council Resolutions Committee, 691
 714
 Amendments adopted, 714
 Engrossed, 733
 Reported back, do pass, 854
 Second reading, 895
 Passed, 895
 Clincher motion 895
 To House, 909
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4040 —
 (Naaden, Coughlin, C. Schultz, Thane and Butler)

Senate Concurrent Resolution No. 4040. A Concurrent Resolution urging the United States Congress to pass the resolution which has been introduced by Representative Lawrence J. Hogan into the United States House of Representatives calling for a right to life and anti-euthanasia amendment to the United States Constitution.

Introduction, first reading, 481
 Referred to Committee on Social Welfare and Veterans' Affairs
 Returned to Senate and withdrawn, 724

Senate Concurrent Resolution No. 4041 — (Redlin)

Senate Concurrent Resolution No. 4041. A Concurrent Resolution urging suppliers of electrical power and energy to cease unnecessary and costly self-promotional advertising campaigns and practices.

Introduction, first reading, 481
 Referred to Committee on State and Federal Government
 Returned to Senate and re-referred to Committee on Industry,
 Business and Labor, 599
 Returned back, indefinitely postponed, 882

Senate Concurrent Resolution No. 4042 — (Wenstrom)

Senate Concurrent Resolution No. 4042. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Consumer Credit Code in North Dakota.

Introduction, first reading, 481
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 691

Senate Concurrent Resolution No. 4043 — (Wenstrom)

Senate Concurrent Resolution No. 4043. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Alcoholism and Intoxication Treatment Act in North Dakota.

Introduction, first reading, 481
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 691
 Re-referred to Legislative Council Resolutions Committee, 691
 Reported back, indefinitely postponed, 878

**Senate Concurrent Resolution No. 4044 —
 (Ringsak, Butler and Thane)**

Senate Concurrent Resolution No. 4044. A Concurrent Resolution directing the Legislative Council to study the impact of present and proposed taxes upon mineral interests as they relate to state and local governments.

Introduction, first reading, 481
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 691
 Re-referred to Legislative Council Resolutions Committee, 691
 Reported back, indefinitely postponed, 878

**Senate Concurrent Resolution No. 4045 —
 (Thane, Morgan, Pyle and Naaden)**

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Congress of the United States to exempt farm trucks from the federal highway motor vehicle excise tax.

Introduction, first reading, 513
 Referred to Committee on Agriculture
 Reported back, indefinitely postponed, 854

**Senate Concurrent Resolution No. 4046 —
 (Litten and Christensen)**

Senate Concurrent Resolution No. 4046. A Concurrent Resolution directing the Legislative Council to study and review the possibilities and prospects for various avenues of interstate cooperation with the State of South Dakota.

Introduction, first reading, 513
 Referred to Committee on Judiciary
 Reported back, amended, 624
 Re-referred to Legislative Council Resolutions Committee, 624
 Amendments adopted, 647
 Re-referred to Legislative Council Resolutions Committee, 647
 Engrossed, 667
 Reported back, indefinitely postponed, 878

Senate Concurrent Resolution No. 4047 —
(Kautzmann, Naaden, Rait and Barth)

Senate Concurrent Resolution No. 4047. A Concurrent Resolution urging the President of the United States and the Congress of the United States to provide a moratorium on any railroad abandonments pending a complete study of the transportation needs of this nation.

Introduction, first reading, 513
Referred to Committee on Transportation
Reported back, indefinitely postponed, 805

Senate Concurrent Resolution No. 4048 — (Jones)

Senate Concurrent Resolution No. 4048. A concurrent Resolution directing the Legislative Council to conduct a study of cooperative vocational education programs between and among school districts, and to determine the feasibility of providing incentive payments to school districts which send students to other districts for vocational education programs.

Introduction, first reading, 514
Referred to Committee on Education
Reported back, do pass, 668, 854
Referred to Legislative Council Resolutions Committee, 668
Second reading, 895
Passed, 895
Clincher motion, 895
To House, 909
Returned to Senate, 1031
Enrolled, 1204
Signed by President, 1205
Sent to House, 1206
Received from House, 1207
Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4049 — (Rait)

Senate Concurrent Resolution No. 4049. A Concurrent Resolution urging the United States Congress to enact legislation providing for the development of a national electric power grid system.

Introduction, first reading, 514
Referred to Committee on Industry, Business, and Labor
Reported back, indefinitely postponed, 911
Roll call vote, 912

Senate Concurrent Resolution No. 4050 —
(Committee on Social Welfare and Veterans' Affairs)

Senate Concurrent Resolution No. 4050. A Concurrent Resolution directing a study by the Legislative Council of the practicability of dividing the duties of the State Health Department's Mental Health and Retardation Division, and, based thereon, to also then consider the feasibility and desirability of transferring the power to manage, govern, and control the Grafton State School and San Haven State Hospital to a Mental Retardation Division.

Introduction, first reading, 514
Referred to Committee on Social Welfare and Veterans' Affairs
Reported back, do pass, 691
Re-referred to Legislative Council Resolutions Committee, 691
Reported back, indefinitely postponed, 878

Senate Concurrent Resolution No. 4051 — (Jones)

Senate Concurrent Resolution No. 4051. A Concurrent Resolution directing the State Historical Society and the Director of Institutions to take possession of pictures of legislators, catalog them and place them in safe-keeping with the State Historical Society.

Introduction, first reading, 514
 Second reading, 515
 Adopted, 515
 To House, 563
 Returned to Senate, 727
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4052 — (Christensen)

Senate Concurrent Resolution No. 4052. A Concurrent Resolution directed to the State Tax Commissioner requesting that income tax returns for the taxable year of 1973 contain certain questions requesting information concerning residence in the various school districts.

Introduction, first reading, 515
 Referred to Committee on Finance and Taxation
 Reported back, indefinitely postponed, 692

Senate Concurrent Resolution No. 4053 — (Redlin)

Senate Concurrent Resolution No. 4053. A Concurrent Resolution urging Congress to provide funds to the appropriate agency for construction of a scenic road in the North Dakota Badlands connecting the three units of the Theodore Roosevelt National Memorial Park.

Introduction, first reading, 515
 Referred to Committee on State and Federal Government
 Reported back, do pass, 711
 Second reading, 739
 Passed, 739
 To House, 770
 Returned to Senate, failed to pass, 1001

Senate Concurrent Resolution No. 4054 — (Butler)

Senate Concurrent Resolution No. 4054. A Concurrent Resolution directing a study by the Legislative Council of the laws of North Dakota, including the income tax laws as provided in chapter 57-38 of the North Dakota Century Code, for the purpose of determining if any changes are necessary regarding the exemption from taxation of various organizations and individuals.

Introduction, first reading, 515
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 692
 Re-referred to Legislative Council Resolutions Committee, 692
 Reported back, indefinitely postponed, 878

Senate Concurrent Resolution No. 4055 — (Stroup)

Senate Concurrent Resolution No. 4055. A Concurrent Resolution directing the Legislative Council to study the general area of administrative hearings.

Introduction, first reading, 515
 Referred to Committee on State and Federal Government
 Reported back, do pass, 711
 Re-referred to Legislative Council Resolutions Committee, 711
 Reported back, indefinitely postponed, 879

Senate Concurrent Resolution No. 4056 — (Stroup)

Senate Concurrent Resolution No. 4056. A Concurrent Resolution providing for a Legislative Council study and review of the business methods, fiscal practices, financial prospects, and profit potential of the State Mill and Elevator.

Introduction, first reading, 515
 Referred to Committee on State and Federal Government
 Reported back, do pass, 711
 Re-referred to Legislative Council Resolutions Committee, 711
 Reported back, indefinitely postponed, 879

Senate Concurrent Resolution No. 4057 —
 (Committee on State and Federal Government)

Senate Concurrent Resolution No. 4057. A Concurrent Resolution requesting a Legislative Council study to determine, analyze, and propose measures to eliminate the duplication and overlapping of services and inspections performed by various executive agencies and political subdivisions of the State of North Dakota.

Introduction, first reading, 515
 Referred to Committee on State and Federal Government
 Reported back, do pass, 647
 Re-referred to Legislative Council Resolutions Committee, 647
 Reported back, indefinitely postponed, 879

Senate Concurrent Resolution No. 4058 — (Litten)

Senate Concurrent Resolution No. 4058. A Concurrent Resolution for the amendment of sections 82, 83, 148, 149, 150, 151, and 152 of the Constitution of the state of North Dakota, relating to public education, the board of public education, the board of higher education, and providing for open meetings of those boards; and for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

Introduction, first reading, 561
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 805

Senate Concurrent Resolution No. 4059 —
 (Committee on Social Welfare and Veterans' Affairs)

Senate Concurrent Resolution No. 4059. A Concurrent Resolution requesting a Legislative Council study of the feasibility and desirability of transferring the power to manage, govern, and control the North Dakota School for the Blind and the School for the Deaf to the Superintendent of Public Instruction.

Introduction, first reading, 516
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 692
 Re-referred to Legislative Council Resolutions Committee, 692
 Reported back, indefinitely postponed, 879

Senate Concurrent Resolution No. 4060 — (Erdman)

Senate Concurrent Resolution No. 4060. A Concurrent Resolution urging the United States Congress to take action to adopt a national health insurance plan.

Introduction, first reading, 516

Referred to Committee on Social Welfare and Veterans' Affairs
Reported back, indefinitely postponed, 824

Senate Concurrent Resolution No. 4061 — (Barth and Hoffner)

Senate Concurrent Resolution No. 4061. A Concurrent Resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

Introduction, first reading, 516

Second reading, 517

Adopted, 517

To House, 563

Returned to Senate, 621

Enrolled, 1204

Signed by President, 1205

Sent to House, 1206

Received from House, 1207

Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4062 — (Litten)

Senate Concurrent Resolution No. 4062. A Concurrent Resolution for the amendment of sections 37, 75, 90, 92, 104, 121, 124, 127, and 155 of the North Dakota Constitution, relating to legislative membership, to the Governor as commander of the State's naval forces, to the election of judges of the Supreme Court, to judicial districts, to the age qualifications for voting, to state general elections, to qualifications for voting, and to the original sale of grant lands; to repeal sections 26, 29, 30, 35, 54, 59, 88, 105, 128, 132, 163, 166, 177, 180, 181, and 214 of the North Dakota Constitution, relating to the number of State Senators, to senatorial districts to the House of Representatives, to voice votes in the Legislative Assembly, to enacting clauses of bills, to Supreme Court terms, to judicial districts, to women voting in school elections, to charters, to the general government land survey, to certain counties north of the seventh parallel belonging to North Dakota, to the tax for hail insurance, to a poll tax, to a general grant of authority to pass laws concerning the Constitution, and to congressional and legislative reapportionment; to repeal articles 19, 24, 36, 40, 59, and 65 of the amendments to the North Dakota Constitution, relating to the State Mill and Elevator, to the hail insurance tax, to the voting franchise, and to general obligation bonds for World War II and Korean Conflict adjusted compensation; and to repeal sections 1 through 26 of the schedule providing for an orderly transition from

the territorial government to the State Government.

Introduction, first reading, 517

Referred to Committee on Judiciary

Senate Concurrent Resolution No. 4063 — (Litten and Nasset)

Senate Concurrent Resolution No. 4063. A Concurrent Resolution providing for the completion of the legislative journals of the senate and house.

Introduction, first reading, 518
 Second reading, 562
 Passed, 562
 To House, 588
 Returned to Senate, 709
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4064 — (Melland and Nasset)

Senate Concurrent Resolution No. 4064. A Concurrent Resolution directing the Legislative Council to study the impact and ramifications of issuance of bonds by junior colleges; the impact of state aid to junior colleges; the division of vocational education services between colleges, universities, and secondary schools; the possibility of commingling vocational and special education funds and distributing them through the Foundation Program while retaining flexibility of administration; and the impact of various factors, legal and economic, on all phases of educational finance.

Introduction, first reading, 518
 Referred to Committee on Education
 Reported back, do pass, 668, 854
 Re-referred to Legislative Council Resolutions Committee, 668
 Second reading, 895
 Passed, 895
 Clincher motion, 895
 To House, 909
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

**Senate Concurrent Resolution No. 4065 —
 (Committee on Natural Resources)**

Senate Concurrent Resolution No. 4065. A Concurrent Resolution directing a study by the Legislative Council in order to determine the adequacy of present environmental laws and their enforcement.

Introduction, first reading, 518
 Referred to Committee on Natural Resources
 Reported back, amended, 712
 Re-referred to Legislative Council Resolutions Committee, 737
 Amendments adopted, 737
 Engrossed, 751
 Reported back, do pass, 854
 Second reading, 895
 Passed, 895
 Clincher motion, 895
 To House, 909
 Returned to Senate, 1031
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4066 — (Barth and Redlin)

Senate Concurrent Resolution No. 4066. A Concurrent Resolution commending the North Dakota Congressional Delegation for its opposition to President Richard M. Nixon's budget cuts affecting rural America.

Introduction, first reading, 519
 Referred to Committee on Agriculture
 Reported back, amended, 824-825
 Amendments adopted, 860
 Engrossed, 877
 Second reading, 898
 Adopted, 898
 Clincher motion, 898
 To House, 931
 Returned to Senate, failed to pass, 1100

Senate Concurrent Resolution No. 4067 — (Nothing)

Senate Concurrent Resolution No. 4067. A Concurrent Resolution for the amendment of sections 26, 29, 32, 35, 45, and 56 of the Constitution of the State of North Dakota, relating to the composition of the legislative assembly, compensation of members of the legislative assembly, and length of sessions of the legislative assembly.

Introduction, first reading, 519
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 805

Senate Concurrent Resolution No. 4068 — (Kautzmann)

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Director of Institutions to evaluate the teaching programs at Marmot High School as they relate to the public school system.

Introduction, first reading, 519
 Referred to Committee on Education
 Reported back, amended, 668
 Amendments adopted, 690
 Engrossed, 711, 1204
 Re-engrossed, 716, 1153
 Amended from floor, 716
 Second reading, 716, 1154
 Adopted, 716, 1154
 To House, 751
 House amendments, 1065
 Returned to Senate, amended, 1059
 Conference Committee, 1097, 1115
 Conference Committee report, 1153, 1166
 Senate adopts, 1153, 1166
 Senate does not concur, 1097
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

**Senate Concurrent Resolution No. 4069 —
 (Lee, Kautzmann, Butler, Berbue and Coughlin)**

Senate Concurrent Resolution No. 4069. A Concurrent Resolution requesting the Congress of the United States to propose an amendment to the United States Constitution for ratification by the states which will guarantee the right of the unborn human to life throughout is intrauterine development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency.

Introduction, first reading, 519

Referred to Committee on Social Welfare and Veterans' Affairs

Returned to Senate and re-referred to Committee on Judiciary, 659

Reported back, do pass, 855

Second reading, 898, 1057

Passed, 899

Clincher motion, 899

To House, 931

Engrossed, 1057, 1204

Senate concurs, 1057

Roll call vote, 1057

Returned to Senate, amended, 1059

House amendments, 1066

Enrolled, 1204

Signed by President, 1205

Sent to House, 1206

Received from House, 1207

Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4070 — (Rait and Shablow)

Senate Concurrent Resolution No. 4070. A Concurrent Resolution urging the Congress of the United States to further examine, study and review the Internal Revenue Code of the United States and as a matter of priority enact the necessary amendments and changes thereto inasmuch as continued progress on tax reform is of vital importance and an economic necessity for the well-being of the taxpayers of the United States.

Introduction, first reading, 519

Referred to Committee on State and Federal Government

Reported back, do pass, 647

Second reading, 670

Adopted, 670

To House, 708

Returned to Senate, 968

Enrolled, 1204

Signed by President, 1205

Sent to House, 1206

Received from House, 1207

Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4071 — (Nothing)

Senate Concurrent Resolution No. 4071. A Concurrent Resolution directing the Legislative Council to study the role the profits and investments of chain banks, state banks, insurance companies, and other financial institutions play in the State's economic picture.

Introduction, first reading, 519

Referred to Committee on Industry, Business, and Labor

Reported back, indefinitely postponed, 692

Senate Concurrent Resolution No. 4072 — (Hoffner)

Senate Concurrent Resolution No. 4072. A Concurrent Resolution urging the Congress to ensure reinstatement of all subsidized and interest credit Farmers Home Administration and the reinstatement of Housing and Urban Development Programs for the elderly and low-to-moderate income citizens of rural America.

Introduction, first reading, 519
 Referred to Committee on Agriculture
 Reported back, do pass, 825
 Engrossed, 1204
 Second reading, 868
 Adopted, 868
 To House, 905
 House amendments, 1066
 Returned to Senate, amended, 1059
 Conference Committee, 1091, 1100
 Senate does not concur, 1091
 Conference Committee report, 1134
 Senate adopts, 1134, 1160
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4073 — (Nothing and Holand)

Senate Concurrent Resolution No. 4073. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of establishing regional comprehensive planning commissions.

Introduction, first reading, 519
 Referred to Committee on State and Federal Government
 Re-referred to Legislative Council Resolutions Committee, 648
 Reported back, amended, 648
 Re-referred to Legislative Council Resolutions Committee, 667
 Amendments adopted, 667
 Engrossed, 689
 Reported back, indefinitely postponed, 879

Senate Concurrent Resolution No. 4074 — (Barth)

Senate Concurrent Resolution No. 4074. A Concurrent Resolution commending the Standing Rock Sioux Tribe upon the one hundredth anniversary of the establishment of the Standing Rock Agency at Fort Yates.

Introduction, first reading, 520
 Referred to Committee on State and Federal Government
 Reported back, do pass, 648
 Second reading 670
 Adopted, 670
 To House, 708
 Returned to Senate, 841
 Enrolled, 1204
 Signed by President, 1205
 Sent to House, 1206
 Received from House, 1207
 Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4075 — (Nething and Pyle)

Senate Concurrent Resolution No. 4075. A Concurrent Resolution providing for a study by the Legislative Council of railroad freight rates for the transportation of barley.

Introduction, first reading, 520

Referred to Committee on Industry, Business, and Labor

Reported back, indefinitely postponed, 692

Senate Concurrent Resolution No. 4076 — (Hoffner and Jones)

Senate Concurrent Resolution No. 4076. A Concurrent Resolution directing the Legislative Council to study the rationale for and the present status of kindergarten programs, and the feasibility of funding quality kindergarten programs in the public schools of North Dakota.

Introduction, first reading, 520

Referred to Committee on Education

Reported back, do pass, 668

Re-referred to Legislative Council Resolutions Committee, 668

Reported back, indefinitely postponed, 879

Senate Concurrent Resolution No. 4077 —
(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4077. A Concurrent Resolution directing the Legislative Council to carry out a comprehensive study and investigation of the State's correctional institutions.

