

STATE OF NORTH DAKOTA

Journal of the Senate

of the

Forty-Second Session

of the

Legislative Assembly

Begun and held at the Capitol Building at Bismarck,
January 5 to March 16, 1971, inclusive

RICHARD LARSEN
Grand Forks, N. Dak.
President of the Senate

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

MEMBERS OF THE SENATE, 1971

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Session of
1	Pt. Williams	Frank Wenstrom	Williston	Savings and Loan General Manager	Married	1957-67-69-71
2	Pt. Williams and Divide	George Rait	Noonan	Farmer	Married	1965-67-69-71
3	Burke, Renville and Pt. Ward	L. D. Christensen	Kenmare	Farmer	Married	1967-69-71
4	Mountrail and Pt. Ward	Clark Van Horn	Parshall	Farmer	Married	1959-61-63-65-69-71
5	Pt. Ward	C. Morris Anderson	Minot	Real Estate, Bowling, Farming	Married	1971
	Pt. Ward	John D. Coughlin	Minot	Real Estate	Married	1967-69-71
	Pt. Ward	Wayne G. Sanstead	Minot	Teacher	Married	1971
6	Bottineau and Pt. McHenry	Walter C. Erdman	Bottineau	Farmer	Married	1971
7	Pt. McHenry and Pt. Ward	Paul Swedlund	Velva	Farmer, Photographer	Married	1971
8	McLean	Dave M. Robinson	Coleharbor	Farmer-Rancher	Married	1963-65-67-69-71
9	Rolette and Pt. Towner	Philip Berube	Belcourt	Farmer	Married	1953-55-57-59-61-63-65-67-69-71
10	Cavalier and Pt. Towner	Richard E. Forkner	Langdon	Former Co-Publisher	Married	1963-65-67-69-71
11	Pembina	Jack Page	Cavalier	Oil Jobber and Auto Dealer	Married	1971
12	Pierce and Pt. Benson	William J. Thoreson	York	Farmer and Grain Buyer	Married	1969-71
13	Eddy, Foster, and Pt. Benson	Ed Doherty	New Rockford	Editor-Publisher	Married	1969-71
14	Sheridan and Wells	Clarence G. Schultz	Harvey	Merchant	Married	1967-69-71
15	Ramsey	H. Kent Jones	Webster	Farmer	Married	1971
16	Pt. Walsh	Elton Ringsak	Grafton	Lt. Col., Retired; Lawyer	Married	1959-61-63-65-67-69-71
17	Pt. Walsh and Nelson	Lester Larson	Brocket	Farmer	Married	1965-67-69-71
18	Pt. Grand Forks	George Longmire	Grand Forks	Attorney	Married	1957-59-61-63-65-67-69-71
	Pt. Grand Forks	Kenneth Lowe	Grand Forks	Motion Picture Projectionist	Married	1967-69-71
	Pt. Grand Forks	George Unruh	Grand Forks	Pres. Vaberg Co.	Married	1969-71
19	Pt. Grand Forks	Duane Mutch	Larimore	Oil Broker -- L. P. Gas Distributor	Married	1959-61-63-65-67-69-71
20	Traill and Pt. Cass	Oscar J. Sorlie	Buxton	Farmer	Married	1963-65-67-69-71

MEMBERS OF THE SENATE, 1971 -- (Continued)

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Session of
21	Pt. Cass	Francis J. Butler	Fargo	Executive, Retail Merchandising	Married	1967-69-71
	Pt. Cass	Richard Goldberg	Fargo	Grain and Feed Business	Married	1967-69-71
	Pt. Cass	Donald C. Holand	Fargo	Attorney	Married	1955-57-59-61-63-65-67-69-71
	Pt. Cass	C. Warner Litten	Fargo	Clinic - Business Manager	Married	1967-69-71
22	Pt. Cass	Ernest G. Pyle	Casselton	Farmer	Married	1967-69-71
23	Griggs, Steele, Pt. Barnes	Arthur Gronhovd	Finley	Retired Farmer	Married	1971
24	Pt. Barnes	Theron L. Strinden	Litchville	Businessman	Married	1963-65-69-71
25	Pt. Richland	Russell T. Thane	Wahpeton	Farmer and Stock Feeder	Married	1971
26	Pt. Richland and Sargent	Kenneth L. Morgan	Walcott	Farmer	Married	1957-59-61-63-65-67-69-71
27	Ransom and Pt. LaMoure	Myron Just	Berlin	Farmer - Journalist	Married	1971
28	Dickey and Pt. LaMoure	Earl Redlin	Ellendale	Farmer	Married	1965-67-69-71
29	Stutsman	Robert Melland	Jamestown	Implement-Auto-Trucks-Appliances	Married	1967-69-71
	Stutsman	David Nething	Jamestown	Lawyer	Married	1967-69-71
30	Logan and McIntosh	Gail H. Hernet	Ashley	Banker	Married	1955-57-59-61-63-65-67-69-71
31	Kidder and Emmons	Robert Chesrown	Linton	Attorney	Married	1963-65-67-69-71
32	Burleigh	Guy Larson	Bismarck	Businessman	Married	1953-55-57-59-67-69-71
	Burleigh	Evan Lips	Bismarck	Insurance	Married	1961-63-65-67-69-71
	Burleigh	I. J. Wilhite	Bismarck	Oil Producer	Married	1967-69-71
33	Mercer, Oliver, Pt. Morton	Robert L. Stroup	Hazen	Retail Lumberman	Married	1967-69-71
34	Pt. Morton	Emil E. Kautzmann	Mandan	Banker	Married	1963-65-67-69-71
35	Grant, Sioux, and Pt. Morton	Francis Barth	Solen	Farmer-Rancher	Married	1971
36	McKenzie and Dunn	J. Garvin Jacobson	Alexander	Farmer-Rancher	Married	1967-69-71
37	Pt. Stark	Howard A. Freed	Dickinson	Attorney	Married	1967-69-71
38	Hettinger, Pt. Stark & Pt. Adams	Robert Nasset	Regent	Farmer	Married	1967-69-71
39	Golden Valley, Billings, Slope, Bowman, Pt. Adams	Leland Roen	Bowman	Farmer-Rancher	Married	1957-59-61-63-65-67-69-71

ERRATA

Page 720, line 21, correct spelling of Chesrown.

Page 841, line 11, correct spelling of Wenstrom.

Page 903, line 9, delete 872 and insert 873 in lieu thereof.

line 22 insert 877 after 876.

line 30 delete 877.

Page 925, line 18, correct spelling of Thoreson.

Page 1186, line 15, delete Senate and insert House in lieu thereof.

Page 1247, line 27, delete 1177 and insert 1554 in lieu thereof.

Page 1261, line 13, delete thirty- and insert fifty- in lieu thereof.