Introduction, first reading, 918

Referred to Legislative Council Resolutions Committee

Reported back, do pass, 948

Second reading, 956

Adopted, 956

Clincher motion, 956

To House, 993

Returned to Senate, 1167

Enrolled, 1204

Signed by President, 1205

Sent to House, 1206

Received from House, 1207

Message to Secretary of State, 1207

Senate Concurrent Resolution No. 4078 — (Barth)

Senate Concurrent Resolution No. 4078. A Concurrent Resolution congratulating the Fort Yates Warriors basketball team on winning the 1973 North Dakota Class A Basketball Championship.

Introduction, first reading, 1019

Second reading, 1020

Adopted, 1020

Clincher motion, 1020

To House, 1041

Returned to Senate, 1067

Enrolled, 1204

Signed by President, 1205

Sent to House, 1206

Received from House, 1207

Message to Secretary of State, 1207

SENATE RESOLUTIONS

Senate Resolution No. 1 — (Lips, Longmire and Litten)

Senate Resolution No. 1. A resolution commending the University of North Dakota football team for its excellent season, and wishing the team success in its Camellia Bowl football game Saturday, December 9, 1972.

Introduction, first reading, 21
 Second reading, 22
 Adopted, 22
 Enrolled, 22A
 Signed by President, 22A
 Message to Secretary of State, 134

Senate Resolution No. 2 — (Nothing and Ringsak)

Senate Resolution No. 2. A Resolution creating a select senate investigating committee to study, investigate, and review the operation and administration of the North Dakota penitentiary and to report its findings and recommendations to the senate within thirty days of the passage of this resolution.

Introduction, first reading, 66
 Printed in Journal, 66-68
 Second reading, 77
 Passed, 78
 Enrolled, 134
 Signed by President, 134
 Message to Secretary of State, 134

Senate Resolution No. 3 — (Litten)

Senate Resolution No. 3. A Resolution providing for the appointment of a special Senate committee for the purpose of studying and reviewing existing and impending heating fuel shortages in North Dakota.

Introduction, first reading, 114
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 122
 Second reading, 150
 Adopted, 150
 Enrolled, 726
 Signed by President, 728
 Message to Secretary of State, 729

Senate Resolution No. 4 — (Jones)

Senate Resolution No. 4. A resolution commending Dagny Olson on her years of service as desk reporter for the North Dakota Senate, and wishing her well in her future activities.

Introduction, first reading, 327
 Second reading, 328
 Adopted, 328
 Enrolled, 342
 Signed by President, 342
 Message to Secretary of State, 342

Senate Resolution No. 5 — (Anderson, Reiten and Redlin)

Senate Resolution No. 5. A resolution commending Senator John D. "Jack" Coughlin on the auspicious occasion of his fifty-fifth birthday.

Introduction, first reading; 382
Second reading, 382
Adopted, 383
Enrolled, 726
Signed by President, 728
Message to Secretary of State, 729

Senate Resolution No. 6 —

(Iszler, Litten, Christensen, Larson and Nasset)

Senate Resolution No. 6. A resolution urging Senator Elton Ringsak a speedy recovery from his illness.

Introduction, first reading, 494
Second reading, 494
Adopted, 494
Enrolled, 726
Signed by President, 728
Message to Secretary of State, 729

Senate Resolution No. 7 — (Hoffner)

Senate Resolution No. 7. A Resolution creating a select Senate investigating committee to study the impact of recent federal program and funding cuts on the North Dakota economy, and on the legislative appropriations policies.

Introduction, first reading, 520
Referred to Committee on Agriculture
Reported back, indefinitely postponed, 824

Senate Resolution No. 8 — (Committee on Photography)

Senate Resolution No. 8. A Resolution to appoint an official photographer for the Senate of the Forty-third Legislative Assembly of the State of North Dakota.

Introduction, first reading, 689
Second reading, 690
Passed, 690
Enrolled, 1204
Signed by President, 1205
Message to Secretary of State, 1207

Senate Resolution No. 9 — (Litten and Christesnen)

Senate Resolution No. 9. A Resolution requesting the President of the Senate to perform the duties outlined in Section 2 of House Bill No. 1042, now, rather than at a later date.

Introduction, first reading, 1097
Second reading, 1098
Adopted, 1099
Enrolled, 1204
Signed by President, 1205
Message to Secretary of State, 1207

SENATE MEMORIAL RESOLUTIONS

Senate Memorial Resolution No. 1 —
(Sandness, Solberg and Shablow)

Senate Memorial Resolution No. 1. A Memorial Resolution for deceased members of the Senate of the State of North Dakota.

Introduction, first reading, 803

Second reading, 804

Adopted, 804

Enrolled, 1204

Signed by President, 1205

Message to Secretary of State, 1208

RECORD OF HOUSE BILLS

House Bill No. 1001

House Bill No. 1001. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the State of North Dakota.

To Senate, 620
 First reading, 659
 Referred to Committee on Appropriations
 Reported back, amended, 912-913
 Amendments adopted, 947
 Second reading, 974, 1135
 Clincher motion, 974
 Passed, 974, 1135
 Returned to House, amended, 996
 Conference Committee, 1010, 1040
 House concurs, 1040
 House does not concur, 1039
 Reconsidered, 1040
 Conference Committee report, 1115, 1134
 House adopts, 1115, 1135
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1002

House Bill No. 1002. A Bill for an Act to appropriate money for the expenses of the legislative branch of government, and declaring an emergency.

To Senate, 620
 First reading, 659
 Referred to Committee on Appropriations
 Reported back, amended, 937-938
 Amendments adopted, 971
 Further amended, 971
 Second reading, 992
 Clincher motion, 992
 Passed, 992
 Emergency carried, 992
 Returned to House, amended, 998
 Conference Committee, 1011, 1040
 Conference Committee discharged, 1018
 House does not concur, 1039
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1003

House Bill No. 1003. A Bill for an Act making an appropriation for defraying expenses of the judicial branch of the government of the state of North Dakota.

To Senate, 610
 First reading, 614
 Referred to Committee on Appropriations
 Reported back, do pass, 913
 Reported back, amended, 692
 Amendments adopted, 714

Second reading, 740, 1176
 Passed, 740, 1177
 Reconsidered, 760
 Re-referred to Committee on Appropriations, 760
 Amendments reconsidered, 1176
 Amendments not adopted, 1176
 Clincher motion, 1177
 Returned to House, 1177
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1004

House Bill No. 1004. A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

To Senate, 216
 First reading, 252
 Referred to Committee on Appropriations
 Reported back, amended, 914
 Amendments adopted, 947
 Second reading, 975, 1136
 Clincher motion, 975
 Passed, 975, 1136
 Returned to House, amended, 996
 Conference Committee, 1011, 1040
 House does not concur, 1039
 Conference Committee report, 1115, 1135
 Senate adopts, 1115, 1136
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1005

House Bill No. 1005. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

To Senate, 453
 First reading, 470
 Referred to to Committee on Appropriations
 Reported back, amended, 948-949
 Amendments adopted, 971
 Second reading, 993, 1180
 Passed, 993, 1180
 Clincher motion, 993, 1180
 Returned to House, amended, 998
 Conference Committee, 1011, 1040, 1124, 1137, 1165, 1166, 1170, 1171
 House does not concur, 1039
 Conference Committee report, 1124, 1136, 1166, 1170, 1171, 1179
 Senate adopts, 1124, 1165, 1166, 1170, 1171, 1179
 Returned to House, 1145
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1006

House Bill No. 1006. A Bill for an Act making an appropriation for defraying expenses of the various departments and various divisions thereof, of the state of North Dakota.

To Senate, 610
 First reading, 614
 Referred to Committee on Appropriations
 Reported back, amended, 692-693
 Amendments adopted, 714
 Second reading, 740
 Passed, 740
 Returned to House, amended, 770
 House concurs, 800
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1007

House Bill No. 1007. BUDGETS — DIRECTOR OF INSTITUTIONS. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions, and declaring an emergency.

To Senate, 620
 First reading, 659
 Referred to Committee on Appropriations
 Reported back, amended, 938-939
 Amendments adopted, 971
 Second reading, 1028, 1155
 Further amended, 1028
 Clincher motion, 1029, 1156
 Passed, 1029, 1156
 Emergency carried, 1029, 1156
 Returned to House, amended, 1045
 House adopts, 1046
 Conference Committee, 1052, 1068
 House does not concur, 1068
 Conference Committee report, 1154
 Adopts, 1155
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1008

House Bill No. 1008. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

To Senate, 78
 First reading, 85
 Referred to Committee on Appropriations
 Reported back, do pass, 421
 Second reading, 450
 Passed, 451
 Returned to House, 478
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1009

House Bill No. 1009. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

To Senate, 610
 First reading, 614
 Referred to Committee on Appropriations
 Reported back, amended, 855
 Amendments adopted, 888
 Second reading, 926
 Passed, 926
 Clincher motion, 935
 Returned to House, amended, 965
 House concurs, 1043
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1010

House Bill No. 1010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

To Senate, 289
 First reading, 294
 Referred to Committee on Appropriations
 Reported back, do pass, 733
 Second reading, 762
 Passed, 763
 Returned to House, 796
 Received from House, 1070
 Signed by President, 1070
 Returned to House, 1071

House Bill No. 1011

House Bill No. 1011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

To Senate, 589
 First reading, 614
 Referred to Committee on Appropriations
 Reported back, do pass, 855
 Second reading, 899
 Passed, 900
 Returned to House, 930
 Received from House, 931
 Signed by President, 931
 Returned to House, 931

House Bill No. 1012

House Bill No. 1012. A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

To Senate, 248
 First reading, 252
 Referred to Committee on Appropriations
 Reported back, do pass, 648
 Second reading, 676
 Passed, 676
 Returned to House, 708
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1013

House Bill No. 1013. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

To Senate, 216
 First reading, 253
 Referred to Committee on Appropriations
 Reported back, amended, 648
 Amendments adopted, 667
 Second reading, 701
 Passed, 702
 Returned to House, amended, 727
 House concurs, 800
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1014

House Bill No. 1014. A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

To Senate, 392
 First reading, 399
 Referred to Committee on Appropriations
 Reported back, amended, 939-940
 Amendments adopted, 971
 Second reading, 1010
 Passed, 1010
 Clincher motion, 1010
 Returned to House, amended, 1041
 Conference Committee, 1052, 1068
 House does not concur, 1068
 Conference Committee report, 1115, 1137
 Senate adopts, 1115, 1137
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1015

House Bill No. 1015. A Bill for an Act to appropriate money for defraying expenses of the state water conservation commission.

To Senate, 620
 First reading, 659
 Referred to Committee on Appropriations
 Reported back, amended, 915-916
 Amendments adopted, 947
 Further amended, 947
 Second reading, 975
 Passed, 975
 Clincher motion, 975
 Returned to House, amended, 996
 Conference Committee, 1011, 1040
 House does not concur, 1039
 Conference Committee report, 1115, 1137
 Senate adopts, 1115, 1137
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1017

House Bill No. 1017. A Bill for an Act making an appropriation for the construction of a Heritage Center.

To Senate, 341
 First reading, 344
 Referred to Committee on Appropriations
 Reported back, amended, 825
 Amendments not adopted, 860
 Placed on calendar without amendments, 860
 Second reading, 900
 Amended from floor, 900
 Passed, 901
 Returned to House, amended, 932
 House concurs, 1043
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1018

House Bill No. 1018. A Bill for an Act to amend and reenact section 4-09-20 of the North Dakota Century Code, relating to the processing of vouchers by the seed department.

To Senate, 70
 First reading, 74
 Referred to Committee on Appropriations
 Reported back, do pass, 250
 Second reading, 274
 Passed, 274
 Returned to House, 288
 Received from House, 394
 Signed by President, 394
 Returned to House, 394

House Bill No. 1019

House Bill No. 1019. A Bill for an Act relating to governmental biennial reports; to amend and reenact sections 2-05-04, 4-05-10, 4-06-04, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-11-14, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20.1-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-23-21, 27-15-08, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-23-02, 43-28-09, 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 53-01-08, 54-06-03, 54-06-04, subsection 12 of section 54-11-01, sections 54-12-05, 54-17-06, 54-21-09, 54-21-10, 54-36-06, 54-42-05, subsections 15 and 16 of section 54-44-04, sections 54-46-11, 54-49-08, subsection 9 of section 57-01-02, sections 61-03-04, and 65-02-09 of the North Dakota Century Code, relating to biennial reports of executive and administrative agencies and departments, the time when such reports shall be made, and the contents, printing, and binding of such reports; and to repeal section 44-04-08 of the North Dakota Century Code, relating to the reporting of salaries in biennial reports.

To Senate, 119
 First reading, 124
 Referred to Committee on State and Federal Government
 Reported back, do pass, 758
 Second reading, 783
 Passed, 783

Returned to House, 821
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1021

House Bill No. 1021. A Bill for an Act to require prompt delivery and publication of the proceedings of any political subdivision required by law to publish its minutes, and to amend sections 11-11-37, 15-28-11, and 40-08-12, relating to the publication of county commission, school board, and city council minutes.

To Senate, 135
 First reading, 145
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 293
 Roll call, 293
 Returned to House, 318

House Bill No. 1022

House Bill No. 1022. A Bill for an Act to amend and reenact sections 46-05-01 and 46-06-02 of the North Dakota Century Code, relating to the definitions of legal and official newspapers.

To Senate, 78
 First reading, 85
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 166
 Second reading, 193
 Passed, 193
 Returned to House, 216
 Received from House, 316
 Signed by President, 316
 Returned to House, 316

House Bill No. 1023

House Bill No. 1023. A Bill for an Act to amend and reenact section 38-09-15 of the North Dakota Century Code, relating to the notice of the leasing of certain state mineral rights.

To Senate, 119
 First reading, 125
 Referred to Committee on State and Federal Government
 Reported back, do pass, 610
 Second reading, 629
 Passed, 629
 Returned to House, 665
 Received from House, 729
 Signed by President, 730
 Returned to House, 730

House Bill No. 1024

House Bill No. 1024. A Bill for an Act to create and enact section 15-10-14.1 of the North Dakota Century Code; and to amend and reenact section 15-10-14, subsection 2 of section 15-10-17, and sections 15-10-25 and 15-52-09 of the North Dakota Century Code; and to repeal section 15-10-24 of the North Dakota Century Code, all relating to fiscal practices at institutions of higher education.

To Senate, 70
 First reading, 75
 Referred to Committee on Appropriations
 Reported back, do pass, 250
 Second reading, 274
 Passed, 275
 Returned to House, 288
 Received from House, 394
 Signed by President, 394
 Returned to House, 394

House Bill No. 1025

House Bill No. 1025. A Bill for an Act relating to out-of-state travel by persons employed by state institutions of higher education; and to amend and reenact section 54-06-10 of the North Dakota Century Code, relating to cut-of-state travel of state employees.

To Senate, 53
 First reading, 75
 Referred to Committee on Education
 Reported back, do pass, 203
 Second reading, 226
 Passed, 227
 Returned to House, 262
 Received from House, 480
 Signed by President, 503
 Returned to House, 503

House Bill No. 1026

House Bill No. 1026. A Bill for an Act to amend and reenact sections 15-36-01, 15-36-08, 15-36-11, 15-38-17, 15-38-18, and 15-41-25 of the North Dakota Century Code, providing procedures for the establishment of criteria for teachers' certificates by the superintendent of public instruction and the teachers' professional practices commission, and providing for the administration of such certificates; to repeal sections 15-36-04, 15-36-05, and 15-36-06 of the North Dakota Century Code, relating to first and second grade professional certificates and special certificates; and providing an appropriation.

To Senate, 610
 First reading, 614
 Referred to Committee on Education
 Reported back, amended, 882
 Re-referred to Committee on Appropriations, 916
 Placed on calendar without recommendation, 940
 Amendments adopted, 916
 Second reading, 975
 Clincher motion, 976
 Passed, 976
 Returned to House, amended, 996
 House concurs, 1041
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1027

House Bill No. 1027. A Bill for an Act to create a tax appeals board to hear appeals of tax abatement cases from decisions of boards of county commissioners, and to provide procedures for

the administration of such appeals; to amend and reenact sections 57-20-20, 57-23-03, 57-23-04, and 57-23-08 of the North Dakota Century Code, relating to the payment of taxes under protest and to tax abatements; to repeal section 57-23-11 of the North Dakota Century Code, relating to the retroactive application of abatement actions; and providing an appropriation.

To Senate, 589
 First reading, 615
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 758, 806
 Re-referred to Committee on Appropriations, 758
 Second reading, 831
 Passed, 832
 Returned to House, 869
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1028

House Bill No. 1028. A Bill for an Act to amend and reenact section 57-45-05 of the North Dakota Century Code, relating to neglect of duty by taxing officers and employees, and providing a penalty.

To Senate, 70
 First reading, 75
 Referred to Committee on Finance and Taxation
 Reported back, amended, 733
 Amendments adopted, 760
 Second reading, 784
 Passed, 784
 Returned to House, amended, 821
 House concurs, 908
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1030

House Bill No. 1030. A Bill for an Act to transfer the responsibility for the state division of vocational rehabilitation from the state board of public school education to the social service board of North Dakota; and to amend and reenact sections 15-20.1-01, 15-20.1-04, 15-20.1-05, and 15-20.1-21, relating to the division of vocational rehabilitation; and to repeal sections 15-20.1-12, 15-20.1-13, 15-20.1-14, 15-20.1-15, 15-20.1-16, 15-20.1-17, 15-20.1-18, 15-20.1-19, and 15-20.1-20 of the North Dakota Century Code, relating to the division of vocational rehabilitation under the board of public school education.

To Senate, 162
 First reading, 169
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 855-856
 Amendments adopted, 888
 Second reading, 926, 1051
 Clincher motion, 935
 Passed, 926, 1051
 Returned to House, amended, 965
 Conference Committee, 1001, 1021
 House does not concur, 1001
 Conference Committee report, 1043, 1051

Senate adopts, 1043, 1051
 Returned to House, 1074
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1031

House Bill No. 1031. A Bill for an Act relating to the establishment of human service centers to provide human services from a single unit in accordance with the joint exercise of governmental powers.

To Senate, 183
 First reading, 197
 Referred to Committee on Social Welfare and Veterans' Affairs
 Amendments adopted, 888
 Reported back, amended, 856
 Second reading, 927
 Passed, 927
 Clincher motion, 935
 Returned to House, amended, 965
 House concurs, 1041
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1032

House Bill No. 1032. A Bill for an Act to amend and reenact section 6-03-05 of the North Dakota Century Code, relating to loans on real estate.

To Senate, 78
 First reading, 85
 Referred to Committee on Agriculture
 Reported back, do pass, 186
 Second reading, 208
 Passed, 209
 Returned to House, 247
 Received from House, 316
 Signed by President, 316
 Returned to House, 316

House Bill No. 1033

House Bill No. 1033. A Bill for an Act to amend and reenact section 6-03-59.1 of the North Dakota Century Code, relating to the term of leases of personal property from banks.

To Senate, 53
 First reading, 75
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 490
 Second reading, 602
 Passed, 603
 Returned to House, 644
 Received from House, 998
 Signed by President, 999
 Returned to House, 999

House Bill No. 1034

House Bill No. 1034. A Bill for an Act to authorize the industrial commission to issue debentures through the Bank of North Dakota to provide funds to participate with other banks and lending agencies in loans for irrigation development.

To Senate, 112
 First reading, 114
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 668
 Re-referred to Committee on Industry, Business, and Labor, 629
 Reported back, indefinitely postponed, 611
 Second reading, 629, 702
 Passed, 702
 Returned to House, 727
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1035

House Bill No. 1035. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to loans made by the Bank of North Dakota.

To Senate, 112
 First reading, 114
 Reported back, amended, 648-649
 Reported back, indefinitely postponed, 611
 Reconsidered, 630
 Re-referred to Committee on Industry, Business, and Labor, 630
 Reported back, amended, 648-649
 Amendments adopted, 667
 Second reading, 702
 Passed, 702
 Returned to House, amended, 727
 House concurs, 754
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1037

House Bill No. 1037. A Bill for an Act to enact the Model Relocation Assistance Act providing real property acquisition policies and state and local governmental assistance programs for relocation of persons and businesses displaced by governmental construction programs or by a federally assisted building code enforcement program; and to repeal section 32-15-22.1 of the North Dakota Century Code, relating to payments for the relocation of personal property displaced by eminent domain proceedings.

To Senate, 112
 First reading, 114
 Referred to Committee on Judiciary
 Reported back, amended, 649
 Amendments adopted, 667
 Second reading, 703, 713
 Passed, 703, 714
 Reconsidered, 713
 Amended from floor, 713
 Returned to House, amended, 727
 Conference Committee, 770, 773
 House does not concur, 773

Conference Committee report, 1052, 1067
 Senate adopts, 1052, 1067
 Returned to House, 1074
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1039

House Bill No. 1039. A Bill for an Act providing for disposition of community property rights upon the death of a spouse having such rights, such Act to be known as the Uniform Disposition of Community Property Rights at Death Act.

To Senate, 99
 First reading, 108
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 882
 Returned to House, 932

House Bill No. 1040

House Bill No. 1040. A Bill for an Act to create and enact title 30.1 and sections 25-04-13.1, 30-26-05.1, and 30-26-26.1 of the North Dakota Century Code, embodying the Uniform Probate Code, and relating to guardianships at the Grafton state school, and appeals in probate cases; to amend and reenact sections 6-03-64, 6-03-67, subsection 4 of section 6-05-08, sections 6-05-13, 6-05-21, 11-21-05, 11-21-06, 11-21-07, 11-21-08, 11-21-13, 14-10-04, 14-10-12, 25-09-02.2, 27-07-02, 27-07-09, 27-07-16, 27-07-19, 27-07-21, 27-07-29, 27-07-30, subsection 3 of section 27-07-36, subsection 2 of section 27-20-47, sections 28-01-26, 28-03-01, 28-03-02, 28-03-04, subsection 2 of section 28-20-06, sections 28-26-21, 30-16-04, 30-16-05, 30-16-08, 31-01-05, 32-16-26, 32-16-32, 32-16-42, 32-16-43, 32-23-04, 34-01-12, 37-15-16, 37-15-18, 38-10-11, 38-10-12, 47-18-26, 47-18-28, subsections 4, 8, and 13 of section 47-24-01, subsection 4 of section 47-24-04, subsections 1, 3, 4, and 5 of section 47-24-07, sections 49-09-05, 50-24-33, 50-24-35, subsections 5 and 18 of section 54-21-13, subdivision i of subsection 2 of section 57-37-11, sections 57-37-14, 57-37-15, subsection 2 of section 57-37-16, sections 57-37-17, 57-37-18, 57-37-20, subdivisions b and c of subsection 3 of section 57-37-21, section 57-37-22, subsections 1, 2, 3, and 4 of section 57-37-23, subsections 1, 5, and 6 of section 57-37-24, sections 57-37-26, 57-37-27, 57-37-32, 59-02-10, 59-02-15, 59-04-02, 59-04-10, 59-04-11, 59-04-15, 59-04-18, 59-04-21, 59-04-22, subsection 1 of section 59-04.1-02, and sections 59-05-23 and 61-10-12 of the North Dakota Century Code, relating to the authority of trustees, personal representatives, guardians, and conservators, to estate tax filing and collection procedures, to payment of deposits by financial institutions, to the powers and duties of public administrators, to minors' rights, to the jurisdiction of county courts, to appointment of guardians or conservators for orphans, to statutes of limitations, to homestead estates, to appeals in probate proceedings, to testimony concerning transactions or conversations with the decedent, and to duties and powers of the soldiers' home commandant regarding deceased members' estates; to repeal chapters 30-01, 30-02, 30-03, 30-04, 30-05, 30-06, 30-07, 30-08, 30-09, 30-10, 30-11, 30-12, 30-13, 30-14, 30-15, 30-17, 30-18, 30-19, 30-20, 30-21, 30-21.1, 30-22, 30-23, 30-24, 30-25, 56-01, 56-02, 56-03, 56-04, 56-05, 56-06, 56-07, and sections 6-03-66, 7-04-07, 25-04-13, 27-07-06, 27-07-07, 27-07-08, 27-07-10, 27-07-38, 30-16-06, 30-16-07, 30-16-10, 30-26-05, 32-16-44, 35-03-12, 38-10-04, 49-09-06, 49-09-07, subsection 7 of section 57-37-24, sections 59-02-06, 59-04-01, subsection 13 of section 59-04-04, sections 59-04-05, 59-04-06,

59-04-07, 59-04-09, 59-04-12, 59-04-13, and 59-04-14 of the North Dakota Century Code, relating to probate procedures, wills, and trusts, to the jurisdiction of county courts, to disposition of joint deposits by certain financial institutions, to guardians consenting to partition of real property, to satisfaction of real property mortgages, to mineral leasing by personal representatives, and to the acquisition of rights of way by public utilities; to provide penalties; and providing an effective date.

To Senate, 620
 First reading, 659
 Referred to Committee on Judiciary
 Reported back, do pass, 758
 Second reading, 784, 785, 791
 Amended from floor, 785
 Passed, 786, 792
 Amendments rescinded, 791
 Reconsidered, 791
 Returned to House, 821
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1041

House Bill No. 1041. A Bill for an Act to create and enact sections 4-01-17.1, 4-01-17.2 4-01-17.3, 11-11-57, 11-11-57.1, 11-27-09.1, and title 20.1 of the North Dakota Century Code relating to game, fish, predators, and boating; to amend and reenact sections 12-18-07 and 47-27-03 of the North Dakota Century Code, relating to laying out poison and forfeiture of hunting licenses; and to repeal title 20 and chapter 61-27 of the North Dakota Century Code, relating to game, fish, predators, and boating regulations.

To Senate, 99
 First reading, 108
 Referred to Committee on Natural Resources
 Reported back, do pass, 280
 Second reading, 298
 Passed, 299
 Returned to House, 318
 Received from House, 1000
 Signed by President, 1000
 Returned to House, 1000

House Bill No. 1042

House Bill No. 1042. A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code, and chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

To Senate, 186
 First reading, 201
 Referred to Joint Committee on Re-apportionment
 Reported back, do pass, 187, 221
 Second reading, 241
 Amended from floor, 241
 Passed, 247
 Returned to House, amended, 262
 House concurs, 262
 Received from House, 316, 678
 Signed by President, 316, over Governor's veto, 678

Returned to House, 316, 678
 Received from House, 406
 Reconsidered, 409
 Second reading, 411
 Passed over Governor's veto, 411
 Returned to House, 432

House Bill No. 1043

House Bill No. 1043. A Bill for an Act to amend and reenact the initial paragraph of section 55-08-05, and section 55-08-06.1 of the North Dakota Century Code, relating to the provision of special services in state parks and recreation areas, providing exceptions from the necessity of obtaining park permits, and to delete references to the state park advisory council.

To Senate, 70
 First reading, 75
 Referred to Committee on State and Federal Government
 Reported back, do pass, 122
 Second reading, 150
 Passed, 151
 Returned to House, 183
 Received from House, 316
 Signed by President, 316
 Returned to House, 317

House Bill No. 1045

House Bill No. 1045. A Bill for an Act to repeal chapter 54-49 of the North Dakota Century Code, relating to the membership, powers, and duties of the natural resources and environmental management council.

To Senate, 70
 First reading, 75
 Referred to Committee on State and Federal Government
 Reported back, do pass, 611
 Second reading, 630
 Passed, 630
 Returned to House, 665
 Received from House, 840, 1213
 Signed by President, 840, 1213
 Returned to House, 841, 1213
 To Senate over Governor's veto, 969
 Second reading for reconsideration, 989
 Passed over Governor's veto, 989
 Returned to House, 996

House Bill No. 1046

House Bill No. 1046. A Bill for an Act to create and enact section 37-15-14.1 of the North Dakota Century Code relating to charging a membership contribution at the soldiers' home, to creation of a special fund consisting of membership contribution receipts, and stating the purposes of that fund; and to amend and reenact section 21-10-06 of the North Dakota Century Code, relating to the funds invested by the state investment board.

To Senate, 119
 First reading, 125
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 856
 Second reading, 902

Passed, 902
Returned to House, 930
Received from House, 1208
Signed by President, 1209
Returned to House, 1210

House Bill No. 1047

House Bill No. 1047. A Bill for an Act to provide that the office of the attorney general shall review each bill introduced during any session of the legislative assembly which provides for the sale or exchange of specific state-owned land, or for the purchase of specific land by the state.

To Senate, 99
First reading, 108
Referred to Committee on State and Federal Government
Reported back, do pass, 250
Second reading, 275
Passed, 275
Returned to House, 288
Received from House, 394
Signed by President, 394
Returned to House, 394

House Bill No. 1048

House Bill No. 1048. A Bill for an Act to amend and reenact sections 12-47-30, 32-12-04, 37-14-08, 54-14-03, 54-14-03.1, 54-14-04, 54-14-04.1, 54-14-07, 54-18-08, and subsection 10 of section 54-44.1-03 of the North Dakota Century Code, relating to the powers and duties of the office of the budget; to provide a statement of legislative intent; and to repeal sections 54-14-01 and 54-14-02 of the North Dakota Century Code, relating to the membership and meetings of the state auditing board.

To Senate, 216
First reading, 253
Referred to Committee on Appropriations
Reported back, amended, 422-424
Amendments adopted, 442, 477
Second reading, 477
Returned to House, amended, 502
Conference Committee, 536, 555
House does not concur, 536
Conference Committee report, 907, 924
Senate adopts, 907, 924
Returned to House, 932
Received from House, 1208
Signed by President, 1209
Returned to House, 1210

House Bill No. 1049

House Bill No. 1049. A Bill for an Act to provide for membership in the public employees' retirement system for supreme and district court judges; to provide for the gradual discontinuance of the present judges' retirement program; to create and enact subsection 13 of section 54-52-01 and section 54-52-06.1 of the North Dakota Century Code, relating to the public employees' retirement system and the amount of a judge's contribution and matching contribution thereto; to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation for supreme and district court judges; to amend and reenact subsection 3 of section

27-17-01, relating to judicial retirement salary; to amend and reenact subsections 2 and 12 of section 54-52-01 and sections 54-52-02, 54-52-05, 54-52-06, 54-52-10, 54-52-11, and 54-52-13 of the North Dakota Century Code, relating to the public employees' retirement system; to provide a statement of legislative intent; and providing an appropriation.

To Senate, 620
 First reading, 660
 Referred to Committee on Judiciary
 Reported back, amended, 940-941
 Amendments adopted, 972
 Second reading, 1012, 1175
 Passed, 1012, 1176
 Clincher motion, 1012, 1176
 Returned to House, amended, 1041
 Conference Committee, 1053, 1068, 1167
 House does not concur, 1068
 Conference Committee report, 1163, 1167, 1173, 1175
 Senate adopts, 1163, 1167, 1173, 1175
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1050

House Bill No. 1050. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund and to the apportionment and distribution of such fund to the state highway department, counties and cities.

To Senate, 620
 First reading, 660
 Referred to Committee on Finance and Taxation
 Reported back, amended, 825
 Amendments not adopted, 888
 Placed on calendar without amendments, 888
 Amended from floor, 896
 Second reading, 897
 Clincher motion, 897
 Passed, 897
 Returned to House, amended, 932
 House does not concur, 1000
 Conference Committee, 1000, 1021, 1122
 Conference Committee report, 1115, 1121, 1166, 1167
 Senate adopts, 1115, 1166, 1167
 Not adopted, 1121
 Returned to House, 1141
 House reconsiders and refused to adopt, Conference Committee report, 1142
 Returned to House, 1169
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1051

House Bill No. 1051. A Bill for an Act to amend and reenact section 15-10-01, subsection 8 of section 15-17-03, and section 15-47-02, relating to a state institution of higher learning at Ellendale in regard to institutions under control of the state board of higher education, the erection of dormitories by insitutional holding corporatons, and institutions part of the free public school system; and to repeal chapter 15-14, relating to a state normal and industrial school at Ellendale.

To Senate, 53
 First reading, 75
 Referred to Committee on Education
 Reported back, do pass, 203
 Second reading, 227
 Passed, 227
 Returned to House, 262
 Received from House, 394
 Signed by President, 394
 Returned to House, 394

House Bill No. 1052

House Bill No. 1052. A Bill for an Act to reallocate the grant lands and assets of the Ellendale fund and to direct the deposit of the remainder of the Ellendale branch fire proceeds in the state's general fund.

To Senate, 119
 First reading, 125
 Referred to Committee on Education
 Reported back, do pass, 203
 Second reading, 227
 Passed, 228
 Returned to House, 262
 Received from House, 394
 Signed by President, 394
 Returned to House, 394

House Bill No. 1054

House Bill No. 1054. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting certain days as holidays, and providing that all state and political subdivision offices shall be open on election days.

To Senate, 589
 First reading, 615
 Referred to Committee on Political Subdivisions
 Reported back, amended, 882-883
 Amendments adopted, 916
 Reconsidered, 976
 Amended from floor, 976
 Second reading, 976, 1137
 Returned to House, amended, 996
 Passed, 977, 1138
 Clincher motion, 977
 Conference Committee, 1023, 1041
 House concurs, 1041
 House reconsidered, 1042
 House does not concur, 1042
 Conference Committee report, 1115, 1137
 House adopts, 1115, 1137
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1055

House Bill No. 1055. A Bill for an Act to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to the examination of the books and records of state agencies and the occupational and professional boards and commissions.

To Senate, 99
 First reading, 108
 Referred to Committee on Appropriations
 Reported back, do pass, 649
 Second reading, 676
 Passed, 676
 Returned to House, 708
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1056

House Bill No. 1056. A Bill for an Act to require the commissioner of insurance to formulate guidelines for use by state agencies, departments, offices, officers, boards, and commissions in determining insurable values of state-owned real and personal property.

To Senate, 78
 First reading, 86
 Referred to Committee on Appropriations
 Reported back, do pass, 250
 Second reading, 275
 Passed, 276
 Returned to House, 288
 Received from House, 394
 Signed by President, 394
 Returned to House, 394

House Bill No. 1057

House Bill No. 1057. A Bill for an Act relating to the leasing of buildings or building space by state agencies, departments, offices, officers, boards, and institutions.

To Senate, 70
 First reading, 75
 Referred to Committee on State and Federal Government
 Reported back, amended, 611
 Amendments adopted, 627
 Second reading, 652
 Passed, 652
 Returned to House, amended, 685
 House does not concur, 710
 Conference Committee, 710, 720, 991
 Conference Committee report, 991, 1001, 1156
 Conference Committee report not adopted, 991
 Adopted, 1001
 Reconsidered adoption of Conference Committee report, 1041
 House adopted, 1146
 Conference Committee report adopted, 1156
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1058

House Bill No. 1058. A Bill for an Act to amend and reenact subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification of jurors and lowering the age to eighteen.

To Senate, 54
 First reading, 75
 Referred to Committee on Judiciary

Reported back, amended, 565
 Amendments adopted, 609
 Second reading, 630
 Passed, 631
 Returned to House, amended, 665
 House concurs, 710
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1059

House Bill No. 1059. A Bill for an Act to amend and reenact subsection 10 of section 1-03-01 of the North Dakota Century Code, relating to Veterans Day.

To Senate, 119
 First reading, 125
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 280
 Second reading, 299
 Passed, 299
 Returned to House, 318
 Received from House, 480
 Signed by President, 503
 Returned to House, 503

House Bill No. 1060

House Bill No. 1060. A Bill for an Act to amend and reenact section 11-17-08 of the North Dakota Century Code, relating to the destruction of certain court records by clerks of court, and providing an exception.

To Senate, 277
 First reading, 281
 Referred to Committee on Judiciary
 Reported back, do pass, 565
 Second reading, 631
 Passed, 631
 Returned to House, 665
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1063

House Bill No. 1063. A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to definitions of "projects" and "municipalities", and declaring an emergency.

To Senate, 90
 First reading, 96
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 166
 Second reading, 193
 Passed, 194
 Emergency carried, 194
 Returned to House, 216
 Received from House, 316
 Signed by President, 316
 Returned to House, 317

House Bill No. 1067

House Bill No. 1067. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the extension of voting hours at township elections.

To Senate, 216
 First reading, 253
 Referred to Committee on Judiciary
 Reported back, do pass, 566
 Second reading, 631, 652, 653, 973
 Amended from floor, 652-653
 Passed, 653, 973
 Clincher motion, 973
 Returned to House, amended, 685
 House does not concur, 710
 Conference Committee, 710, 720
 Conference Committee report, 968, 972
 Senate adopts, 968, 973
 Returned, 994
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1069

House Bill No. 1069. A Bill for an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to reopening of election ballots.