Page 1271, line 44, delete 1001 and insert 1177 in lieu thereof.

Page 1278, line 21 from bottom, after word "motion" insert "lost."

Page 1307, line 8 from bottom, delete Larson and insert in lieu thereof
Larsen.

OFFICERS AND EMPLOYEES

of the

SENATE OF NORTH DAKOTA

of the

FORTY-SECOND LEGISLATIVE ASSEMBLY

Name	Position	Address
Leo Leidholm	Sec. of the Senate	Underwood
Dagny Olson	Desk Reporter	Devils Lake
Albert E. Bradley	Sgt.-at-Arms	Rock Lake
Arthur Herk	Asst. Sec. of the Senate	Fingal
J. Vernon Asheim	Bill Clerk	Mohall
Cora Essington	Chief Steno. and Payroll Clerk	Bismarck
Lois J. Scherr	Chief Comm. Clerk	Bismarck
Gladys Derrick	Approp. Comm. Clk.	Bismarck
Marjorie Tangsrud	Committee Clerk	Devils Lake
Carolyn Sette	Committee Clerk	Bismarck
Edna Sand	Committee Clerk	Mandan
Donna Heisler	Committee Clerk	Mandan
Marlene Backman	Committee Clerk	Bismarck
Roland Reich	Calendar Clerk	Wilton
John DeWald	Enr. & Eng. Clerk	Bismarck
Dormilee Diede	Sec. to the President	Bismarck
Gladys Van Vleet	Secretary - Majority Floor Leader	Bismarck
Patricia Mitzel	Secretary - Minority Floor Leader	Bismarck
Richard Jagd	Deputy Sgt.-at-Arms	G. Forks
Nick Frank	Asst. Sgt.-at-Arms	Dickinson
Ralph Scott	Asst. Sgt.-at-Arms	Jamestown
Emil Albrecht	Asst. Sgt.-at-Arms	Bismarck
Arthur Solberg	Asst. Sgt.-at-Arms	Wyndmere
Evelyn Sholts	Bill Room Clerk	Bismarck
Patricia A. Nelson	Bill Room Clerk	Litchville
Janine Haug	Stenographer	Bismarck
Lorraine Moos	Stenographer	Mandan
JoAnn Owens	Stenographer	Bismarck
Mary A. Landgren	Stenographer	Wilton
Joanne Hetland	Typist	Bismarck
Gertrude Berge	Typist	Hatton
M. Omafray	Asst. Enr. & Eng. Clerk	Wilton
Clara Clendenen	Page	Wilton
Linda Kay Parkin	Page	Amidon
Janice K. Tischmak	Page	Bismarck
Wayne Stenejhem	Page	Bismarck
Daline Meidinger	Page	Bismarck
Patricia McMahon	Page	Bismarck

OFFICERS AND EMPLOYEES (Continued)

Alan C. Walker	Page	Bismarck
M. Stenehjem	Chief Tel. Attend.	Bismarck
Wanda Froelich	Bill Book Clerk	Mandan
Jerry Nagel	Bill Book Clerk	Bismarck
Violetta LaGrave	Bill Book Clerk	Mandan
John A. Gilje	Bill Book Clerk	Carrington
Phyllis Connolly	Information Desk Attend.	Dunn Center
Hazel Ludemann	Journal Room Clerk	Bismarck
John Spitzer	Journal Room Clerk	Baldwin
Harold Kiesz	Typist	Beulah
Pius Reis	Parking Lot Attend.	Napoleon
Larry Borlaug	Journal Proofreader	Washburn
Elma Schauer	Journal Proofreader	Bismarck

SENATE MEMBERS

Dist.	County	Name	Address
1.	Pt. Williams.....	Frank Wenstrom.....	Williston
2.	Pt. Williams and Divide.....	George Rait.....	Noonan
3.	Burke, Renville and Pt. Ward.....	L. D. (Lee) Christensen.....	Kenmare
4.	Mountrail and Pt. Ward.....	Clark Van Horn.....	Parshall
5.	Pt. Ward.....	C. Morris Anderson.....	Minot
		John D. (Jack) Coughlin.....	Minot
		Wayne G. Sanstead.....	Minot
6.	Bottineau and Pt. McHenry.....	Walter C. Erdman.....	Bottineau
	(To fill unexpired term of Senator Edwin Becker)		
7.	Pt. McHenry and Pt. Ward.....	Paul Swedlund.....	Velva
8.	McLean.....	Dave M. Robinson.....	Coleharbor
9.	Rolette and Pt. Towner.....	Philip Berube.....	Belcourt
10.	Cavalier and Pt. Towner.....	Richard E. Forkner.....	Langdon
11.	Pembina.....	Jack Page.....	Cavalier
12.	Pierce and Pt. Benson.....	William J. Thoreson.....	York
13.	Eddy, Foster and Pt. Benson.....	Ed Doherty.....	New Rockford
14.	Sheridan and Wells.....	Clarence G. Schultz.....	Harvey
15.	Ramsey.....	H. Kent Jones.....	Webster
16.	Pt. Walsh.....	Eiton Ringsak.....	Grafton
17.	Pt. Walsh and Nelson.....	Lester Larson.....	Brocket
18.	Pt. Grand Forks.....	George Longmire.....	Grand Forks
		Kenneth Lowe.....	Grand Forks
		George Unruh.....	Grand Forks
19.	Pt. Grand Forks.....	Duane Mutch.....	Larimore
20.	Traill and Pt. Cass.....	Oscar J. Sorlie.....	Buxton
21.	Pt. Cass.....	Francis J. Butler.....	Fargo
		Richard Goldberg.....	Fargo
		Donald C. Holand.....	Fargo
		C. Warner Litten.....	Fargo
22.	Pt. Cass.....	Ernest G. Pyle.....	Cassellton
23.	Griggs, Steele, and Pt. Barnes.....	Arthur Gronhovd.....	Finley
24.	Pt. Barnes.....	Theron L. Strinden.....	Litchville
25.	Pt. Richland.....	Russell T. Thane.....	Wahpeton
26.	Pt. Richland and Sargent.....	Kenneth L. Morgan.....	Walcott
27.	Ransom and Pt. LaMoure.....	Myron Just.....	Berlin
28.	Dickey and Pt. LaMoure.....	Earl Redlin.....	Ellendale
29.	Stutsman.....	Robert Melland.....	Jamestown
		David Nething.....	Jamestown
30.	Logan and McIntosh.....	Gail H. Hernet.....	Ashley
31.	Kidder and Emmons.....	Robert Chesrown.....	Linton
32.	Burleigh.....	Guy Larson.....	Bismarck
		Evan Lips.....	Bismarck
		I. J. Wilhite.....	Bismarck
33.	Mercer, Oliver and Pt. Morton.....	Robert L. Stroup.....	Hazen
34.	Pt. Morton.....	Emil E. Kautzmann.....	Mandan
35.	Grant, Sioux and Pt. Morton.....	Francis Barth.....	Solen
36.	McKenzie and Dunn.....	J. Garvin Jacobson.....	Alexander
37.	Pt. Stark.....	Howard A. Freed.....	Dickinson
38.	Hettinger, Pt. Stark, Pt. Adams.....	Robert Nasset.....	Regent
39.	Golden Valley, Billings, Slope, Bowman & Pt. Adams.....	Leland Roen.....	Bowman