To Senate, 54
 First reading, 76
 Referred to Committee on Judiciary
 Reported back, do pass, 566
 Second reading, 631
 Passed, 632
 Returned to House, 665
 Received from House, 729
 Signed by President, 730
 Returned to House, 730

House Bill No. 1072

House Bill No. 1072. A Bill for an Act to amend and reenact section 16-20-17.1 of the North Dakota Century Code relating to political advertisements and the disclosure of the name and address of the sponsor.

To Senate, 289
 First reading, 294
 Referred to Committee on Judiciary
 Reported back, amended, 693
 Amendments adopted, 714
 Second reading, 740
 Passed, 741
 Returned to House, amended, 770
 House concurs, 800
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1073

House Bill No. 1073. A Bill for an Act to amend and reenact sections 15-28-07 and 15-28-08 of the North Dakota Century Code, relating to the polling hours in school district elections.

To Senate, 78
 First reading, 86
 Referred to Committee on Education
 Reported back, do pass, 883
 Second reading, 927
 Passed, 927
 Clincher motion, 935
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1074

House Bill No. 1074. A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, as contained in section 12 of House Bill No. 1041, as approved by the Forty-third Legislative Assembly, relating to the use of horses and mules in taking big game.

To Senate, 563
 First reading, 568
 Referred to Committee on Natural Resources
 Reported back, do pass, 826
 Second reading, 902
 Passed, 903
 Returned to House, 930
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1075

House Bill No. 1075. A Bill for an Act to amend and reenact subsection 3 of section 39-10-05 of the North Dakota Century Code, relating to right turns on red signals after stopping.

To Senate, 90
 First reading, 96
 Referred to Committee on Transportation
 Reported back, do pass, 204
 Second reading, 228
 Passed, 228
 Returned to House, 262
 Received from House, 394
 Signed by President, 394
 Returned to House, 394

House Bill No. 1077

House Bill No. 1077. A Bill for an Act to amend and reenact sections 16-04-17, 16-10-12.1, 16-11-12, 16-18-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to arrangement of names on ballots and voting machines, voting machines and poll clerks, instructions, advertisements and ballots posted in polling places, poll registers, and permitting electors to vote only for those for whom they are entitled to vote; and to repeal section 16-18-06.1 of the North Dakota Century Code, relating to general election, primary election, and absentee voting ballots for those authorized to vote in federal elections only.

To Senate, 216
 First reading, 253
 Referred to Committee on Judiciary
 Reported back, do pass, 566

Placed on consent calendar, 566
 Second reading, 601
 Passed, 602
 Returned to House, 644
 Received from House, 999
 Signed by President, 999
 Returned to House, 999

House Bill No. 1078

House Bill No. 1078. A Bill for an Act to create and enact section 16-16-17.1 of the North Dakota Century Code, relating to allowing former North Dakota residents to vote in North Dakota.

To Senate, 162
 First reading, 169
 Referred to Committee on Judiciary
 Reported back, do pass, 566
 Placed on consent calendar, 566
 Second reading, 601, 814
 Passed, 602, 815
 Returned to House, 644
 Senate requests return, 760
 Received from House, 800
 Reconsidered, 814
 Amended from floor, 814
 Returned to House, amended, 838
 House concurs, 931
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1079

House Bill No. 1079. A Bill for an Act to amend and reenact section 16-01-03 of the North Dakota Century Code, relating to qualifications of electors.

To Senate, 183
 First reading, 197
 Referred to Committee on Judiciary
 Reported back, do pass, 566
 Placed on consent calendar, 566
 Second reading, 601
 Passed, 602
 Returned to House, 644
 Received from House, 999
 Signed by President, 999
 Returned to House, 999

House Bill No. 1080

House Bill No. 1080. A Bill for an Act to amend and reenact section 14-10-17 of the North Dakota Century Code relating to minors contracting for medical treatment.

To Senate, 162
 First reading, 169
 Referred to Committee on Social Welfare and Veterans' Affairs
 Second reading, 390
 Passed, 390
 Returned to House, 406
 Received from House, 729
 Signed by President, 730
 Returned to House, 730

House Bill No. 1082

House Bill No. 1082. A Bill for an Act to amend and reenact section 11-19A-04 of the North Dakota Century Code relating to eligibility for the office of county coroner.

To Senate, 135
 First reading, 145
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 281
 Second reading, 299
 Passed, 299
 Returned to House, 318
 Received from House, 480
 Signed by President, 503
 Returned to House, 503

House Bill No. 1083

House Bill No. 1083. A Bill for an Act to create and enact subsection 10 of section 43-17-02 of the North Dakota Century Code relating to the exemption of physician's trained assistants from the license requirements of the chapter.

To Senate, 361
 First reading, 363
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, indefinitely postponed, 914
 Clincher motion, 935
 Returned to House, 965

House Bill No. 1084

House Bill No. 1084. A Bill for an Act authorizing the director of institutions to discontinue operation of the tuberculosis sanatorium and transfer the responsibility of the care of tuberculous patients to the state department of health.

To Senate, 478
 First reading, 481
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 624, 733
 Re-referred to Committee on Appropriations, 653
 Second reading, 653, 763
 Passed, 763
 Returned to House, 796
 Received from House, 1070
 Signed by President, 1070
 Returned to House, 1071

House Bill No. 1085

House Bill No. 1085. A Bill for an Act to amend and reenact sections 54-46.1-01 and 54-46.1-05 of the North Dakota Century Code, relating to central microfilming of records of county and state institutions.

To Senate, 119
 First reading, 125
 Referred to Committee on State and Federal Government
 Reported back, amended, 806
 Amendments adopted, 829
 Second reading, 868
 Passed, 869
 Returned to House, amended, 905

House concurs, 1041
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1090

House Bill No. 1090. A Bill for an Act to create and enact sections 15-59-04.1, 15-59-05.1, and 15-59-06.1 of the North Dakota Century Code, relating to recordkeeping requirements, eligibility for state and federal aid, and the duty of the superintendent of public instruction with regard to special education; and to amend and reenact sections 15-59-01, 15-59-04, 15-59-07, 15-59.1-02, 15-59.1-03, 15-59.1-06, and 15-59.1-08 of the North Dakota Century Code, relating to definitions, compulsory special education programs, enabling attendance at private schools, financing, elections to remove mill levies, and multiple county boards of special education.

To Senate, 620
 First reading, 661
 Referred to Committee on Education
 Reported back, amended, 856
 Amendments adopted, 888
 Second reading, 927
 Passed, 928
 Clincher motion, 935
 Returned to House, amended, 965
 House does not concur, 1001
 Conference Committee, 1001, 1012
 Conference Committee report, 1115, 1138
 Senate adopts, 1115, 1138
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1091

House Bill No. 1091. A Bill for an Act to create and enact section 43-23-11.1 of the North Dakota Century Code; and to repeal section 43-23-11 of the North Dakota Century Code; all relating to grounds for refusal, revocation and suspension of licenses, hearings, appeals and investigations by the state real estate commission.

To Senate, 248
 First reading, 253
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 566
 Placed on consent calendar, 566
 Second reading, 602
 Passed, 602
 Returned to House, 644
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1092

House Bill No. 1092. A Bill for an Act to amend and reenact section 43-23-08 of the North Dakota Century Code, relating to standards for licensing of mortgage brokers and real estate brokers and salesmen by the state real estate commission.

To Senate, 407
 First reading, 426

Referred to Committee on Industry, Business, and Labor
Reported back, do pass, 758
Second reading, 786
Passed, 786
Returned to House, 821
Received from House, 999
Signed by President, 999
Returned to House, 999

House Bill No. 1093

House Bill No. 1093. A Bill for an Act to create and enact section 43-23-14.1 of the North Dakota Century Code and to repeal section 43-23-14 of the North Dakota Century Code; all relating to the handling of funds by real estate and mortgage brokers.

To Senate, 248
First reading, 253
Referred to Committee on Industry, Business, and Labor
Reported back, do pass, 566
Placed on consent calendar, 566
Second reading, 602
Passed, 602
Returned to House, 644
Received from House, 840
Signed by President, 840
Returned to House, 841

House Bill No. 1094

House Bill No. 1094. A Bill for an Act to create and enact a new subsection to section 34-06-01 of the North Dakota Century Code, relating to the definition of wages for the minimum wage law.

To Senate, 589
First reading, 615
Referred to Committee on Industry, Business, and Labor
Reported back, do pass, 733
Second reading, 763
Passed, 763
Returned to House, 796
Received from House, 1070
Signed by President, 1070
Returned to House, 1071

House Bill No. 1095

House Bill No. 1095. A Bill for an Act to amend and reenact section 43-07-20 of the North Dakota Century Code, relating to employment preferences in contracts.

To Senate, 135
First reading, 146
Referred to Committee on Social Welfare and Veterans' Affairs
Reported back, amended, 857
Amendments adopted, 888
Second reading, 928
Passed, 928
Clincher motion, 935
Returned to House, amended, 965
House concurs, 1000
Received from House, 1146
Signed by President, 1157
Returned to House, 1158

House Bill No. 1096

House Bill No. 1096. A Bill for an Act to create and enact section 34-14-02.1 of the North Dakota Century Code, to require employers to furnish statements of wages.

To Senate, 112
 First reading, 115
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 611
 Returned to House, 645

House Bill No. 1097

House Bill No. 1097. A Bill for an Act to create and enact section 34-14-04.1 of the North Dakota Century Code, relating to limitations on withholdings by employers.

To Senate, 135
 First reading, 146
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 491
 Second reading, 603
 Passed, 603
 Returned to House, 644
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1098

House Bill No. 1098. A Bill for an Act to create and enact sections 44-08-04.1 and 44-08-04.2 of the North Dakota Century Code, relating to per diem allowance for long term travel status and to travel advances; to amend and reenact sections 44-08-04 and 44-08-05 of the North Dakota Century Code, relating to expenses and allowances for state officials and employees while performing duties away from their normal working and living residence; providing a penalty; and declaring an emergency.

To Senate, 301
 First reading, 309
 Referred to Committee on Appropriations
 Reported back, amended, 693-694
 Amendments adopted, 714
 Second reading, 741
 Passed, 741
 Emergency carried, 741
 Returned to House, amended, 770
 House concurs, 931
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1102

House Bill No. 1102. A Bill for an Act to amend and reenact sections 58-05-02 and 58-05-18 of the North Dakota Century Code, relating to the office of township assessor and authorizing townships to contract for the performance of the duties of the assessor.

To Senate, 119
 First reading, 125
 Referred to Committee on Finance and Taxation

Returned to Senate and re-referred to Committee on Political Subdivisions, 643
Reported back, amended, 941-942
Amendments adopted, 972
Second reading, 1015
Passed, 1016
Clincher motion, 1016
Returned to House, amended, 1041
House concurs, 1124
Received from House, 1208
Signed by President, 1209
Returned to House, 1210

House Bill No. 1104

House Bill No. 1104. A Bill for an Act to amend and reenact subsection 1 of section 26-01-11 of the North Dakota Century Code, to provide for the exemption of considerations for annuities from the insurance premium tax.

To Senate, 289
First reading, 294
Referred to Committee on Finance and Taxation
Reported back, indefinitely postponed, 649
Returned to House, 685

House Bill No. 1105

House Bill No. 1105. A Bill for an Act to repeal section 9-07-11 of the North Dakota Century Code, relating to the law which governs the interpretation of contracts.

To Senate, 374
First reading, 383
Referred to Committee on Judiciary
Reported back, do pass, 566
Second reading, 632
Passed, 632
Returned to House, 665
Received from House, 729
Signed by President, 730
Returned to House, 730

House Bill No. 1106

House Bill No. 1106. A Bill for an Act to amend and reenact sections 19-01-01, 19-01-02, 19-01-03, 19-01-04, 19-01-06, 19-01-08, and 19-01-17 of the North Dakota Century Code, relating to the state laboratories commission and providing that the governor and the state laboratories department and its director assume the functions of the commission.

To Senate, 112, 300
First reading, 115
Referred to Committee on State and Federal Government
Reported back, do pass, 250
Second reading, 276
Lost, 276
Returned to House, 288, 318
Senate requests return, 293
Failed to reconsider, 318

House Bill No. 1107

House Bill No. 1107. A Bill for an Act to amend and reenact section 40-24-10 and subsection 2 of section 40-61-10 of the North Dakota Century Code, relating to municipal bonds and debts being approved by boards of budget review, and to repeal chapter 40-41 of the North Dakota Century Code, relating to boards of budget review.

To Senate, 277
 First reading, 281
 Referred to Committee on Judiciary
 Returned to Senate and re-referred to Committee on Political Subdivisions, 295
 Second reading, 390
 Passed, 390
 Returned to House, 406
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1108

House Bill No. 1108. A Bill for an Act to amend and reenact section 11-07-03 of the North Dakota Century Code, relating to county redistricting.

To Senate, 361
 First reading, 364
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 694
 Returned to House, 727

House Bill No. 1109

House Bill No. 1109. A Bill for an Act to amend and reenact section 65-05-21 of the North Dakota Century Code, changing the number of weeks of compensation paid to the widow.

To Senate, 289
 First reading, 294
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 566, 775
 Re-referred to Committee on Industry, Business, and Labor, 600
 Second reading, 600, 815
 Passed, 815
 Returned to House, 838
 Received from House, 1070
 Signed by President, 1070
 Returned to House, 1071

House Bill No. 1110

House Bill No. 1110. A Bill for an Act to amend and reenact section 65-05-19 of the North Dakota Century Code, providing for nondependency payments to dependent and nondependent children.

To Senate, 119
 First reading, 125
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 567
 Placed and consent calendar, 567
 Second reading, 602

Passed, 602
 Returned to House, 644
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1111

House Bill No. 1111. A Bill for an Act to amend and reenact section 65-05-27 of the North Dakota Century Code, relating to an increased amount that the bureau may pay without probate proceedings.

To Senate, 119
 First reading, 126
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 567
 Placed on consent calendar, 567
 Second reading, 602
 Passed, 602
 Returned to House, 644
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1113

House Bill No. 1113. A Bill for an Act to amend and reenact sections 14-08-07, 14-08-08, and 14-08-09 of the North Dakota Century Code, making it mandatory that all support payments be ordered paid to the clerk of district court, authorizing the district courts to direct payments for child support or alimony combined with child support to the clerk of the district court of the county in which the recipient of such payments resides, empowering the court to transfer proceedings for enforcement of court ordered support duties to such other district court, omitting the requirement of consent for purposes of proceeding with enforcement of support payments, relating to duties of the county welfare board in relation to support payments, and relating to initiation of proceedings for enforcement of support orders.

To Senate, 277
 First reading, 281
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 624
 Second reading, 654
 Passed, 655
 Returned to House, 685
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1114

House Bill No. 1114. A Bill for an Act to provide civil remedies for the recovery of care and support provided children under the age of eighteen years and for judicial determination and enforcement of child support obligations.

To Senate, 99
 First reading, 108
 Referred to Committee on Judiciary
 Reported back, do pass, 649
 Second reading, 676

Passed, 677
 Returned to House, 708
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1115

House Bill No. 1115. A Bill for an Act to amend and reenact subsection 2 of section 4-09-14 of the North Dakota Century Code, relating to labeling requirements and the sale of seed.

To Senate, 135
 First reading, 146
 Referred to Committee on Agriculture
 Reported back, indefinitely postponed, 268
 Returned to House, 288

House Bill No. 1116

House Bill No. 1116. A Bill for an Act to amend and reenact section 57-38-56 of the North Dakota Century Code, relating to the powers of the tax commissioner.

To Senate, 119
 First reading, 126
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 758
 Second reading, 787
 Clincher motion, 787
 Lost, 787
 Returned to House, 822

House Bill No. 1117

House Bill No. 1117. A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense of state officers and employees.

To Senate, 78
 First reading, 86
 Referred to Committee on State and Federal Government
 Reported back, do pass, 156
 Second reading, 182
 Passed, 182
 Returned to House, 199
 Received from House, 316
 Signed by President, 316
 Returned to House, 317

House Bill No. 1119

House Bill No. 1119. A Bill for an Act to amend and reenact section 65-05-28 of the North Dakota Century Code, providing that no compensation be paid when claimant refuses to reasonably participate under certain conditions.

To Senate, 135
 First reading, 146
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 567
 Second reading, 632
 Passed, 632

Returned to House, 665
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1120

House Bill No. 1120. A Bill for an Act to provide for the use of restitution as a sentencing alternative, providing guidelines for its use, and providing for termination of the effectiveness of this Act.

To Senate, 289
 First reading, 294
 Referred to Committee on Judiciary
 Reported back, do pass, 649
 Second reading, 678
 Passed, 678
 Returned to House, 708
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1122

House Bill No. 1122. A Bill for an Act to amend and reenact section 35-27-25 of the North Dakota Century Code, relating to the length of time suit can be commenced to enforce a mechanic's lien.

To Senate, 277
 First reading, 282
 Referred to Committee on Judiciary
 Reported back, amended, 567
 Amendments adopted, 609
 Second reading, 632, 633
 Amended from floor, 632
 Passed, 633
 Returned to House, amended, 665
 House concurs, 710
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1123

House Bill No. 1123. A Bill for an Act to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to powers of school boards and to eliminate the unanimity requirement for hiring relatives to teach.

To Senate, 216
 First reading, 253
 Referred to Committee on Education
 Reported back, do pass, 942
 Second reading, 1048
 Lost, 1048
 Returned to House, 1074

House Bill No. 1125

House Bill No. 1125. A Bill for an Act to amend and reenact section 65-05-24 of the North Dakota Century Code, relating to penalty for accepting compensation after marriage.

To Senate, 183
 First reading, 197
 Referred to Committee on Industry, Business, and Labor
 Placed on consent calendar, 567
 Reported back, do pass, 567
 Second reading, 602
 Passed, 602
 Returned to House, 644
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1126

House Bill No. 1126. A Bill for an Act to amend and reenact sections 15-40.2-01, 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to payment of tuition to an accredited institution of another state.

To Senate, 289
 First reading, 294
 Referred to Committee on Education
 Reported back, do pass, 611
 Second reading, 633
 Passed, 633
 Returned to House, 665
 Received from House, 729
 Signed by President, 730
 Returned to House, 731

House Bill No. 1127

House Bill No. 1127. A Bill for an Act to create and enact section 4-13-10.1 of the North Dakota Century Code, relating to the bonding of poultry dealers.

To Senate, 301
 First reading, 309
 Referred to Committee on Agriculture
 Reported back, amended, 466
 Amendments adopted, 492
 Second reading, 603
 Passed, 604
 Returned to House, amended, 644
 House concurs, 664
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1128

House Bill No. 1128. A Bill for an Act to amend and reenact section 4-13-10 of the North Dakota Century Code relating to license fees for engaging in the poultry business and raising the amount of such fees.

To Senate, 135
 First reading, 146
 Referred to Committee on Agriculture
 Reported back, do pass, 186
 Second reading, 209
 Passed, 209

Returned to House, 248
Received from House, 316
Signed by President, 316
Returned to House, 317

House Bill No. 1129

House Bill No. 1129. A Bill for an Act to make public buildings and facilities accessible to, and usable by, the physically handicapped, and to repeal section 48-02-18 of the North Dakota Century Code, relating to public buildings.

To Senate, 248
First reading, 253
Referred to Committee on State and Federal Government
Reported back, do pass, 611
Second reading, 633
Passed, 634
Returned to House, 665
Received from House, 840
Signed by President, 840
Returned to House, 841

House Bill No. 1131

House Bill No. 1131. A Bill for an Act providing an appropriation to the national guard for recruiting and strength maintenance purposes.

To Senate, 536
First reading, 554
Referred to Committee on Appropriations
Reported back, do pass, 650
Second reading, 679
Passed, 679
Returned to House, 708
Received from House, 870
Signed by President, 871
Returned to House, 871

House Bill No. 1132

House Bill No. 1132. A Bill for an Act to amend and reenact sections 6-06-12, 6-06-14, and 6-06-26 of the North Dakota Century Code, relating to membership officer, loan officer and declaration of dividends in credit unions.

To Senate, 248
First reading, 253
Referred to Committee on Industry, Business, and Labor
Reported back, do pass, 624
Second reading, 655
Passed, 655
Returned to House, 685
Received from House, 999
Signed by President, 999
Returned to House, 1000

House Bill No. 1134

House Bill No. 1134. A Bill for an Act to provide a new award for the North Dakota national guard.

To Senate, 301
 First reading, 309
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 826
 Second reading, 863
 Passed, 864
 Returned to House, 905
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1135

House Bill No. 1135. A Bill for an Act to amend and reenact section 37-07-05 of the North Dakota Century Code, raising the minimum pay for certain enlisted national guardsmen on state active duty.

To Senate, 620
 First reading, 661
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 826
 Second reading, 864
 Passed, 864
 Returned to House, 905
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1136

House Bill No. 1136. A Bill for an Act to amend and reenact sections 39-08-01 and 40-18-12 of the North Dakota Century Code to provide for the diagnosis, prior to sentencing, and later treatment of persons convicted of driving while under the influence of intoxicating liquor or narcotic drugs.

To Senate, 432
 First reading, 445
 Referred to Committee on Transportation
 Reported back, do pass, 694
 Returned to House, 751
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1141

House Bill No. 1141. A Bill for an Act to amend and reenact section 39-04-10.1 of the North Dakota Century Code, relating to a manufacturer's registration plate.

To Senate, 248
 First reading, 254
 Referred to Committee on Transportation
 Reported back, do pass, 806
 Second reading, 832
 Amended from floor, 832
 Passed, 833
 Returned to House, amended, 869
 House concurs, 1158
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1144

House Bill No. 1144. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to annexation petition hearings.

To Senate, 289
 First reading, 294
 Referred to Committee on Education
 Reported back, do pass, 942
 Second reading, 977
 Passed, 977
 Clincher motion, 977
 Returned to House, 995
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1146

House Bill No. 1146. A Bill for an Act to amend and reenact sections 21-03-02 and 57-15-06 of the North Dakota Century Code, relating to bonds and tax levies for county agriculture and training schools, and to repeal Chapter 15-42 and sections 15-53.1-09 and 57-15-14.1 of the North Dakota Century Code, relating to county agricultural and training schools, classification of elementary school districts in counties in which county agriculture and training schools are located, and levies to support county agriculture and training schools.

To Senate, 277
 First reading, 282
 Referred to Committee on Education
 Reported back, do pass, 491
 Second reading, 604
 Passed, 604
 Returned to House, 644
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1147

House Bill No. 1147. A Bill for an Act to repeal section 15-47-03 of the North Dakota Century Code, relating to the English language in schools.

To Senate, 162
 First reading, 169
 Referred to Committee on Education
 Reported back, do pass, 491
 Second reading, 604
 Passed, 604
 Returned to House, 644
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1148

House Bill No. 1148. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts.

To Senate, 289
 First reading, 295
 Referred to Committee on Education
 Reported back, do pass, 942
 Second reading, 977
 Clincher motion, 978
 Passed, 978
 Returned to House, 996
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1150

House Bill No. 1150. A Bill for an Act making an appropriation to provide for the preparation, printing, and distribution of the North Dakota blue book.

To Senate, 301
 First reading, 309
 Referred to Committee on Appropriations
 Reported back, do pass, 397
 Second reading, 429
 Passed, 429
 Returned to House, 452
 Received from House, 729
 Signed by President, 730
 Returned to House, 731

House Bill No. 1151

House Bill No. 1151. A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to dispensing of alcoholic beverages on election days, and providing a penalty.

To Senate, 620
 First reading, 661
 Referred to Committee on Judiciary
 Reported back, amended, 734
 Amendments adopted, 760
 Second reading, 787
 Passed, 788
 Returned to House, amended, 821
 House concurs, 931
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1152

House Bill No. 1152. A Bill for an Act to create and enact section 16-04-01.1 of the North Dakota Century Code, providing for a presidential preference primary election; and to amend and reenact sections 16-04-01, 16-04-02, 16-04-11, 16-04-20, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

To Senate, 536
 First reading, 554
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 914
 Roll call vote
 Clincher motion, 935
 Returned to House, 965

House Bill No. 1154

House Bill No. 1154. A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of the school board of a public school district.

To Senate, 277
 First reading, 282
 Referred to Committee on Education
 Reported back, do pass, 491
 Second reading, 604
 Passed, 605
 Returned to House, 644
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1155

House Bill No. 1155. A Bill for an Act to amend and reenact section 39-04-10 of the North Dakota Century Code, relating to the registration of motor vehicles owned by amateur radio station operators.

To Senate, 301
 First reading, 309
 Referred to Committee on Transportation
 Reported back, do pass, 441
 Second reading, 605
 Passed, 605
 Returned to House, 644
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1157

House Bill No. 1157. A Bill for an Act to amend and reenact sections 37-03-07 and 37-03-08 of the North Dakota Century Code, relating to the purchase and disposal of military property.

To Senate, 216
 First reading, 254
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 624
 Second reading, 656
 Passed, 656
 Returned to House, 685
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1158

House Bill No. 1158. A Bill for an Act to amend and reenact section 15-38-09 of the North Dakota Century Code, relating to physical education instruction.

To Senate, 277
 First reading, 282
 Referred to Committee on Education
 Reported back, amended, 624
 Amendments adopted, 647

Second reading, 679
 Passed, 679
 Returned to House, amended, 708
 House concurs, 969
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1159

House Bill No. 1159. A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

To Senate, 341
 First reading, 344
 Referred to Committee on Education
 Reported back, do pass, 611
 Second reading, 634, 656, 671
 Amended from floor, 656
 Passed, 657
 Reconsidered, 671
 Lost, 671
 Returned to House, 708

House Bill No. 1162

House Bill No. 1162. A Bill for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code, relating to the election of soil conservation district supervisors.

To Senate, 248
 First reading, 254
 Referred to Committee on Agriculture
 Reported back, amended, 441
 Amendments adopted, 469
 Second reading, 605
 Passed, 606
 Returned to House, amended, 644
 House concurs, 664
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1166

House Bill No. 1166. A Bill for an Act to amend and reenact sections 15-50-01, 15-50-02, and 15-50-03 of the North Dakota Century Code, relating to the regulation of trade and correspondence schools, and declaring an emergency.

To Senate, 341
 First reading, 344
 Referred to Committee on Education
 Reported back, amended, 612
 Amendments adopted, 627
 Second reading, 657
 Passed, 657
 Emergency carried, 657
 Returned to House, amended, 685
 House concurs, 969
 Received from House, 999
 Signed by President, 999
 Returned to House, 1,000

House Bill No. 1167

House Bill No. 1167. A Bill for an Act to amend and reenact section 15-40.1-07 of the North Dakota Century Code, relating to foundation program payments for high school students.

To Senate, 432
First reading, 445
Referred to Committee on Education
Reported back, amended, 943
Amendments adopted, 972
Second reading, 1127
Lost, 1127
Clincher motion, 1127
Returned to House, 1145

House Bill No. 1168

House Bill No. 1168. A Bill for an Act to amend and reenact section 39-04-12 of the North Dakota Century Code, relating to the registration of a motor vehicle.

To Senate, 216
First reading, 254
Referred to Committee on Transportation
Reported back, do pass, 349
Second reading, 390
Passed, 391
Returned to House, 406
Received from House, 729
Signed by President, 730
Returned to House, 731

House Bill No. 1169

House Bill No. 1169. A Bill for an Act to amend and reenact subsection 7 of section 39-12-04 of the North Dakota Century Code, to permit the use of wider vehicles on highways designated by the highway commissioner.

To Senate, 277
First reading, 282
Referred to Committee on Transportation
Reported back, do pass, 467
Second reading, 606
Passed, 606
Returned to House, 644
Received from House, 840
Signed by President, 840
Returned to House, 841

House Bill No. 1170

House Bill No. 1170. A Bill for an Act to create and enact sections 39-12-05.1 and 39-12-05.2 of the North Dakota Century Code, relating to weight limitations for vehicles on interstate highways and highways other than the interstate designated by the commissioner or local authorities; and to amend and reenact subparagraph b. of subsection 2. of section 39-04-19 and section 39-12-05 of the North Dakota Century Code, relating to weight limitations for vehicles and motor vehicle registration fees.

To Senate, 374
First reading, 383
Referred to Committee on Transportation

Reported back, do pass, 694
 Returned to House, 751
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1174

House Bill No. 1174. A Bill for an Act to create and enact subsection 24 of section 4-09-01, and sections 4-09-11.1 and 4-09-11.2 of the North Dakota Century Code, relating to definitions and labeling requirements for flower, tree, and shrub seeds; and to amend and reenact subsection 15 of section 4-09-01, section 4-09-12, subsection 1 of section 4-09-14, and section 4-09-15 of the North Dakota Century Code, relating to definitions, invoices and records, prohibitions, and exemptions.

To Senate, 162
 First reading, 170
 Referred to Committee on Agriculture
 Reported back, do pass, 269
 Second reading, 287
 Passed, 287
 Returned to House, 300
 Received from House, 729
 Signed by President, 730
 Returned to House, 731

House Bill No. 1175

House Bill No. 1175. A Bill for an Act to amend and reenact sections 65-12-01, 65-12-02, 65-12-04, 65-12-04.1, 65-12-05, 65-12-06, 65-12-07, 65-12-08, 65-12-09, 65-12-10, and 65-12-11 of the North Dakota Century Code, relating to boiler inspector, definition of boiler, boiler inspections, data report, violations; and providing a penalty.

To Senate, 536
 First reading, 554
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 668
 Second reading, 703
 Passed, 703
 Returned to House, 727
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1176

House Bill No. 1176. A Bill for an Act to amend and reenact subsections 2 and 5 of section 57-38-38 of the North Dakota Century Code, relating to the audit of returns and assessment of tax by the tax commissioner; and providing for an effective date.

To Senate, 162
 First reading, 170
 Referred to Committee on Finance and Taxation
 Second reading, 679
 Passed, 680
 Returned to House, 708
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1178

House Bill No. 1178. A Bill for an Act making an appropriation for the completion of an interpretive center at the Chateau de Mores, and declaring an emergency.

To Senate, 301
 First reading, 309
 Referred to Committee on Appropriations
 Reported back, do pass, 398
 Second reading, 429
 Passed, 430
 Emergency carried, 430
 Returned to House, 452
 Received from House, 729
 Signed by President, 730
 Returned to House, 731

House Bill No. 1179

House Bill No. 1179. A Bill for an Act to amend and reenact section 39-06-24 of the North Dakota Century Code, relating to the authority to cancel driver's licenses.

To Senate, 248
 First reading, 254
 Referred to Committee on Transportation
 Reported back, do pass, 349
 Second reading, 391
 Passed, 391
 Returned to House, 406
 Received from House, 729
 Signed by President, 730
 Returned to House, 731

House Bill No. 1180

House Bill No. 1180. A Bill for an Act to create and enact section 15-47-43 of the North Dakota Century Code, relating to areas which are public school districts, their corporate powers, and corporate name; to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to reorganization, annexation, and dissolution of school districts; to repeal sections 15-53.1-03 and 15-53.1-04 of the North Dakota Century Code, relating to areas which are public school districts and their corporate powers and corporate name; and declaring an emergency.

To Senate, 374
 First reading, 383
 Referred to Committee on Education
 Reported back, do pass, 612
 Second reading, 634, 635
 Amended from floor, 634-635
 Passed, 636
 Emergency carried, 636
 Returned to House, amended, 665
 House concurs, 664
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1183

House Bill No. 1183. A Bill for an Act to amend and reenact paragraph (3) of subdivision a of subsection 6 of section 50-09-01

of the North Dakota Century Code, relating to definitions of dependent children who attend academic or vocational courses.

To Senate, 361
 First reading, 364
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 624-625
 Amendments adopted, 647
 Second reading, 680
 Passed, 680
 Returned to House, amended, 708
 House concurs, 754
 Received from House, 1146
 Signed by President, 1157
 Returned to House, 1158

House Bill No. 1184

House Bill No. 1184. A Bill for an Act to amend and reenact subsection 3 of section 41-08-02 of the North Dakota Century Code, relating to the definition of clearing corporation, and declaring an emergency.

To Senate, 216
 First reading, 254
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 625
 Second reading, 657
 Passed, 658
 Emergency carried, 658
 Returned to House, 685
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1187

House Bill No. 1187. A Bill for an Act to amend and reenact subsection 3 of section 39-22-09 of the North Dakota Century Code, relating to dealer registration of used motor vehicles.

To Senate, 216
 First reading, 254
 Referred to Committee on Transportation
 Reported back, do pass, 349
 Second reading, 391
 Passed, 392
 Returned to House, 406
 Received from House, 729
 Signed by President, 730
 Returned to House, 731

House Bill No. 1188

House Bill No. 1188. A Bill for an Act to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, and subsection 6 of section 39-05-01 of the North Dakota Century Code, relating to the registration and titling of truck tractor semi-trailers.

To Senate, 317
 First reading, 329
 Referred to Committee on Transportation
 Reported back, do pass, 441

Second reading, 606
 Passed, 606
 Returned to House, 644
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1193

House Bill No. 1193. A Bill for an Act to amend and reenact section 12-47-06 of the North Dakota Century Code, relating to appointment of officers at the penitentiary.

To Senate, 183
 First reading, 197
 Referred to Committee on State and Federal Government
 Reported back, amended, 441
 Amendments adopted, 469
 Second reading, 607, 837
 Passed, 607, 837
 Returned to House, amended, 645
 House does not concur, 664
 Conference Committee, 664, 677
 Conference Committee report, 837
 Conference Committee adopts, 837, 842
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1195

House Bill No. 1195. A Bill for an Act to amend and reenact section 12-48-03.1 of the North Dakota Century Code, relating to the establishment, or discontinuance of prison industries.

To Senate, 183
 First reading, 197
 Referred to Committee on State and Federal Government
 Reported back, do pass, 398
 Second reading, 430
 Amended from floor, 430
 Passed, 430
 Returned to House, amended, 452
 House concurs, 478
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1199

House Bill No. 1199. A Bill for an Act to amend and reenact section 12-47-11 of the North Dakota Century Code, relating to the powers and duties of the warden of the state penitentiary, custody and control of the penitentiary and the crime building, and providing an appropriation of state and federal funds for the remodeling and renovation of the crime building.

To Senate, 620
 First reading, 661
 Referred to Committee on State and Federal Government
 Reported back, do pass, 806, 857
 Re-referred to Committee on Appropriations, 806
 Second reading, 903

Passed, 903
 Returned to House, 930
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1200

House Bill No. 1200. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings on college campuses.

To Senate, 620
 First reading, 661
 Referred to Committee on Appropriations
 Reported back, do pass, 883
 Second reading, 928
 Passed, 928
 Clincher motion, 935
 Returned to House, 965
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1201

House Bill No. 1201. A Bill for an Act to amend and reenact section 57-38-34 and subsection 3 of section 57-38-57 of the North Dakota Century Code, relating to provisions of the income tax law.

To Senate, 183
 First reading, 198
 Referred to Committee on Finance and Taxation
 Reported back, amended, 650
 Amendments adopted, 667
 Second reading, 703
 Passed, 704
 Returned to House, amended, 727
 House concurs, 754
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1202

House Bill No. 1202. A Bill for an Act to amend and reenact subsection 1 of section 57-38-66 of the North Dakota Century Code, relating to the business privilege tax, and providing an effective date.

To Senate, 183
 First reading, 198
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 694
 Second reading, 741
 Passed, 742
 Returned to House, 770
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1203

House Bill No. 1203. A Bill for an Act to amend and reenact section 36-15-21 of the North Dakota Century Code, and to repeal section 36-15-20 of the North Dakota Century Code, relating to brucellosis vaccination of calves.

To Senate, 262
 First reading, 264
 Referred to Committee on Agriculture
 Reported back, amended, 467
 Amendments adopted, 493
 Second reading, 607, 925
 Passed, 608, 925
 Returned to House, amended, 645
 House does not concur, 664
 Conference Committee, 664, 677
 Conference Committee report, 872, 924
 Senate adopts, 872, 925
 Returned to House, 932
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1204

House Bill No. 1204. A Bill for an Act to provide payment of expenses to certain elected state officers, providing for an appropriation, and declaring an emergency.

To Senate, 374
 First reading, 383
 Referred to Committee on Appropriations
 Reported back, do pass, 650
 Second reading, 680
 Passed, 681
 Emergency carried, 681
 Returned to House, 708
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1205

House Bill No. 1205. A Bill for an Act to create and enact section 34-06-05.1 of the North Dakota Century Code, relating to an established minimum wage, and to amend and reenact sections 34-06-02, 34-06-03, 34-06-07, and 34-06-16 of the North Dakota Century Code, relating to the authority of the commissioner of labor to determine minimum wage standards, records by employers, and recovery by underpaid employees.