HOUSE MEMBERS

Dist. County	Name	Address
1. Pt. Williams.....	Robert Peterson	Williston
	Jack McGeehan.....	Williston
2. Pt. Williams and Divide.....	Olaf Opedahl.....	Tioga
	Irven Jacobson.....	Alamo
3. Burke, Renville and Pt. Ward.....	Richard J. Backes.....	Glenburn
	M. E. (Sam) Glaspey.....	Lignite
4. Mountrail and Pt. Ward.....	William A. Erickson.....	Stanley
	Robert E. Grant.....	Berthold
5. Pt. Ward.....	Duane U. Brekke.....	Minot
	Brynhild Haugland.....	Minot
	James A. Peterson.....	Minot
	Leonard O. Rice.....	Minot
	Norman J. Livingston.....	Minot
	Jerome L. Walsh.....	Minot
6. Bottineau and Pt. McHenry.....	Glenn Henning.....	Newberg
	Howard I. Henry.....	Westhope
7. Pt. McHenry and Pt. Ward.....	Fern E. Lee.....	Towner
	Virgil Haman.....	Towner
8. McLean.....	Donald Giffey.....	Roseglen
	Paul Patrick.....	Wilton
9. Rolette and Pt. Towner.....	Oscar Solberg.....	Mylo
	Gerhart Wilkie.....	Rolla
10. Cavalier and Pt. Towner.....	Frank Shablow.....	Langdon
	John McGauvran.....	Osnabrock
11. Pembina.....	Don Halcrow.....	Drayton
	Charles Fleming.....	Hamilton
12. Pierce and Pt. Benson.....	S. F. (Buckshot) Hoffner.....	Esmond
	Richard Rocheleau.....	Rugby
13. Eddy, Foster, and Pt. Benson.....	Arne Boyum.....	Carrington
	Dale Linderman.....	Carrington
14. Sheridan and Wells.....	Bryce Streibel.....	Fessenden
	Bert F. Miller.....	Harvey
15. Ramsey.....	Dean Hildebrand.....	Devils Lake
	Charles Mertens.....	Devils Lake
16. Pt. Walsh.....	H. Odell Berg.....	Nash
	Harley Kingsbury.....	Grafton
17. Pt. Walsh and Nelson.....	Howard C. Johnson.....	Fairdale
	Henry O. Lundene.....	Adams
18. Pt. Grand Forks.....	I. O. "Sparky" Hensrud.....	—
	Art Raymond.....	Grand Forks
	Grace Stone.....	Grand Forks
	Earl Strinden.....	Grand Forks
	Kenneth Tweten.....	Grand Forks
	A. L. Ulvedal.....	Grand Forks
	Enoch Thorsgard.....	Northwood
Oben Gunderson, Jr.....	McCanna	
20. Traill and Pt. Cass.....	Eldred N. Dornacker.....	Mayville
	Herbert A. Anderson.....	Hillsboro
21. Pt. Cass.....	A. G. (Art) Bunker.....	Fargo
	Aloha (Mrs. Donald) Eagles.....	Fargo
	Richard A. Hentges.....	Fargo
	Charles E. Herman.....	Fargo
	Peter S. Hilleboe.....	Fargo
	Clark J. Jenkins.....	Fargo
LeRoy M. Larson.....	West Fargo	
Carl A. White.....	Fargo	

HOUSE MEMBERS

Dist. County	Name	Address
22. Pt. Cass.....	James E. Kieffer	Wheatland
	Francis E. (Hank) Weber	Wheatland
23. Griggs, Steele, Pt. Barnes.....	Arnold Gronneberg	Hannaaford
	Bruce Laughlin	Finley
24. Pt. Barnes.....	Ernest J. Miedema	Valley City
	Ralph M. Winge	Litchville
25. Pt. Richland.....	LeRoy Hausauer	Wahpeton
	Earl Stoltenow	Wahpeton
26. Pt. Richland and Sargent.....	Ralph Dotzenrod	Wyndmere
	Kenneth Erickson	DeLamere
27. Ransom and Pt. LaMoure.....	Lawrence Dick	Englevale
	Claire Sandness	LaMoure
28. Dickey and Pt. LaMoure.....	William Gackle	Kulm
	Donald Moore	Forbes
29. Stutsman.....	Henry Ganser	Cleveland
	Gordon Larson	Sydney
	Robert F. Reimers	Melville
	Allwin H. DeGroot	Jamestown
30. Logan and McIntosh.....	J. L. Raile	Wishek
	Joe Welder	Napoleon
31. Kidder and Emmons.....	Howard F. Bier	Hazleton
	Wm. DeKrey	Pettibone
32. Burleigh.....	Myron Atkinson	Bismarck
	Carl Boustead	Bismarck
	Alvin Hausauer	Bismarck
	Theodore A. Lang	Sterling
	Edward Metzger	Bismarck
	Vernon E. Wagner	Bismarck
33. Mercer, Oliver, Pt. Morton.....	Ralph Hickle	Center
	Eldor Miller	Hazen
34. Pt. Morton.....	James Gerl	Mandan
	Corliss (Mrs. Bill) Mushik	Mandan
35. Grant, Sioux, Pt. Morton.....	Albert L. Rivinius	Elgin
	Carl Meyer	Flasher
36. McKenzie and Dunn.....	J. R. (Jack) Murphy.....	Killdeer
	Halvor Rolfsrud	Watford City
37. Pt. Stark.....	Mike Olienyk	Belfield
	John F. Gengler	Dickinson
38. Hettinger, Pt. Stark, and Pt. Adams	Milon Austin	Mott
	Kenneth Knudson	Taylor
39. Golden Valley, Billings, Slope, Bowman, Pt. Adams.....	Karnes Johnson	Sentinel Butte
	Earl C. Rundle	New England

"Buy North Dakota Products"

Organizational and Orientation Session December 8, 9, 10, 1970

Journal of the Senate

Forty-Second Legislative Assembly

TUESDAY, DECEMBER 8, 1970

FIRST DAY OF LEGISLATIVE ORGANIZATIONAL SESSION

At the hour of nine o'clock of the eighth day of December, 1970, according to the Constitution and Statute of the State of North Dakota, the holdover members and members elected to the Senate of the Forty-Second 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 were received from the Secretary of State:

STATE OF NORTH DAKOTA
Department of State
Bismarck, North Dakota

November 23, 1970

Secretary of The Senate
Forty-second 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-second Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
1.	Pt. Williams.....	Frank Wenstrom.....	Williston
3.	Burke, Renville and Pt. Ward.....	L. D. (Lee) Christensen.....	Kenmare
5.	Pt. Ward.....	C. Morris Anderson..... John D. (Jack) Coughlin..... Wayne G. Sanstead.....	Minot Minot Minot
6.	Bottineau and Pt. McHenry.....	Walter C. Erdman.....	Bottineau (To fill unexpired term of Senator Edwin Becker)
7.	Pt. McHenry and Pt. Ward.....	Paul Swedlund.....	Velva
9.	Rolette and Pt. Towner.....	Philip Berube.....	Belcourt
11.	Pembina.....	Jack Page.....	Cavalier
13.	Eddy, Foster and Pt. Benson.....	Ed Doherty.....	New Rockford
15.	Ramsey.....	H. Kent Jones.....	Webster
17.	Pt. Walsh and Nelson.....	Lester Larson.....	Brocket

	Name	Address
19. Pt. Grand Forks.....	Gerald Kuster.....	Reynolds
21. Pt. Cass.....	Francis J. Butler.....	Fargo
	Richard Goldberg.....	Fargo
	Donald C. Holand.....	Fargo
	C. Warner Litten.....	Fargo
23. Griggs, Steele, and Pt. Barnes.....	Arthur Gronhovd.....	Finley
25. Pt. Richland.....	Russell T. Thane.....	Wahpeton
27. Ransom and Pt. LaMoure.....	Myron Just.....	Berlin
29. Stutsman.....	Robert Melland.....	Jamestown
	David Nething.....	Jamestown
31. Kidder and Emmons.....	Robert Chesrown.....	Linton
33. Mercer, Oliver and Pt. Morton.....	Robert L. Stroup.....	Hazen
35. Grant, Sioux and Pt. Morton.....	Francis Barth.....	Solen
37. Pt. Stark.....	Howard A. Freed.....	Dickinson
39. Golden Valley, Billings, Slope, Adams and Pt. Adams.....	Leland Roen.....	Bowman

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 23rd day of November, A.D. 1970.

BEN MEIER
Secretary of State
State of North Dakota

STATE OF NORTH DAKOTA

Department of State
Bismarck, North Dakota

December 7, 1970

Secretary of Senate
Forty-second 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 1968, and duly qualified by the forty-first Legislative Assembly.

Dist. County	Name	Address
2. Pt. Williams and Divide.....	George Rait.....	Noonan
4. Mountrail and Pt. Ward.....	Clark Van Horn.....	Parshall
6. Bottineau and Pt. McHenry.....	Edwin Becker, resigned, special election in 1970 to fill unexpired term of Edwin Becker	
8. McLean.....	Dave M. Robinson.....	Coleharbor
10. Cavalier and Pt. Towner.....	Richard E. Forkner.....	Langdon
12. Pierce and Pt. Benson.....	William J. Thoreson.....	York
14. Sheridan and Wells.....	Clarence G. Schultz.....	Harvey
16. Pt. Walsh.....	Elton Ringsak.....	Grafton
18. Pt. Grand Forks.....	George Longmire.....	Grand Forks
	Kenneth Lowe.....	Grand Forks
	George Unruh.....	Grand Forks
20. Trail and Pt. Cass.....	Oscar Sorlie.....	Buxton
22. Pt. Cass.....	Ernest G. Pyle.....	Casselton
24. Pt. Barnes.....	Theron L. Strinden.....	Litchville

	Name	Address
26. Pt. Richland and Sargent.....	Kenneth L. Morgan.....	Walcott
28. Dickey and Pt. LaMoure.....	Earl Redlin.....	Ellendale
30. Logan and McIntosh.....	Gail H. Hernet.....	Ashley
32. Burleigh.....	Guy Larson.....	Bismarck
	Evan Lips.....	Bismarck
	I. J. Wilhite.....	Bismarck
34. Pt. Morton.....	Emil E. Kautzmann.....	Mandan
36. McKenzie and Dunn.....	J. Garvin Jacobson.....	Alexander
38. Hettinger, Pt. Stark, Pt. Adams.....	Robert Nasset.....	Regent

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 7th day of December, A.D. 1970.

BEN MEIER
Secretary of State
State of North Dakota

Senator Longmire moved that the President appoint a committee of two to escort Associate 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 Lt. Governor appointed as such committee Senators Longmire and Van Horn.

Associate Justice Alvin G. Strutz then administered the oath of office to the newly elected Senators, with the exception of Senator Gronhovd who was absent.

Prayer by Chaplain Ardell R. Aleson, First United Methodist, Bismarck.

WANTED

God give us men! a time like this demands strong minds, great hearts, true faith, and ready hands; Men whom the lust of office does not kill; Men whom the spoils of office cannot buy; Men who possess opinions and a will; Men who have honor, — men will not lie; Men who can stand before a demagogue, And damn his treacherous flatteries without winking! Tall men, sun-crowned, who live above the fog in public duty, and in private thinking; For while the rabble, with their thumb-worn creeds, Their large professions and their little deeds, — Mingle in selfish strife, lo! Freedom weeps, Wrong rules the land, and waiting Justice sleeps. — J. G. Holland.

INVOCATION PRAYER

Almighty God, creator of all mankind, preserver of the nation, author of everlasting life, grant us in this hour a new sense of your presence. Help us to know what it means to have a new heart of understanding as we face the problems of our time. Renew us with patient trust and quiet confidence. Make us aware of our weakness and ready to offer hope to those around us who are troubled and perplexed. In this special time when our search for new truth is on — when the desire of our nation is for wisdom from above, grant that we may all search obediently and try to find the answer.

Bless every legislator who has come to Bismarck to find his rightful place and to have a share in bringing to life necessary reform and inevitable change. May each one feel dependent upon your enabling grace without which none of us can live an ordered life. Fortify us against the temptation to do as we have always done. Allow us to be creative as we seek together for new ways and workable plans in the days ahead. Help us to no longer rely upon worn-out remedies. May these important days now and in the year to come be learning experiences for everyone here. May nobody shortchange the other — but may all work together in promoting the good which can come. In the name of Christ we pray, Amen!

ROLL CALL

The roll was called and there were 48 present and 1 absent.

Those present were:

Anderson	Hernett	Lowe	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nething	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Kuster	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Those absent were:

Gronhovd

A quorum was declared by the Lt. Governor.

Senator Longmire 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.

Senator Wilhite 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Lowe	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nething	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Kuster	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Gronhovd

Leo Leidholm was declared elected Secretary of the Senate.