To Senate, 620
 First reading, 661
 Referred to Committee on Industry, Business and Labor
 Reported back, indefinitely postponed, 914
 Clincher motion, 935
 Returned to House, 965

House Bill No. 1206

House Bill No. 1206. A Bill for an Act to amend and reenact section 54-17-05 of the North Dakota Century Code, relating to majority approval of acts approved or authorized by members of the industrial commission.

To Senate, 216
 First reading, 254
 Referred to Committee on State and Federal Government
 Reported back without recommendation, 806
 Second reading, 813
 Passed, 814
 Returned to House, 838
 Received from House, 870, 1213
 Signed by President, 871, 1213
 Returned to House, 871, 1213
 To Senate over Governor's veto, 969
 Second reading for reconsideration, 990
 Passed over Governor's veto, 990
 Returned to House, 996

House Bill No. 1208

House Bill No. 1208. A Bill for an Act to amend and reenact section 11-27-09.1 of the North Dakota Century Code, as contained in section 6 of House Bill No. 1041 of the forty-third legislative assembly, relating to the allocation of federal payments for game and fish land among townships and school districts.

To Senate, 262
 First reading, 264
 Referred to Committee on Natural Resources
 Reported back, amended, 712
 Amendments adopted, 737
 Second reading, 763
 Passed, 764
 Returned to House, amended, 796
 House concurs, 872
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1210

House Bill No. 1210. A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to salaries of elected state officials and providing an effective date.

To Senate, 216
 First reading, 254
 Referred to Committee on State and Federal Government
 Reported back, do pass, 775
 Second reading, 815
 Passed, 816
 Returned to House, 838
 Received from House, 1070
 Signed by President, 1070
 Returned to House, 1071

House Bill No. 1212

House Bill No. 1212. A Bill for an Act to amend and reenact sections 11-17-04, 27-03-05, 27-07-40, and 27-98-14 of the North Dakota Century Code, relating to filing fees and other fees required by district courts, the North Dakota supreme court, county courts, and county courts of increased jurisdiction and increasing such fees.

To Senate, 478
 First reading, 482
 Referred to Committee on Judiciary
 Reported back, do pass, 669
 Second reading, 704
 Passed, 704
 Returned to House, 727
 Received from House, 840
 Signed by President, 840
 Returned to House, 841

House Bill No. 1214

House Bill No. 1214. A Bill for an Act to amend and reenact subsection 2 of section 27-20-26 of the North Dakota Century Code, relating to the definition of a needy person under the Uniform Juvenile Court Act, and creating a parent's duty to provide legal counsel for their children involved in proceedings under the Uniform Juvenile Court Act.

To Senate, 361
 First reading, 364
 Referred to Committee on Judiciary
 Reported back, do pass, 650
 Second reading, 681
 Passed, 681
 Returned to House, 708
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1215

House Bill No. 1215. A Bill for an Act to amend and reenact sections 39-06-03 and 39-06-12, subsection 3 of section 39-06-17, section 39-06-29, subsection 6 of section 39-06-31, subsection 5 of section 39-06-32, sections 39-06-33 and 39-06-33.1 of the North Dakota Century Code, relating to who shall not be licensed, applications for license, restricted license, reports of convictions, revocations, suspensions, hearings, and orders to show cause.

To Senate, 317
 First reading, 330
 Referred to Committee on Transportation
 Reported back, do pass, 943
 Second reading, 1127, 1128
 Amended from floor, 1127
 Passed, 1128
 Clincher motion, 1128
 Returned to House, amended, 1145
 House concurs, 1161
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1216

House Bill No. 1216. A Bill for an Act to permit the state of North Dakota to transfer by deed and title, tract 01-119, river bed and accretion land along the west bank of the Missouri River.

To Senate, 262
 First reading, 265
 Referred to Committee on State and Federal Government

Reported back, do pass, 441
 Second reading, 608
 Passed, 608
 Returned to House, 644
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1217

House Bill No. 1217. A Bill for an Act to amend and reenact sections 39-16-05 and 39-16-07 of the North Dakota Century Code, relating to the suspension of the driver license of a driver of a motor vehicle involved in an accident and who has no means of financial responsibility.

To Senate, 563
 First reading, 569
 Referred to Committee on Transportation
 Reported back, amended, 806-807
 Amendments adopted, 829
 Second reading, 864
 Passed, 865
 Returned to House, amended, 905
 House concurs, 1000
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1219

House Bill No. 1219. A Bill for an Act to amend and reenact sections 6-08-26, 7-07-02, 10-07-04, 12-39-02, 15-51-07, 21-03-21, 26-10-19, 40-01-02, 40-01-14, 40-04-04, 40-05-13, 40-14-06, subsection 2 of section 40-16-03, sections 40-16-09, 40-22-35, 40-33-18, 40-53.1-05, 43-23-10, 49-12-03, and 61-07-06 of the North Dakota Century Code, relating to deletion of references to corporate seals; and to repeal subsection 1 of section 6-03-02, subsection 2 of section 7-02-01, section 9-06-10, subsection 3 of section 10-19-04, subsection 3 of section 10-24-05, subsection 3 of section 23-11-11, and subsection 2 of section 40-61-03 of the North Dakota Century Code, relating to corporate seals.

To Senate, 183
 First reading, 198
 Referred to Committee on Industry, Business, and Labor
 Reported back, amended, 650
 Amendments adopted, 668
 Second reading, 704
 Passed, 705
 Returned to House, amended, 727
 House concurs, 754
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1220

House Bill No. 1220. A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries; to amend and reenact subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations; and providing for an effective date.

To Senate, 183
 First reading, 198
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 695
 Second reading, 742
 Passed, 742
 Returned to House, 770
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1222

House Bill No. 1222. A Bill for an Act to amend and reenact section 35-07-02 of the North Dakota Century Code, relating to the period for filing a threshing lien.

To Senate, 216
 First reading, 254
 Referred to Committee on Agriculture
 Reported back, do pass, 441
 Second reading, 608
 Amended from floor, 608
 Lost, 609
 Returned to House, 645

House Bill No. 1223

House Bill No. 1223. A Bill for an Act to provide for a North Dakota Disaster Act, relating to the responsibility of the governor, creating a state division of disaster emergency services, and providing for coordination of activities relating to disaster prevention, preparedness, response and recovery; and to repeal chapter 37-17 of the North Dakota Century Code, relating to civil defense.

To Senate, 262
 First reading, 265
 Referred to Committee on State and Federal Government
 Reported back, amended, 612
 Amendments adopted, 627
 Second reading, 658
 Passed, 658
 Returned to House, amended, 685
 Senate concurs, 1141
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1226

House Bill No. 1226. A Bill for an Act to amend and reenact sections 15-10-18 and 15-10-19 of the North Dakota Century Code, relating to the tuition of nonresidents at schools under the control of the state board of higher education and the definition of non-resident student for tuition purposes.

To Senate, 620
 First reading, 661
 Referred to Committee on Education
 Reported back, do pass, 734
 Second reading, 764
 Passed, 764
 Returned to House, 796

Received from House, 1070
Signed by President, 1070
Returned to House, 1071

House Bill No. 1227

House Bill No. 1227. A Bill for an Act relating to the responsibilities of the game and fish commissioner in the protection of property.

To Senate, 478
First reading, 482
Referred to Committee on Natural Resources
Reported back, indefinitely postponed, 712
Returned to House, 751

House Bill No. 1230

House Bill No. 1230. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

To Senate, 374
First reading, 383
Referred to Committee on Judiciary
Reported back, do pass, 567
Second reading, 636
Passed, 636
Returned to House, 665
Received from House, 730
Signed by President, 730
Returned to House, 731

House Bill No. 1231

House Bill No. 1231. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

To Senate, 407
First reading, 426
Referred to Committee on Judiciary
Reported back, do pass, 775
Second reading, 816
Passed, 816
Returned to House, 838
Received from House, 1146
Signed by President, 1158
Returned to House, 1158

House Bill No. 1232

House Bill No. 1232. A Bill for an Act to amend and reenact section 27-05-03.1 and section 27-05-03.2 of the North Dakota Century Code, relating to retirement of supreme court judges and district court judges because of mental or physical disability.

To Senate, 301
First reading, 309
Referred to Committee on Judiciary
Reported back, amended, 883-884
Amendments adopted, 916
Second reading, 960
Passed, 960

Clincher motion, 960
 Returned to House, amended, 994
 House concurs, 1041
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1233

House Bill No. 1233. A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to mechanic's lien.

To Senate, 183
 First reading, 198
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 650
 Second reading, 681
 Passed, 681
 Returned to House, 708
 Received from House, 870
 Signed by President, 871
 Returned to House, 871

House Bill No. 1234

House Bill No. 1234. A Bill for an Act to amend and reenact section 39-20-13 of the North Dakota Century Code, relating to the release of the results of examinations of blood specimens by the state toxicologist, and declaring an emergency.

To Senate, 301
 First reading, 309
 Referred to Committee on Transportation
 Returned to Senate and re-referred to Committee on Judiciary, 434
 Reported back, do pass, 758
 Second reading, 788
 Passed, 788
 Emergency carried, 788
 Returned to House, 821
 Received from House, 1208
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1235

House Bill No. 1235. A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, relating to the involuntary dissolution of public school districts located in more than one county, and declaring and emergency.

To Senate, 301
 First reading, 309
 Referred to Committee on Education
 Reported back, do pass, 826
 Re-referred to Committee on Education, 903
 Second reading, 903, 978
 Reported back, amended, 915
 Amendments adopted, 948
 Passed, 978
 Clincher motion, 978
 Emergency carried, 978
 Returned to House, amended, 996

House concurs, 1041
 Received from House, 1203
 Signed by President, 1209
 Returned to House, 1210

House Bill No. 1236

House Bill No. 1236. A Bill for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to court order requirement in disposition and adjudication of a child.

To Senate, 216
 First reading, 254
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 491
 Second reading, 636
 Passed, 636
 Returned to House, 665
 Received from House, 730
 Signed by President, 730
 Returned to House, 731

House Bill No. 1238

House Bill No. 1238. A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, providing for the issuance of process and jurisdiction of court proceedings, providing for reciprocal enforcement, and defining violations and providing a penalty.

To Senate, 301
 First reading, 309
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 625
 Second reading, 658
 Passed, 659
 Returned to House, 685
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1196

House Bill No. 1240

House Bill No. 1240. A Bill for an Act to create and enact a new section to chapter 49-14 of the North Dakota Century Code, providing penalties for the failure of railroads to furnish cars for grain loading.

To Senate, 407
 First reading, 426
 Referred to Committee on Transportation
 Reported back, indefinitely postponed, 734
 Returned to House, 771

House Bill No. 1241

House Bill No. 1241. A Bill for an Act to create and enact sections 24-05-21 and 24-05-22 of the North Dakota Century Code, providing for the sufficient grading of the inslope of all roads and approaches which intersect with county and township roads and exceptions to the requirement.

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House Bill No. 1440

House Bill No. 1440. A Bill for an Act to amend and reenact section 57-38-30.1 of the North Dakota Century Code, relating to corporate income tax credits for new industry.

To Senate, 392
First reading, 399
Referred to Committee on Finance and Taxation
Reported back, do pass, 626
Second reading, 675
Passed, 675
Returned to House, 708
Received from House, 870
Signed by President, 871
Returned to House, 871

House Bill No. 1441

House Bill No. 1441. A Bill for an Act to amend and reenact sections 54-16-01 and 54-16-03 of the North Dakota Century Code, relating to the powers and duties of the emergency commission.

To Senate, 502
First reading, 521
Referred to Committee on Appropriations
Reported back, do pass, 697
Second reading, 724
Passed, 724
Returned to House, 751
Received from House, 1146
Signed by President, 1158
Returned to House, 1158

House Bill No. 1447

House Bill No. 1447. A Bill for an Act to allow for the contracting of fire protection services and providing a method for the financing thereof.

To Senate, 563
First reading, 570
Referred to Committee on Political Subdivisions
Reported back, do pass, 712
Second reading, 748
Amended from floor, 748
Passed, 748
Returned to House, amended, 771
House concurs, 800
Received from House, 1195
Signed by President, 1196
Returned to House, 1197

House Bill No. 1449

House Bill No. 1449. A Bill for an Act to amend and reenact section 11-10.1-07 of the North Dakota Century Code, to provide that counties and cities may employ a joint county director of tax equalization and city assessor.

To Senate, 407
First reading, 427
Referred to Committee on Political Subdivisions
Reported back, do pass, 568
Second reading, 643

Passed, 643
 Returned to House, 665
 Received from House, 840
 Signed by President, 841
 Returned to House, 841

House Bill No. 1450

House Bill No. 1450. A Bill for an Act to create and enact chapter 43-18.1 of the North Dakota Century Code, relating to the regulation of the installation of water conditioning equipment; and providing a penalty.

To Senate, 361
 First reading, 365
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 491
 Second reading, 643
 Passed, 644
 Returned to House, 665
 Received from House, 871
 Signed by President, 871
 Returned to House, 871

House Bill No. 1453

House Bill No. 1453. A Bill for an Act calling for a legislative council study of hospital and nursing home costs and providing an appropriation.

To Senate, 610
 First reading, 616
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 808
 Re-referred to Committee on Appropriations, 808
 Reported back, indefinitely postponed, 859
 Returned to House, 906

House Bill No. 1455

House Bill No. 1455. A Bill for an Act to amend and reenact subsection 1 of section 13-03-14, section 13-04-01, subsections 1 and 2 of section 51-13-03, and section 51-14-03 of the North Dakota Century Code, relating to maximum interest charges on small loans, bank installment loans, retail installment sales, and revolving charge accounts.

To Senate, 610
 First reading, 616
 Referred to Committee on Industry, Business, and Labor
 Returned to Senate from Committee, 655
 Returned to House, 666

House Bill No. 1458

House Bill No. 1458. A Bill for an Act to amend and reenact section 15-34.2-14 of the North Dakota Century Code, relating to the qualifications and age of school bus drivers and declaring an emergency.

To Senate, 502
 First reading, 521
 Referred to Committee on Education
 Reported back, amended, 626-627

Amendments adopted, 647
 Second reading, 684
 Passed, 684
 Emergency carried, 684
 Returned to House, amended, 708
 House concurs, 969
 Received from House, 1070
 Signed by President, 1071
 Returned to House, 1071

House Bill No. 1459

House Bill No. 1459. A Bill for an Act to amend and reenact sections 48-02-15 and 48-02-17 of the North Dakota Century Code, relating to time for filing and period of limitations for filing subcontractor's claims for labor or materials furnished a contractor for improvements to a public institution; and to repeal section 48-02-16 of the North Dakota Century Code, relating to contents of notice to subcontractors.

To Senate, 589
 First reading, 616
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 827
 Second reading, 866
 Passed, 867
 Returned to House, 905
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1460

House Bill No. 1460. A Bill for an Act to amend and reenact sections 15-40.1-06 and 15-40.2-03 of the North Dakota Century Code, relating to the computation of the educational cost per pupil and school district tuition payments.

To Senate, 610
 First reading, 616
 Referred to Committee on Education
 Reported back, do pass, 736
 Second reading, 766
 Passed, 766
 Returned to House, 796
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1462

House Bill No. 1462. A Bill for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code as amended by section 3 of chapter 493 of the 1971 Session Laws of North Dakota, relating to auditing of political subdivisions.

To Senate, 620
 First reading, 663
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 827
 Returned to House, 908

House Bill No. 1464

House Bill No. 1464. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school starting age of a child.

To Senate, 392
 First reading, 399
 Referred to Committee on Education
 Reported back, amended, 669
 Amendments adopted, 690
 Second reading, 724, 737
 Lost, 725
 Reconsidered, 737
 Passed, 737
 Returned to House, amended, 771
 House does not concur, 872
 Conference Committee, 873, 918, 1067
 Conference Committee report, 1124, 1140
 Senate adopts, 1124, 1140
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1465

House Bill No. 1465. A Bill for an Act to amend and reenact sections 57-02-33, 58-04-10, and 58-09-02 of the North Dakota Century Code, relating to the appointment of the township assessor by the township supervisors and the district assessor to be appointed by the board of county commissioners for a four-year term; and to repeal section 58-09-01 of the North Dakota Century Code, relating to the qualifications of a township assessor.

To Senate, 536
 First reading, 554
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 713
 Second reading, 744
 Amended from floor, 745
 Passed, 745
 Returned to House, amended, 771
 House does not concur, 800
 Conference Committee, 800, 829
 Conference Committee report, 1115, 1140
 Senate adopts, 1115, 1140
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1469

House Bill No. 1469. A Bill for an Act creating the North Dakota Turkey Promotion Act, designating the state poultry improvement board to carry out the Act, levying an assessment upon each turkey producer to fund the activities necessary under the Act, designating the North Dakota turkey federation to advise the poultry improvement board in its administration of this Act, and providing a penalty.

To Senate, 610
 First reading, 617
 Referred to Committee on Agriculture
 Reported back, do pass, 808, 859
 Re-referred to Committee on Appropriations, 808

Second reading, 904
 Passed, 904
 Returned to House, 931
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1473

House Bill No. 1473. A Bill for an Act to permit public employees to enter into a deferred compensation plan and to permit the purchase of insurance and annuity contracts.

To Senate, 589
 First reading, 617
 Referred to Committee on State and Federal Government
 Reported back, do pass, 777
 Second reading, 820
 Passed, 820
 Returned to House, 838
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1474

House Bill No. 1474. A Bill for an Act to enable the establishment of health maintenance organizations and to provide for the regulation of such organizations by the commissioner of insurance; and providing a penalty.

To Senate, 620
 First reading, 663
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, indefinitely postponed, 944
 Clincher motion, 948
 Returned to House, 965

House Bill No. 1479

House Bill No. 1479. A Bill for an Act to amend and reenact section 29-11-10.1 of the North Dakota Century Code, relating to charging crime in separate counts and consolidating indictments and informations.

To Senate, 361
 First reading, 365
 Referred to Committee on Judiciary
 Reported back, do pass, 651
 Second reading, 684
 Passed, 684
 Returned to House, 708
 Received from House, 966
 Signed by President, 967
 Returned to House, 967

House Bill No. 1483

House Bill No. 1483. A Bill for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code, providing for payment of mileage to a witness in a criminal action.

To Senate, 536
 First reading, 554
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 808
 Second reading, 834
 Passed, 835
 Returned to House, 869
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1487

House Bill No. 1487. A Bill for an Act to create and enact section 10-31-13.1 of the North Dakota Century Code, providing that foreign professional corporations may practice in North Dakota under certain circumstances.

To Senate, 589
 First reading, 617
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 758
 Second reading, 793
 Passed, 793
 Returned to House, 821
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1488

House Bill No. 1488. A Bill for an Act to authorize the public service commission to fix the terms under which the facilities of one public utility will be permitted to cross those of another public utility.