The Lt. Governor then administered the oath of office to the Secretary of the Senate.

Senator Wilhite moved that the name of Dagny Olson of Benson County be placed in nomination for the position of Desk Reporter.

Senator Litten moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of Dagny Olson as Desk Reporter of the Senate, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Lowe	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Kuster	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Gronhovd

Dagny Olson was declared elected Desk Reporter.

The Lt. Governor then administered the oath of office to the Desk Reporter.

Senator Wilhite moved that the name of A. E. Bradley of Towner County be placed in nomination for the position of Sergeant-at-Arms.

Senator Litten 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Lowe	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Kuster	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Gronhovd

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

The Lt. Governor then administered the oath of office to the Sergeant-at-Arms.

ELECTION OF PRESIDENT PRO TEM

Senator Wilhite: I move that the name of Senator Evan Lips be placed in nomination for the position of President Pro Tem of the Senate.

Senator Christensen: Gentlemen of the Senate. I would like to place a name in nomination for President Pro Tem of the Senate, and we of the minority do this each session to honor one of our members. The gentleman I wish to nominate has served in the Senate since 1959, with a slight interruption. He is a grain and livestock farmer, a good debater, sound thinker, and he is sometimes called one of the more colorful members of this body. I place in nomination the name of Senator Clark Van Horn for the position of President Pro Tem.

Senator Litten moved that nominations cease, which motion prevailed.

JOURNAL OF THE SENATE

ROLL CALL

The question being on the selection of President Pro Tem, the roll was called and there were 37, Lips; 11, Van Horn; 1 absent and not voting.

Those voting for Lips were:

Anderson	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Thane
Doherty	Litten	Redlin	Thoreson
Forkner	Longmire	Ringsak	Unruh
Freed	Low	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Hernett	Morgan	Schultz	Wilhite
Holand			

Those voting for Van Horn were:

Barth	Erdman	Larson, L.	Sanstead
Berube	Just	Lips	Swedlund
Christensen	Kuster	Rait	

Absent and not voting:
Gronhovd

Senator Lips was declared elected President Pro Tem of the Senate.

Senator Wilhite moved that the President appoint a committee of two to escort Senator Lips to the rostrum, which motion prevailed. The President appointed as such committee, Senators Wilhite and Christensen, and Senator Lips was escorted to the rostrum.

The President then administered the oath of office to Senator Lips as President Pro Tem, and Senator Lips was invited to address the Senate.

Senator Lips: Mr. President and Gentlemen of the Senate. It is an honor for me to accept this position, and I know if I have to sit up here, Lieutenant Governor, in your absence, that everybody will be treated fairly no matter which side of the aisle he may be from. It is a pleasure for me to accept and I consider it a real honor.

SELECTION OF SENATE SEATS

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

COMMUNICATION

The following communications were read by the Secretary:

STATE OF NORTH DAKOTA
Department of State
Bismarck, North Dakota

December 8, 1970

Mr. Richard Larsen
President of the Senate
Bismarck, North Dakota

Dear Mr. Larsen:

I am herewith enclosing a message that was telephoned to the office of the Secretary of State by Duane Mutch.

Yours sincerely,
BEN MEIER
Secretary of State
By Harriet Whitty,
Chief Clerk

The following message was received by telephone from Duane Mutch at 1:30, December 8, 1970.

I wish to inform the Secretary of State a contest of election in the 19th Legislative District is being contested by Duane Mutch against

Gerald Kuster of Reynolds. The notices of contest has been sent to the contestee and his reply has been received. The County Auditor has been subpoenaed with all his records and desposition will be taken on Monday, December 14, 1970, 1:30 P.M. at the office of Miss Haas, court reporter, in her office in the Red River National Bank Building at Grand Forks.

DUANE MUTCH

MOTIONS

Senator Wilhite moved that the President appoint a committee of three to investigate the election contest matter and report back to the Senate, which motion prevailed.

The President appointed as such committee, Senators Wenstrom, Strinden and Lester Larson.

Senator Wilhite moved that the Rules of the Forty-first Legislative Assembly be adopted as the temporary Rules of the Senate of the Forty-Second Legislative Session, which motion prevailed.

Senator Wilhite moved that the President appoint a committee of three to notify the Governor and the House that the Senate is organized and ready to transact business, which motion prevailed.

The President appointed as such committee, Senators Longmire, Thoreson and Christensen.

Senator Wilhite moved that the President appoint a Committee on Committees consisting of the President of the Senate and seven members, which motion prevailed.

The President appointed as such committee, Senators Ringsak, Litten, Freed, Wilhite, Coughlin, Berube and Sanstead.

Senator Wilhite moved that the President appoint a Committee of three to act as the Committee on Arrangements for Senate Committee Rooms, which motion prevailed.

The President appointed as such committee, Senators Schultz, Hernet and Lester Larson.

Senator Wilhite moved that the President appoint a committee of eight to act as a Committee on Employment, which motion prevailed.

The President appointed as such committee, Senators Robinson, Doherty, Kautzmann, Goldberg, Unruh, Forkner, Lester Larson and Berube.

Senator Wilhite moved that the President appoint a committee of three to act as a Committee on Correction and Revision of the Journal, which motion prevailed.

The President appointed as such committee, Senators Lowe, Butler and Just.

Senator Wilhite moved that the President appoint a committee of nine to act as a Committee on Senate and Joint Rules, which motion prevailed.

The President appointed as such committee, Senators Wilhite, Melland, Holand, Ringsak, Anderson, Longmire, Litten, Christensen and Rait.

Senator Wilhite moved that the President appoint a committee of three to act as a Committee on Photography, which motion prevailed.

The President appointed as such committee, Senators Guy Larson, Jones and Swedlund.

The President announced that the Senate would be at ease awaiting the return of the committee appointed to inform the Governor and the House that the Senate was organized and ready to conduct business.

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

Senator Wilhite moved that the Senate recess until 9:00 a.m. December 9, 1970, which motion prevailed.

LEO LEIDHOLM, Secretary

SECOND DAY OF LEGISLATIVE ORGANIZATIONAL SESSION

Bismarck, December 9, 1970

The Senate convened at 9:30 A.M., pursuant to recess taken, the President presiding.

Roll call: All Senators present except Senator Gronhovd.

A quorum was declared by the President.

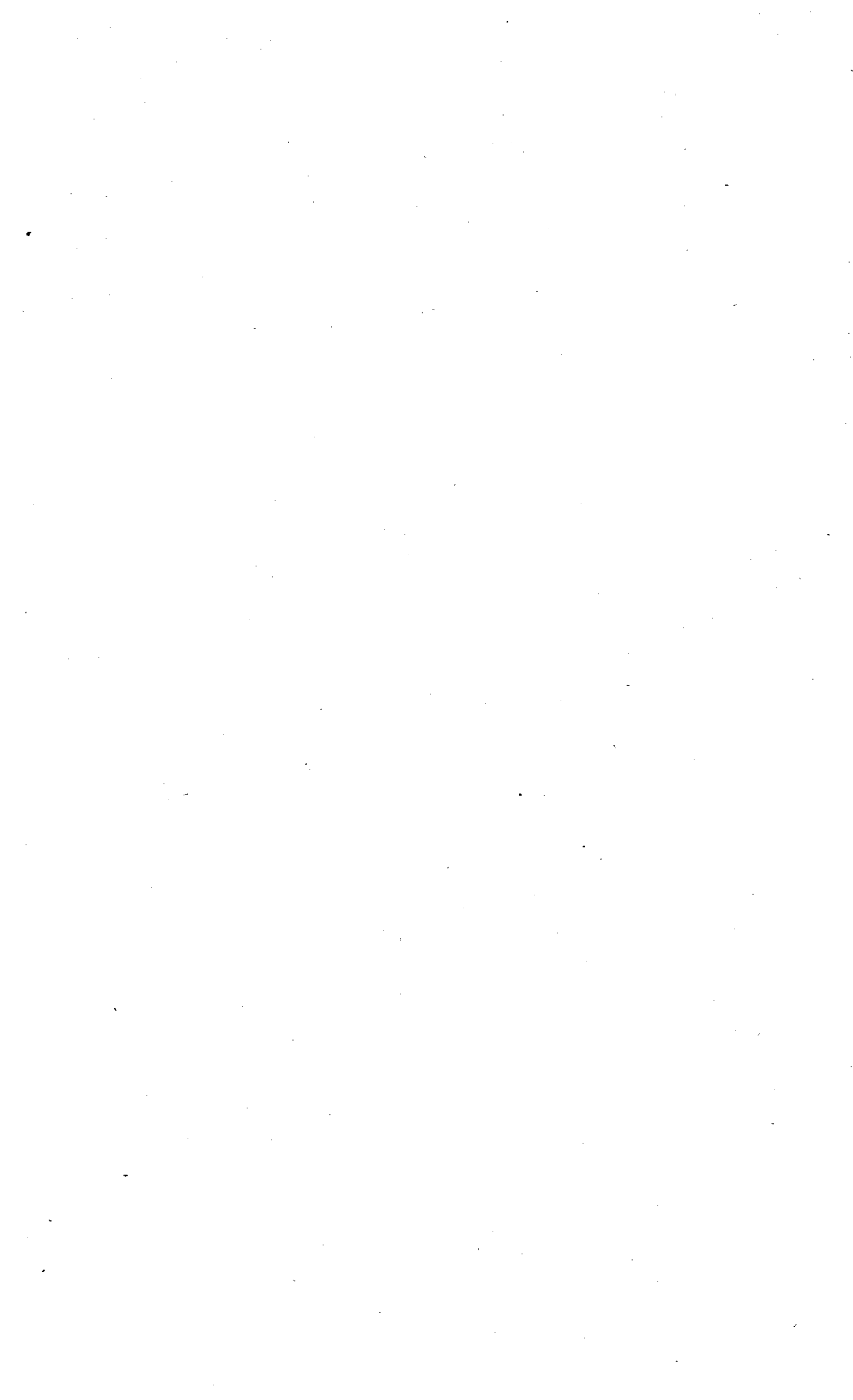
MESSAGE FROM THE HOUSE

A committee from the House was received and reported that the House of Representatives was organized and ready to transact business.

MOTION

Senator Wilhite moved that the Senate recess until 9:00 A.M., December 10, 1970, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRD DAY OF LEGISLATIVE ORGANIZATIONAL SESSION

Bismarck, December 10, 1970

The Senate convened at 9:00 A.M., pursuant to recess taken, the President presiding.

Roll call; all Senators present except Senators Freed and Gronhovd. A quorum was declared by the President.

MOTION

Senator Wenstrom moved that the President of the Senate be authorized to name two additional members to the special Committee on Election Contest, which motion prevailed.

The President appointed as such additional members, Senators Freed and Nasset.

FIRST READING OF SENATE RESOLUTION

Senators Wenstrom, Strinden, Lester Larson, Freed and Nasset introduced: Senate Resolution No. 1 which was read the first time.

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

SENATE RESOLUTION No. 1

1 A resolution relating to the election contest in the Nine-
2 tenth Legislative District.

3
4 WHEREAS, Duane Mutch of Larimore in Grand Forks
5 County, Nineteenth Legislative District, has filed with
6 the Secretary of State a contest challenging and contesting
7 the election of Gerald Kuster of Reynolds, in the Nineteenth
8 Legislative District; and

9 WHEREAS, such Notice of Contest has been served upon
10 Gerald Kuster who has answered the allegations contained
11 in the Notice of Contest; and

12 WHEREAS, such Notice of Contest has been brought to
13 the attention of the Senate and a committee having been
14 appointed to check the contested election; and

15 WHEREAS, the charges contained in said Notice of
16 Contest should be investigated by the Senate;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
17a OF THE

18 FORTY-SECOND LEGISLATIVE ASSEMBLY OF THE STATE
18a OF NORTH

19 DAKOTA:

20 That such committee shall have all power and authority
21 necessary to investigate the charges contained in such
22 Notice of Contest, which shall specifically include the
23 following powers and authority:

24 1. Authority to subpoena witnesses;

PAGE No. 2

1 2. Subpoena public and private records;

2 3. To administer oaths or affirmations to all
3 witnesses;

4 4. To apply to the Senate for the punishment of
5 any witnesses for contempt or for any disobedience of a
6 subpoena, refusal to be sworn or to make an affirmation,
7 or fail to answer as a witness;

8 5. To reduce the testimony to writing as the
9 committee deems it advisable and to employ the necessary
10 personnel to accomplish this;

11 6. To conduct hearings at such places, dates, or

12 hours as the committee may deem necessary;
 13 7. To employ such personnel or other assistants
 14 as the committee may deem necessary; and
 15 8. To institute the necessary proceedings to make
 16 available to the committee election records, ballots, and
 17 other related material.

18 **BE IT FURTHER RESOLVED**, that the expenses of such
 19 investigation as may be incurred by the committee to carry
 20 on this investigation be paid from Legislative funds,
 21 including subpoena fees and mileage and that the fees of
 22 the witnesses and mileage be at the rates provided for
 23 witnesses appearing in district court.

MOTION

Senator Christensen moved that Senator Kuster be excused from voting on Senate Resolution No. 1 because of a personal interest therein, which motion prevailed, and Senator Kuster was excused from voting on Senate Resolution No. 1.

SECOND READING OF SENATE RESOLUTION No. 1

Senate Resolution No. 1: A resolution relating to the election contest in the Nineteenth Legislative District.