To Senate, 392
 First reading, 400
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 860
 Returned to House, 906

House Bill No. 1489

House Bill No. 1489. A Bill for an Act to amend and reenact sections 61-16-22 and 61-16-23 of the 1971 Supplement to the North Dakota Century Code, relating to the financing of special improvements in water management districts.

To Senate, 620
 First reading, 663
 Referred to Committee on Natural Resources
 Reported back, amended, 944-946
 Amendments adopted, 972
 Second reading, 1017
 Amended from floor, 1017
 Passed, 1018
 Clincher motion, 1018
 Returned to House, amended, 1041
 House concurs, 1067
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1492

House Bill No. 1492. A Bill for an Act to amend and reenact section 40-45-02 of the North Dakota Century Code, relating to police pension fund mill levies.

To Senate, 563
 First reading, 570
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 808
 Reconsidered, 828
 Re-referred to Committee on Political Subdivisions, 828
 Reported back, do pass, 946
 Second reading, 983
 Passed, 984
 Clincher motion, 984
 Returned to House, 996
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1493

House Bill No. 1493. A Bill for an Act to amend and reenact section 40-18-15 of the North Dakota Century Code, to repeal sections 40-18-16 and 40-18-17 of the North Dakota Century Code, and to repeal section 40-18-18 of the 1971 Supplement to the North Dakota Century Code relating to jury trials in municipal courts.

To Senate, 453
 First reading, 471
 Referred to Committee on Judiciary
 Reported back, do pass, 736
 Second reading, 766
 Passed, 766
 Returned to House, 796
 Received from House, 1070
 Signed by President, 1071
 Returned to House, 1071

House Bill No. 1495

House Bill No. 1495. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to increasing the salaries of county officials.

To Senate, 620
 First reading, 663
 Referred to Committee on Political Subdivisions
 Reported back, indefinitely postponed, 946
 Clincher motion, 948
 Returned to House, 965

House Bill No. 1498

House Bill No. 1498. A Bill for an Act to amend and reenact subdivision a of subsection 1 and subdivision a of subsection 2 of section 19-03.1-23, section 19-03.1-29, and subsection 3 of section 19-03.1-31 of the North Dakota Century Code, relating to the penalties for distribution of narcotics and other controlled substances.

To Senate, 432
 First reading, 445
 Referred to Committee on Judiciary

Reported back, do pass, 759
 Second reading, 793
 Passed, 794
 Returned to House, 821
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1500

House Bill No. 1500. A Bill for an Act to amend and reenact subsection 1 of section 19-05-08 and subsection 2 of section 19-05-13 of the North Dakota Century Code, relating to the reduction and elimination of the tax imposed upon oleomargarine sold in this state, and its transportation.

To Senate, 502
 First reading, 421
 Referred to Committee on Finance and Taxation
 Reported back, do pass, 736
 Second reading, 767
 Passed, 767
 Returned to House, 796
 Received from House, 871
 Signed by President, 871
 Returned to House, 871

House Bill No. 1501

House Bill No. 1501. A Bill for an Act to amend and reenact section 40-18-01 of the North Dakota Century Code, relating to the office of municipal judge and providing that in cities of less than three thousand population he shall not be required to be either a licensed attorney or a resident of the city in which he is to serve.

To Senate, 563
 First reading, 570
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 697
 Second reading, 725
 Passed, 725
 Returned to House, 751
 Received from House, 840
 Signed by President, 841
 Returned to House, 841

House Bill No. 1502

House Bill No. 1502. A Bill for an Act to amend and reenact section 57-15-44 of the North Dakota Century Code, relating to clarification of city tax levy for public buildings.

To Senate, 589
 First reading, 617
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 827
 Second reading, 867, 985, 986
 Passed, 867, 986
 Returned to House, 905
 Senate requests return, 956
 Returned to Senate, 983
 Amended from floor, 985
 Clincher motion, 986

Returned to House, amended, 996
House concurs, 1041
Received from House, 1209
Signed by President, 1210
Returned to House, 1211

House Bill No. 1503

House Bill No. 1503. A Bill for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the power of the boards of county commissioners to authorize maintenance of private roads used by public school buses.

To Senate, 563
First reading, 570
Referred to Committee on Political Subdivisions
Reported back, do pass, 697
Second reading, 725
Passed, 726
Returned to House, 751
Senate requests return, 820
Conference Committee, 1170
Conference Committee report, 1170
Senate adopts, 1170
Cancels request, 1173
Received from House, 1195
Signed by President, 1196
Returned to House, 1197

House Bill No. 1504

House Bill No. 1504. A Bill for an Act to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old age and survivor insurance system.

To Senate, 392
First reading, 400
Referred to Committee on State and Federal Government
Reported back, do pass, 669
Second reading, 707
Passed, 708
Returned to House, 727
Received from House, 840
Signed by President, 841
Returned to House, 841

House Bill No. 1508

House Bill No. 1508. A Bill for an Act to give cities and counties authority to grant partial property tax exemptions for improvements to commercial buildings and structures.

To Senate, 620
First reading, 663
Referred to Committee on Finance and Taxation
Reported back, indefinitely postponed, 860
Returned to House, 906

House Bill No. 1509

House Bill No. 1509. A Bill for an Act to provide for the use of the doctrine of comparative negligence in civil actions; to amend and reenact section 1-01-16 of the North Dakota Century Code, re-

lating to kinds of negligence; and to amend and reenact section 9-10-06 of the North Dakota Century Code, relating to rescinding the doctrine of contributory negligence.

To Senate, 589
 First reading, 617
 Referred to Committee on Judiciary
 Reported back, do pass, 759
 Second reading, 794
 Passed, 794
 Returned to House, 821
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1510

House Bill No. 1510. A Bill for an Act to amend and reenact section 54-06-16 of the North Dakota Century Code, relating to the minimum wage standards for employees of the state.

To Senate, 589
 First reading, 617
 Referred to Committee on Industry, Business, and Labor
 Reported back, do pass, 736
 Second reading, 767
 Passed, 767
 Returned to House, 796
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1513

House Bill No. 1513. A Bill for an Act to amend and reenact section 40-13-05 of the North Dakota Century Code, relating to an exception to the prohibition against officers being interested in contracts or work of municipality.

To Senate, 589
 First reading, 617
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 627
 Second reading, 867
 Passed, 868
 Returned to House, 905
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1514

House Bill No. 1514. A Bill for an Act to provide premarital counseling for persons under the age of eighteen as a prerequisite to marriage; and to amend and reenact section 14-03-17 of the North Dakota Century Code, relating to the requirements of an application for a marriage license.

To Senate, 610
 First reading, 617
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, amended, 827-828
 Amendments adopted, 861

Second reading, 904
 Lost, 905
 Returned to House, 932

House Bill No. 1515

House Bill No. 1515. A Bill for an Act to amend and reenact section 32-07-02 of the North Dakota Century Code, relating to claim and delivery to recover possession of personal property.

To Senate, 478
 First reading, 482
 Referred to Committee on Judiciary
 Reported back, do pass, 736
 Second reading, 767
 Passed, 768
 Returned to House, 796
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1516

House Bill No. 1516. A Bill for an Act to amend and reenact section 12-16-05 of the North Dakota Century Code, relating to escape or attempted escape from prison, and declaring an emergency.

To Senate, 502
 First reading, 521
 Referred to Committee on Judiciary
 Reported back, do pass, 736
 Second reading, 768
 Passed, 768
 Emergency carried, 768
 Returned to House, 796
 Received from House, 967
 Signed by President, 967
 Returned to House, 967

House Bill No. 1517

House Bill No. 1517. A Bill for an Act to amend and reenact section 43-17-21 of the North Dakota Century Code, relating to physician licensure without examination and temporary licenses.

To Senate, 563
 First reading, 570
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, indefinitely postponed, 697
 Reconsidered, 720
 Roll call vote, 697-698
 Second reading, 749
 Amended from floor, 749
 Lost, 749
 Clincher motion, 749
 Returned to House, 771

House Bill No. 1518

House Bill No. 1518. A Bill for an Act to amend and reenact section 51-10-06 of the North Dakota Century Code, relating to powers of the trade commission.

To Senate, 361
 First reading, 365
 Referred to Committee on State and Federal Government
 Reported back, do pass, 777
 Returned to House, 838
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1519

House Bill No. 1519. A Bill for an Act to create and enact sections 54-35-02.1 and 54-35-02.2 of the North Dakota Century Code, establishing the legislative audit and fiscal review committee as a division of the committee on budget of the legislative council; and to repeal chapter 54-35.1 of the North Dakota Century Code, relating to the legislative audit and fiscal review committee.

To Senate, 453
 First reading, 471
 Referred to Committee on Appropriations
 Reported back, do pass, 651
 Second reading, 684
 Passed, 685
 Returned to House, 708
 Received from House, 967
 Signed by President, 967
 Returned to House, 967

House Bill No. 1520

House Bill No. 1520. A Bill for an Act to amend and reenact subsection 1 of section 37-25-02 and sections 37-25-03 and 37-25-10 of the North Dakota Century Code, establishing an ending date to periods of service which give rise to credits or eligibility for Vietnam veterans' adjusted compensation; providing for maximum adjusted compensation payments; and declaring an emergency.

To Senate, 478
 First reading, 482
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 828
 Second reading, 868
 Passed, 868
 Emergency carried, 868
 Returned to House, 905
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1525

House Bill No. 1525. A Bill for an Act to create and enact section 6-09.2-07.1, and to amend and reenact sections 6-09.2-01, 6-09.2-02, and 6-09.2-03, subsections 1 and 6 of section 6-09.2-04, sections 6-09.2-05, 6-09.2-06, and 6-09.2-08 of the North Dakota Century Code, relating to the definition of "industrial projects" and the authority of the Bank of North Dakota to insure loans made by financial institutions under the industrial building mortgage program.

To Senate, 589
 First reading, 617
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 860
 Returned to House, 906

House Bill No. 1526

House Bill No. 1526. A Bill for an Act to amend and reenact section 14-06-05 of the North Dakota Century Code, relating to revocation of decree of separate maintenance and granting of divorce.

To Senate, 478
 First reading, 482
 Referred to Committee on Judiciary
 Reported back, do pass, 736
 Second reading, 768
 Passed, 769
 Returned to House, 796
 Received from House, 999
 Signed by President, 999
 Returned to House, 1000

House Bill No. 1529

House Bill No. 1529. A Bill for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of members of county welfare boards.

To Senate, 563
 First reading, 570
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 808
 Second reading, 835
 Passed, 835
 Returned to House, 869
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1530

House Bill No. 1530. A Bill for an Act to amend and reenact section 24-05-01 and subsection 3 of section 57-15-06 of the North Dakota Century Code, relating to the county road tax levy and county levy limitations.

To Senate, 563
 First reading, 570
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 713
 Second reading, 749
 Passed, 750
 Returned to House, 770
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1531

House Bill No. 1531. A Bill for an Act to amend and reenact subsection 1 of section 54-03.2-02, and sections 54-03.2-03, 54-03.2-08, 54-03.2-09, and 54-35-02 of the North Dakota Century Code, relating to the authority of the legislative assembly and its standing, select, and interim committees to issue subpoenas, and declaring an emergency.

To Senate, 589
 First reading, 618
 Referred to Committee on Judiciary

Reported back, do pass, 759
 Second reading, 794
 Passed, 794
 Emergency carried, 794
 Returned to House, 821
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1532

House Bill No. 1532. A Bill for an Act to establish a North Dakota American revolution bicentennial commission.

To Senate, 589
 First reading, 618
 Referred to Committee on State and Federal Government
 Reported back, do pass, 777
 Second reading, 821
 Passed, 821
 Returned to House, 838
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1533

House Bill No. 1533. A Bill for an Act to provide that participation in the performance of an abortion is not mandatory, and declaring an emergency.

To Senate, 589
 First reading, 618
 Referred to Committee on Judiciary
 Reported back, do pass, 736
 Second reading, 769
 Passed, 769
 Emergency carried, 769
 Returned to House, 796
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1534

House Bill No. 1534. A Bill for an Act to amend and reenact sections 39-20-04, 39-20-05, and 39-20-06 of the North Dakota Century Code, relating to the procedures applicable to the revocation of a driver's license under the implied consent provisions of the chemical test law, and declaring an emergency.

To Senate, 965
 First reading, 936
 Referred to Committee on Judiciary
 Reported back, do pass, 949
 Second reading, 984
 Passed, 984
 Clincher motion, 984
 Returned to House, 996
 Received from House, 1195
 Signed by President, 1196
 Returned to House, 1197

House Bill No. 1535

House Bill No. 1535. A Bill for an Act making an appropriation and providing for the improvement of the south plaza of the state capitol building, and declaring an emergency.

To Senate, 965
 First reading, 936
 Referred to Committee on Appropriations
 Placed on calendar without recommendation, 946
 Second reading, 1018
 Lost, 1018
 Clincher motion, 1018
 Returned to House, 1041

House Bill No. 1537

House Bill No. 1537. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01, and sections 57-38-29, 57-39.2-03.2, 57-39.2-04.1, 57-40.2-03.2, and 57-40.2-04.1 of the North Dakota Century Code, relating to income tax definitions and rates on individuals, and providing for the exemption of food and food products from the sales and use tax; providing for an effective date; and providing for the nonseverability of the sections of this Act.

To Senate, 986
 First reading, 987
 Referred to Committee on Finance and Taxation
 Reported back, amended, 1100-1101
 Amendments adopted, 1101
 Second reading, 1103, 1183
 Passed, 1104, 1183
 Clincher motion, 1104, 1183
 Returned to House, amended, 1115
 House does not concur, 1141
 Conference Committee, 1144, 1163, 1167
 Conference Committee report, 1166, 1179, 1180
 Not adopted, 1166
 Senate adopts, 1179, 1183
 Received from House, 1209
 Signed by President, 1210
 Returned to House, 1211

House Bill No. 1539

House Bill No. 1539. A Bill for an Act to amend and reenact sections 11-09-19, 11-09-22, and 11-09-24 of the North Dakota Century Code, relating to the appointment of sheriffs, county judges, and superintendents of schools in counties adopting a short form of county managership.

To Senate, 986
 First reading, 987
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 1024
 Second reading, 1129
 Passed, 1129
 Clincher motion 1129
 Returned to House, 1145
 Received from House 1209
 Signed by President, 1210
 Returned to House, 1211

House Concurrent Resolution No. 3050

House Concurrent Resolution No. 3050. A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota, relating to compensation of members of the Legislative Assembly and providing an independent commission to set legislative pay and compensation.

To Senate, 589
 First reading, 618
 Referred to Committee on State and Federal Government
 Reported back, do pass, 809
 Second reading, 836
 Adopted, 836
 Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3051

House Concurrent Resolution No. 3051. A Concurrent Resolution directing the Legislative Council to study the aspects of implementation, operation, and utilization of a municipal bond purchase fund in the Bank of North Dakota for the purpose of purchasing general obligation and certain revenue bonds of political subdivisions.

To Senate, 965
 First reading, 937
 Placed on consent calendar, 937
 Second reading, 963
 Adopted, 963
 Clincher motion, 963
 Returned to House, 994
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3053

House Concurrent Resolution No. 3053. A Concurrent Resolution urging all railroads to voluntarily place reflectorized tape or numerals on their cars for safety purposes; and urging the Congress of the United States and the Federal Railroad Administration to enact laws and regulations to require such action in the event that railroads fail to voluntarily do so.

To Senate, 610
 First reading, 618
 Referred to Committee on Industry, Business, and Labor
 Reported back, indefinitely postponed, 916
 Clincher motion, 935
 Returned to House, 965

House Concurrent Resolution No. 3055

House Concurrent Resolution No. 3055. A Concurrent Resolution urging the Congress of the United States to review federal statutes relative to the Aid to Families with Dependent Children Program.

To Senate, 610
 First reading, 618
 Referred to Committee on Appropriations

Reported back, do pass, 736
 Second reading, 769
 Adopted, 769
 Returned to House, 796
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3056

House Concurrent Resolution No. 3056. A Concurrent Resolution directing the Legislative Council to study and review statutes relating to labor laws in the public and private sector of North Dakota's economy.

To Senate, 986
 First reading, 988
 Placed on consent calendar, 991
 Removed from consent calendar, 992
 Second reading, 992, 1162
 Indefinitely postponed, 992
 Clincher motion, 992
 Returned to House, 998, 1169
 Senate requests return, 1051
 Returned to Senate, 1162
 Reconsidered, 1162
 Adopted, 1162
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3058

House Concurrent Resolution No. 3058. A Concurrent Resolution commending and honoring former Governor and Mrs. William L. Guy for their twelve years of service to the citizens of North Dakota.

To Senate, 610
 First reading, 618
 Referred to Committee on State and Federal Government
 Reported back, do pass, 759
 Second reading, 795
 Adopted, 795
 Returned to House, 821
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3060

House Concurrent Resolution No. 3060. A Concurrent Resolution expressing support and encouragement for education of the public concerning the nature and extent of the problem of alcoholism.

To Senate, 610
 First reading, 619
 Referred to Committee on Education
 Reported back, do pass, 736
 Second reading, 769
 Adopted, 769
 Returned to House, 796

Received from House, 1211
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3061

House Concurrent Resolution No. 3061. A Concurrent Resolution requesting the Congress and the President of the United States to continue support for the Green Thumb Program and similar programs which benefit older Americans.

To Senate, 610
First reading, 619
Referred to Committee on State and Federal Government
Reported back, do pass, 759
Second reading, 795
Adopted, 795
Returned to House, 821
Received from House, 1211
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3062

House Concurrent Resolution No. 3062. A Concurrent Resolution urging Congress to limit the application of the Occupational Safety and Health Act.

To Senate, 610
First reading, 619
Referred to Committee on State and Federal Government
Reported back, indefinitely postponed, 809
Returned to House, 839

House Concurrent Resolution No. 3063

House Concurrent Resolution No. 3063. A Concurrent Resolution directing the Legislative Council to study vocational education.

To Senate, 965
First reading, 937
Placed on consent calendar, 937
Second reading, 963
Adopted, 963
Clincher motion, 963
Returned to House, 994
Received from House, 1211
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3064

House Concurrent Resolution No. 3064. A Concurrent Resolution urging Congress to enact legislation which would provide reimbursement to farm owners and operators for migratory bird depredation.