Was read the second time.

ROLL CALL

The question being on the final passage of Senate Resolution No. 1, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7; excused, 1.

Those voting in the affirmative were:

Anderson	Jacobson	Melland	Schultz
Barth	Jones	Morgan	Sorlie
Berube	Just	Nasset	Strinden
Butler	Kautzmann	Page	Swedlund
Chesrown	Larson, G.	Pyle	Thane
Christensen	Larson, L.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Hernett	Lowe	Sanstead	Wilhite

Absent and not voting:

Coughlin	Gronhovd	Kuster	Ringsak
Freed	Holand	Nething	Stroup
Goldberg			

So the resolution was declared adopted.

Senator Wilhite 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.

PERSONAL PRIVILEGE

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

Mr. President: State your privilege, Senator Goldberg.
 Senator Goldberg: For years, the people of North Dakota through the Chamber of Commerce, the Public Service Commission, the Wheat Commission, the Grain Dealers Association, farm organizations and the Legislature through resolution have consistently opposed rail rate increases and discontinuance of some service.

Today, Gentlemen, the railroad unions, in defiance of the law, have crippled the major transportation system of the country and our State.

The loss in millions of dollars to the economy at a time when we need productivity, when we need a slow down in inflation, high interest rates, to help put more dollars instead of less dollars in the

pockets of our farmers and businessmen of North Dakota will be disastrous.

Under the National Railway Act, both management and labor, after reaching an impasse were obligated to submit by law to an impartial arbitration board the dispute. The board recommended a 36 percent pay increase, far beyond the guidelines set up by the President for both union and management. Reluctantly management accepted the increase, but not the unions.

Last night, Congress acted to avert a nationwide strike. Even before Congress acted, the unions announced their defiance.

Gentlemen, it is time we let these people, who are responsible for the strike, know that we object to their complete and utter disregard for the law of the land. And they obviously do not care that they contribute to inflation. They do not care what it is going to cost every citizen of the Nation and our State, including their own rank and file membership. We should urge these people to recognize their obligation to the people of our country by complying with the law and return to work.

Senator Melland moved that the remarks of Senator Goldberg be printed in the journal, which motion prevailed.

MOTION

Senator Wilhite moved that the name of Senator Guy Larson be deleted from the Committee on Photography, and that the name of Senator Thane be inserted in lieu thereof, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE ON RULES

Mr. President: Your Committee on Rules has had the same under consideration and recommends that the 1969 legislative rules be amended as follows, and these rules be incorporated as part of the Temporary Rules for the Forty-second Legislative Assembly, and that the reading of this report be dispensed with.

PROPOSED SENATE RULES CHANGES

- 1 It is moved that Senate Rules Nos. 5, 9, 21, 23, 31, 32, 33, 35, 36,
- 2 38, 39, 40, 41, 53, 55, 63, and 79 of the Forty-second Legisla-
- 3 tive Assembly be amended, to read as follows:
- 4 SECTION 1. AMENDMENT.) Senate Rules Nos. 5, 9, 21,
- 4a 23, 31,
- 5 32, 33, 35, 36, 38, 39, 40, 41, 53, 55, 63, and 79 are hereby
- 6 amended to read as follows:
- 7 5. REFERENCE TO THE JOURNAL
- 8 The Secretary shall, each evening, deliver to the printer
- 9 having the contract for printing the legislative journals, a com-
- 9a plete
- 10 copy of the Senate Journal. Printed copies of the same in such
- 11 number, style, and on such grade of paper as may be determined
- 11a by
- 12 the Legislative ((Research Committee))) Council shall be de-
- 12a livered
- 13 before 9:00 o'clock a.m. of the following calendar day to the
- 13a Secretary,
- 14 who shall cause a copy of the same to be placed immediately on
- 14a the
- 15 desk of each member. The Committee on Revision and Correc-
- 15a tion of
- 16 the Journal shall, before the beginning of the next legislative
- 17 day, carefully examine and review the same. Any mistake
- 17a therein
- 18 shall be noted by the Committee and reported to the Senate for
- 19 action. An additional two hundred fifty copies of the corrected
- 20 daily journal shall be printed and upon termination of the legis-
- 21 lative session these two hundred fifty copies of the corrected
- 22 daily journal shall be assembled into two hundred fifty sets to

23 serve as the permanent journals. Twenty-five sets of the
 23a permanent
 24 journals shall be bound and sewed with hard covers, two sets of
 25 which shall be deposited and filed with the Secretary of State,
 26 who shall preserve the same and attach his certificate thereto
 27 showing the date of delivery to him and attesting that such copies
 28 are identical and official journals as delivered to him. The
 29 Secretary of State shall forward one of these twenty-five sets
 30 of the permanent journals to the Supreme Court Library, Law
 30a School
 31 Library at the University of North Dakota, Attorney General,

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1 Legislative (((Research Committee))) **Council**, and each of the
 2 district judges. The remaining sets of the journal shall be
 3 distributed by the Secretary of State as prescribed by the Legis-
 4 lative (((Research Committee)) **Council**, except that one set of
 4a the
 5 journal shall be sent to members of the legislative assembly, and
 6 to public officials upon their request if in the discretion of the
 7 Secretary of State the public official needs such journal to carry
 8 on the functions of his office.

9 **DUTIES OF SERGEANT-AT-ARMS.)** The Sergeant-at-Arms
 9a of
 10 the Senate, under the direction of the presiding officer, shall
 11 be the executive officer of the body for the enforcement of all
 12 rules adopted by the Senate for the regulation of the Senate.
 13 The Senate floor shall be (((at all times))) under his immediate
 14 supervision, and he shall see that the Deputy Sergeant-at-Arms
 15 and the Assistant Sergeant-at-Arms perform the duties to which
 16 they are especially assigned and perform all other services and
 17 duties pertaining to his office and as directed by the President
 18 of the Senate. **The Sergeant-at-Arms shall also act as the supply**
 19 **clerk for the Senate, and shall be responsible for the ordering**
 20 **and distributing of supplies and stationery needed by Senators**
 21 **and Senate employees. The Sergeant-at-Arms may maintain a**
 21a **supply**
 22 **room, if space is available, and shall have sole control over**
 23 **such supply room, provided that such supply room may be oper-**
 23a **ated**
 24 **jointly in cooperation with the House Sergeant-at-Arms.**

25 21. NONDEBATABLE MOTIONS

26 The following motions are not debatable:
 27 Adjournment.
 28 **Clincher.**
 29 Order of the day.
 30 Objections to considering questions.
 31 Reading of papers.
 32 Withdrawal of motion.
 33 Suspension of the rules.