To Senate, 610
First reading, 619
Referred to Committee on Agriculture
Reported back, do pass, 809
Second reading, 837
Adopted, 837

Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3001

House Concurrent Resolution No. 3001. A concurrent resolution inviting the Honorable Alvin C. Strutz, Chief Justice of the North Dakota Supreme Court, to address a joint session of the Legislative Assembly on the "State of the Judiciary".

To Senate, 21
 First reading, 21
 Second reading, 21
 Adopted, 21
 Returned to House, 21
 Signed by President, 22
 Returned to House, 22

House Concurrent Resolution No. 3002

House Concurrent Resolution No. 3002. A Concurrent Resolution proposing an amendment to section 7 of the Constitution of the state of North Dakota, relating to the size of trial juries and the number of jurors required to render a decision in civil and criminal cases, and providing an effective date.

To Senate, 620
 First reading, 663
 Referred to Committee on Judiciary
 Reported back, do pass, 808
 Second reading, 835
 Passed, 836
 Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House 1212

House Concurrent Resolution No. 3003

House Concurrent Resolution No. 3003. A Concurrent Resolution calling for a continuing study of the Uniform Probate Code introduced in the Forty-third Legislative Assembly as House Bill No. 1040.

To Senate, 965
 First reading, 936
 Placed on consent calendar, 937
 Second reading, 963
 Adopted, 963
 Clincher motion, 963
 Returned to House, 994
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1212

House Concurrent Resolution No. 3005

House Concurrent Resolution No. 3005. A concurrent resolution urging the United States Civil Aeronautics Board to grant authority to a second airline to serve North Dakota on east-west routes.

To Senate, 90
 First reading, 96
 Referred to Committee on Transportation

Reported back, do pass, 204
 Second reading, 228
 Adopted, 228
 Returned to House, 262
 Received from House, 840
 Signed by President 841
 Returned to House, 841

House Concurrent Resolution No. 3006

House Concurrent Resolution No. 3006. A Concurrent Resolution directing the Legislative Council to continue the study directed by House Concurrent Resolution No. 3050 adopted by the Forty-second Legislative Assembly, relating to the revision and modernization of the criminal laws of this state, and directing the Legislative Council to seek available federal funds to assist the Council in carrying out the study.

To Senate, 965
 First reading, 936
 Placed on consent calendar, 937
 Second reading, 963
 Adopted, 963
 Clincher motion, 963
 Returned to House, 994
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1212

House Concurrent Resolution No. 3007

House Concurrent Resolution No. 3007. A Concurrent Resolution requesting the Legislative Council to study North Dakota laws regarding the bonding of public employees.

To Senate, 70
 First reading, 76
 Referred to Committee on State and Federal Government
 Reported back, do pass, 139
 Second reading, 161
 Passed, 162
 Returned to House, 183
 Received from House 730
 Signed by President, 730
 Returned to House, 731

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3008. A Concurrent Resolution urging that the United States Congress change Veterans Day back to November 11.

To Senate, 119
 First reading, 126
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 281
 Second reading, 300
 Adopted, 300
 Returned to House, 318
 Received from House, 730
 Signed by President, 730
 Returned to House, 731

House Concurrent Resolution No. 3010

House Concurrent Resolution No. 3010. A Concurrent Resolution urging the Attorney General of the State of North Dakota to bring suit in federal court to restore the second United States Representative to the State.

To Senate, 99
 First reading, 109
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 777
 Returned to House, 822

House Concurrent Resolution No. 3011

House Concurrent Resolution No. 3011. A Concurrent Resolution directing the Legislative Council to conduct an interim study to determine a means to coordinate the efforts of various state agencies concerned with, and engaged in, the study of freight rates in North Dakota.

To Senate, 965
 First reading 937
 Placed on consent calendar, 937
 Removed from consent calendar, 962
 Second reading, 984
 Not adopted, 984
 Clincher motion, 984
 Returned to House, 996

House Concurrent Resolution No. 3012

House Concurrent Resolution No. 3012. A Concurrent Resolution for the amendment of sections 28 and 34 of the Constitution of the State of North Dakota, relating to qualifications of legislators.

To Senate, 432
 First reading, 446
 Referred to Committee on Judiciary
 Reported back, indefinitely postponed, 808
 Returned to House, 839

House Concurrent Resolution No. 3015

House Concurrent Resolution No. 3015. A Concurrent Resolution commending President Richard M. Nixon for the increases during his administration in the prices of wheat, grain, and livestock, and for running an agricultural program with less governmental interference than in past administrations.

To Senate, 289
 First reading, 295
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 777
 Returned to House, 822

House Concurrent Resolution No. 3016

House Concurrent Resolution No. 3016. A Concurrent Resolution urging Congress to adopt the metric system for weights and measurements in the United States.

To Senate, 216
 First reading, 255
 Referred to Committee on State and Federal Government

Reported back do pass, 828
 Second reading, 868
 Adopted, 868
 Returned to House, 905
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1212

House Concurrent Resolution No. 3017

House Concurrent Resolution No. 3017. A Concurrent Resolution for the amendment of the Constitution of the State of North Dakota relating to the retirement, discipline, and removal of supreme and district court judges.

To Senate, 620
 First reading, 663
 Referred to Committee on Judiciary
 Reported back, amended, 885
 Amendments adopted, 916
 Second reading, 961
 Passed, 962
 Clincher motion, 962
 Returned to House, amended, 994
 House concurs, 1041
 Received from House, 1211
 Signed by President 1212
 Returned to House, 1212

House Concurrent Resolution No. 3018

House Concurrent Resolution No. 3018. A Concurrent Resolution expressing support of the public access program administered by the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture.

To Senate, 361
 First reading, 365
 Referred to Committee on Agriculture
 Reported back, do pass, 468
 Second reading, 643, 675
 Adopted, 676
 Returned to House, 708
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1212

House Concurrent Resolution No. 3019

House Concurrent Resolution No. 3019. A concurrent resolution urging the merger of library facilities in certain cities and counties.

To Senate, 262
 First reading, 265
 Referred to Committee on Political Subdivisions
 Reported back, do pass, 614
 Second reading, 644
 Returned to House, 665
 Received from House 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3021

House Concurrent Resolution No. 3021. A Concurrent Resolution to amend and reenact sections 56 and 67 of the Constitution of the State of North Dakota, relating to flexible sessions of the legislative assembly; and to repeal sections 55 and 60 of the Constitution of the State of North Dakota, relating to the sessions and procedures of the legislative assembly.

To Senate, 301
 First reading, 311
 Referred to Committee on Judiciary
 Reported back, amended, 886
 Amendments adopted, 916
 Second reading, 962
 Lost, 962
 Clincher motion, 962
 Returned to House, 994

House Concurrent Resolution No. 3025

House Concurrent Resolution No. 3025. A Concurrent Resolution urging AMTRAK to improve the service and facilities of the national rail passenger service.

To Senate, 432
 First reading, 446
 Referred to Committee on Transportation
 Reported back, indefinitely postponed, 698
 Roll call vote, 698
 Returned to House, 727

House Concurrent Resolution No. 3026

House Concurrent Resolution No. 3026. A Concurrent Resolution providing and designating House and Senate employees and fixing their salaries.

To Senate, 162
 First reading, 170
 Amended from floor 170
 Second reading, 170
 Passed, 170
 Returned to House, amended, 183
 House concurs, 184
 Received from House, 730
 Signed by President, 730
 Returned to House, 731

House Concurrent Resolution No. 3028

House Concurrent Resolution No. 3028. A Concurrent Resolution urging the Director of Institutions to compare heating with lignite coal to heating with other fuels, and to urge the state agencies and departments controlling various state buildings and institutions, particularly the State Board of Higher Education and the Director of Institutions, to carefully consider returning to lignite coal as a primary heating fuel.

To Senate, 301
 First reading, 311
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 860
 Returned to House, 906

House Concurrent Resolution No. 3030

House Concurrent Resolution No. 3030. A Concurrent Resolution urging the National Water Commission to delete from the final draft of its proposed national water policy the conclusions and recommendations of the Iowa State University study which adversely affect agriculture and reclamation development.

To Senate, 300
 First reading, 311
 Referred to Committee on Natural Resources
 Reported back, do pass, 334
 Second reading, 360
 Adopted, 361
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3031

House Concurrent Resolution No. 3031. A Concurrent Resolution expressing the Forty-third Legislative Assembly's admiration for the late President Lyndon B. Johnson and expressing its sorrow at his death.

To Senate, 262
 First reading, 265
 Second reading, 265
 Adopted, 265
 Returned to House, 276
 Received from House, 730
 Signed by President, 730
 Returned to House, 731

House Concurrent Resolution No. 3032

House Concurrent Resolution No. 3032. A concurrent resolution urging adequate service and reasonable freight rates for the transportation of North Dakota's agricultural products.

To Senate, 563
 First reading, 571
 Referred to Committee on Transportation
 Reported back, amended, 698
 Amendments adopted, 715
 Second reading, 751
 Adopted, 751
 Returned to House, amended 771
 House concurs, 800
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3033

House Concurrent Resolution No. 3033. A concurrent resolution commending President Richard M. Nixon upon the successful negotiation of a Vietnam peace, and expressing happiness of the Forty-third Legislative Assembly that the conflict is coming to an end.

To Senate, 262
 First reading, 265
 Second reading, 265
 Adopted, 266
 Returned to House, 276

Received from House, 1211
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3034

House Concurrent Resolution No. 3034. A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

To Senate, 563
First reading, 571
Referred to Committee on Agriculture
Reported back, amended, 860
Amendments adopted, 888
Second reading 959
Adopted, 959
Clincher motion, 959
Returned to House, amended, 994
House concurs, 1041
Received from House, 1211
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3035

House Concurrent Resolution No. 3035. A concurrent resolution directing the Legislative Council to conduct a study of where interest earned on dedicated public funds is deposited.

To Senate, 965
First reading, 937
Placed on consent calendar, 937
Second reading, 963
Adopted, 963
Clincher motion, 963
Returned to House, 994
Received from House, 1211
Signed by President, 1212
Returned to House 1213

House Concurrent Resolution No. 3036

House Concurrent Resolution No. 3036. A Concurrent Resolution urging public transportation facilities to extend special rates to all students.

To Senate, 563
First reading, 571
Referred to Committee on Transportation
Reported back, indefinitely postponed, 713
Returned to House, 751

House Concurrent Resolution No. 3037

House Concurrent Resolution No. 3037. A Concurrent Resolution urging the United States Postal Service to issue a commemorative stamp on the 150th anniversary of Sondre Norheim's birth.

To Senate, 478
First reading, 482
Referred to Committee on State and Federal Government
Reported back, do pass, 808

Second reading, 836
 Adopted, 836
 Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3039

House Concurrent Resolution No. 3039. A concurrent resolution urging Congress to give favorable consideration to House Bill No. 2235, to increase the authorization for the appropriation of federal funds for completion of the formal garden and erection of the peace tower at the International Peace Garden.

To Senate, 478
 First reading, 483
 Referred to Committee on State and Federal Government
 Reported back, do pass 808
 Second reading, 836
 Adopted, 836
 Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3040

House Concurrent Resolution No. 3040. A concurrent resolution expressing concern and dissatisfaction with certain provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

To Senate, 620
 First reading, 663
 Referred to Committee on Judiciary
 Reported back, do pass, 777
 Second reading, 821
 Adopted, 821
 Returned to House, 838
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3041

House Concurrent Resolution No. 3041. A Concurrent Resolution commending Jamestown Police Sergeant Gerald Rudnick for his quick action and courage in rescuing a four-year old boy from a burning home.

To Senate, 432
 First reading, 446
 Second reading, 446
 Adopted, 446
 Returned to House, 478
 Received from House, 840
 Signed by President, 841
 Returned to House, 841

House Concurrent Resolution No. 3042

House Concurrent Resolution No. 3042. A Concurrent Resolution honoring North Dakotans who have died or who are listed as captured or missing in action in Vietnam.

To Senate, 589
 First reading, 618
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 809
Second reading, 836
 Adopted, 836
 Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3043

House Concurrent Resolution No. 3043. A Concurrent Resolution directing the Legislative Council to study and review the functions and utilization of the state communications system.

To Senate, 965
 First reading, 937
 Placed on consent calendar, 937
 Second reading, 963
 Adopted, 963
 Clincher motion, 963
 Returned to House, 994
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3044

House Concurrent Resolution No. 3044. A Concurrent Resolution commending the North Dakota Air National Guard for its second consecutive victory in the Aerospace Defense Command's worldwide weapons and aircrew competition in 1972.

To Senate, 620
 First reading, 664
 Referred to Committee on Social Welfare and Veterans' Affairs
 Reported back, do pass, 809
 Second reading, 836
 Adopted, 836
 Returned to House, 869
 Received from House, 1211
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3048

House Concurrent Resolution No. 3048. A Concurrent Resolution urging that the Bureau of Reclamation and the Bureau of Sport Fisheries and Wildlife deal more equitably with persons affected by the Garrison Diversion Project, and that landowners severely damaged by the construction of an irrigation canal be allowed to draw water from such canal regardless of membership or nonmembership in an irrigation district.

To Senate, 589
 First reading, 618
 Referred to Committee on State and Federal Government
 Reported back, indefinitely postponed, 809
 Returned to House, 839

House Concurrent Resolution No. 3065

House Concurrent Resolution No. 3065. A Concurrent Resolution directing the Legislative Council to study the feasibility of granting some form of tax relief to beginning farmers and ranchers.

To Senate, 986
First reading, 988
Placed on consent calendar, 988
Removed from consent calendar, 992
Second reading, 992
Adopted, 992
Clincher motion, 992
Returned to House, 998
Received from House, 1212
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3073

House Concurrent Resolution No. 3073. A Concurrent Resolution relating to absenteeism in the Congress of the United States.

To Senate, 610
First reading, 619
Referred to Committee on State and Federal Government
Reported back, do pass, 809
Second reading, 837
Adopted, 837
Returned to House, 869
Received from House, 1212
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3074

House Concurrent Resolution No. 3074. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility of state administration of the Occupational Safety and Health Act.

To Senate, 965
First reading, 937
Placed on consent calendar, 937
Second reading, 963
Adopted, 963
Clincher motion, 963
Returned to House, 994
Received from House, 1212
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3079

House Concurrent Resolution No. 3079. A Concurrent Resolution urging the Congress of the United States to retain the provision of the Internal Revenue Code on capital gains for timber.

To Senate, 610
First reading, 619
Referred to Committee on Natural Resources
Reported back, do pass, 713
Second reading, 751
Adopted, 751

Returned to House, 770
Received from House, 1212
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3083

House Concurrent Resolution No. 3083. A Concurrent Resolution urging the President and the Congress of the United States to continue the school lunch program and the special milk program.

To Senate, 610
First reading, 619
Referred to Committee on Education
Reported back, amended, 759
Amendments adopted, 778
Second reading, 821
Adopted, 821
Returned to House, amended, 839
House concurs, 931
Received from House, 1212
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3084

House Concurrent Resolution No. 3084. A Concurrent Resolution urging coordination and cooperation among North Dakota's judiciary, state's attorneys, private attorneys, social service workers, and the clergy in an intensified effort toward elimination of abuses surrounding the support of dependent children; the establishment of paternity for children born out of wedlock; the reduction in the incidence of divorce, separation and desertion; and the preservation of family life in the State of North Dakota.

To Senate, 610
First reading, 619
Referred to Committee on Judiciary
Reported back, do pass, 886
Second reading, 959
Adopted, 959
Clincher motion, 959
Returned to House, 994
Received from House, 1212
Signed by President, 1212
Returned to House, 1213

House Concurrent Resolution No. 3085

House Concurrent Resolution No. 3085. A Concurrent Resolution encouraging the State Board of Equalization to establish a 19 percent level of assessment on locally assessed property in North Dakota.

To Senate, 610
First reading, 619
Referred to Committee on Finance and Taxation
Reported back, indefinitely postponed, 828
Returned to House, 908

House Concurrent Resolution No. 3086

House Concurrent Resolution No. 3086. A Concurrent Resolution supporting the adoption of reasonable railroad freight rates for the transportation of North Dakota's small grains westbound to export markets.

To Senate, 610
 First reading, 619
 Referred to Committee on Transportation
 Placed on calendar without recommendation, 947
 Second reading, 985
 Passed, 985
 Clincher motion, 985
 Returned to House, 996
 Received from House, 1212
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3087

House Concurrent Resolution No. 3087. A Concurrent Resolution urging the Congress of the United States to adopt and submit to the people of the United States an amendment to the Constitution providing for the establishment of a single six-year Presidential term.

To Senate, 610
 First reading, 620
 Referred to Committee on State and Federal Government
 Reported back, do pass, 809
 Second reading, 837
 Failed to pass, 837
 Returned to House, 908

House Concurrent Resolution No. 3089

House Concurrent Resolution No. 3089. A Concurrent Resolution calling for a Legislative Council study to determine how North Dakota can best care for and educate the deaf-blind children in the State.

To Senate, 965
 First reading, 937
 Placed on consent calendar, 937
 Second reading, 963
 Adopted, 963
 Clincher motion, 963
 Returned to House, 994
 Received from House, 1212
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3090

House Concurrent Resolution No. 3090. A Concurrent Resolution directing the Legislative Council to conduct a study of the questions of taxation and jurisdiction as it pertains to Indians and non-Indians on an Indian reservation lying wholly or partly within the State of North Dakota.

To Senate, 1039
 First reading, 1024
 Referred to Legislative Council Resolutions Committee
 Reported back, do pass, 1047
 Second reading, 1048
 Adopted, 1048
 Returned to House, 1074
 Received from House, 1212
 Signed by President, 1212
 Returned to House, 1213

House Concurrent Resolution No. 3091

House Concurrent Resolution No. 3091. A Concurrent Resolution urging the Commissioner of Insurance to rescind his order prohibiting claim-free credits on crop hail insurance policies.

To Senate, 1100

First reading, 1142

Referred to Committee on Industry, Business, and Labor

Reported back, indefinitely postponed, 1162

Clincher motion, 1163

Returned to House, 1169

House Concurrent Resolution No. 3092

House Concurrent Resolution No. 3092. A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

To Senate, 1052

First reading, 1053

Second reading, 1053

Passed, 1053

Returned to House, 1074

Received from House, 1212

Signed by President, 1212

Returned to House, 1213

House Concurrent Resolution No. 3093

House Concurrent Resolution No. 3093. A Concurrent Resolution directing the Legislative Council to conduct a study of the taxation of property assessed by the State Board of Equalization.

To Senate, 1141

First reading, 1142

Referred to Legislative Council Resolutions Committee

Reported back, indefinitely postponed, 1162

Clincher motion, 1163

Returned to House, 1169