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1 To lay on the table.
 2 Previous question.
 3 23. **AYE AND NAY VOTE**
 4 The ayes and nays shall not be ordered unless demanded
 5 by one-sixth of the members present, except on the passage of
 6 bills, joint resolutions, and concurrent resolutions to amend
 7 the Constitution of this State, or to ratify an amendment to the
 8 **Constitution of the United States**, in which case ayes and nays
 9 shall be had without demand. No member or any other person
 9a shall
 10 remain by the Secretary's desk when the ayes and nays are being
 11 called.
 12 31. **FORM OF BILLS, NUMBER OF COPIES**

13 Every bill, memorial, or resolution shall be in typewritten
 14 form and nine copies thereof shall be filed with the Secretary
 15 of the Senate. Each ((such)) bill, memorial, or resolution
 16 shall have endorsed thereon its title and the name of the member,
 17 or members, but no more than five, or committee introducing the
 18 same. The enacting clause of a bill shall be as follows: "BE
 19 IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
 19a STATE OF NORTH
 20 DAKOTA". No bill shall embrace more than one subject, which
 21 shall be expressed in its title. If ((the)) a bill amends
 22 a present statute, the portion thereof constituting the amend-
 23 ment or amendments shall be underscored. In all bills ((,))
 24 which contain both sections amending existing statutes and sec-
 25 tions which ((are)) will be new law, the portion containing
 26 the amendment to the existing statute and all of ((the)) each
 27 section containing new law shall be underscored. Any matter
 28 contained in the present statute, but deleted in the proposed
 29 amended statute shall be contained in the typewritten bill, but
 30 shall be set off from the remainder of the text by placing three
 31 parentheses at the beginning and end of such deleted matter.
 32 Where ((Legislative Research Committee sponsored)) bills
 32a spon-
 33 sored by the Legislative Council do not use the above ((device))

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1 devices of parentheses and underscoring, such bills must be
 2 accompanied by appropriate explanatory notations outlining the
 3 changes to be effected. ((The)) All bills and resolutions to
 4 be introduced in the Senate shall be in such form and style as
 5 the Legislative ((Research Committee)) Council shall prescribe.
 6 The Secretary of the Senate, upon receiving nine copies of a
 7 bill or resolution as provided by this rule, shall proceed as
 8 follows: (a) If the original copy of the bill or resolution
 9 has attached to it a notation that the bill or resolution was
 10 drafted, retyped, or approved as to form and style by the
 11 Legislative Council staff, the Secretary shall number the bill
 12 or resolution as provided in Senate Rule 28 and, after first
 13 reading and referral, shall distribute the copies as provided
 14 in this rule; or (b) If the original copy of the bill does not
 15 have a notation of drafting, retyping, or approval as to form
 16 and style by the Legislative Council staff attached, the Secre-
 17 tary shall proceed as provided in Senate Rule 32. The Secretary
 18 shall, after compliance with this rule and after first reading,
 20 distribute the nine copies of a bill or resolution received as
 20 follows: One of such copies shall be delivered to the Chairman
 21 of the Committee to which the measure is referred, one copy to
 22 the President of the Senate, one copy shall be delivered to the
 23 Legislative ((Research Committee)) Council, one copy shall remain in the
 24 custody of the Secretary until otherwise directed by the Senate,
 25 one copy shall, except in the case of bills or resolutions printed
 26 upon order of the Legislative Council pursuant to Senate Rule 35,
 28 be delivered to the printer having the contract for the printing
 29 of bills, one copy shall be delivered to the printer having the
 30 contract for printing the Senate Journal for use in setting of
 31 the bill title, and three copies shall be available for represen-
 32 tatives of news media. The original of each bill or resolution
 33 filed with the Secretary shall be typed on pre-printed bill paper,

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1 which paper shall be in the form prescribed by the Legislative
 2 Council.
 3 32. APPROVAL OF BILLS AND RESOLUTIONS AS TO FORM
 3a AND STYLE;

4 **CHECK FOR CONFLICTS**

5 ((The Secretary shall ascertain whether the bill or joint
6 resolution conforms to the requirements of law and these rules,
7 as to form, and placed his approval as to form thereon before it
8 can be first read. For this purpose, the Secretary may avail
9 himself of such services as may be provided by the Senate or by
10 the Legislative Research Committee.))) **When a bill or reso-**

10a **lution,**
11 **with the requisite number of copies, is filed with the Secretary**
12 **of the Senate without a notation attached to the original stating**
13 **that the bill or resolution was drafted, retyped, or approved as**
14 **to form and style by the Legislative Council staff, the Secretary**
15 **shall immediately, except as hereinafter provided, cause that bill**
16 **or resolution to be delivered to the Legislative Council staff**
17 **office with a written request that the bill or resolution be**
18 **examined and received notation approving its form and style.**

18a **When**

19 **a bill or resolution is offered to the Secretary for filing, and**
20 **that bill or resolution is not typed on pre-printed bill paper as**
21 **provided in Senate Rule 31, the Secretary shall immediately return**
22 **the bill or resolution to the member or Committee offering it with**
23 **a request that it be retyped on the proper paper. When the**

23a **Legisla-**

24 **tive Council staff receives a bill or resolution from the Secretary**
25 **pursuant to this rule, it shall take such steps as are necessary**
26 **to ensure that the bill or resolution is in the form and style**
27 **required by law, legislative rule, and the bill drafting rules**
28 **promulgated by the Legislative Council. The bill or resolution**
29 **shall also be checked by the Legislative Council staff to determine**
30 **whether it creates or amends any sections of the North Dakota**
31 **Century Code or North Dakota Constitution which have also been**
32 **created or amended by another bill previously introduced in**
32a **either**

33 **House of the Legislative Assembly. If such a conflict appears,**
34 **the Legislative Council staff shall immediately notify the sponsor**
35 **of the bill or resolution of the conflict, and shall confer with**

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1 **the sponsor as to the proper steps to be taken. When the Legis-**
1a **lative**

2 **Council staff has ensured that the bill or resolution meets all**
3 **requirements regarding form and style, and that the sponsor has**
4 **been notified of any conflict, the bill or resolution and all copies**
5 **thereof shall be returned to the Secretary with a notation of**
6 **approval attached to the original. If a bill, without the proper**
7 **notation of approval, is offered for introduction on the fifteenth**
8 **legislative day, the Secretary of the Senate will receive and num-**
8a **ber**

9 **the bill as provided in Senate Rule 28; however, prior to delivering**
10 **a copy of the bill for printing, the Secretary will cause the bill**
11 **to be delivered to the Legislative Council staff which will take**
12 **action as provided in this rule. If the Legislative Council staff**
13 **must make form or style changes in a bill introduced on the**
13a **fifteenth**

14 **legislative day which had not previously been approved as to form**
15 **and style, the staff will deliver the corrected bill to the sponsor**
16 **for his signature indicating approval of the changes. Thereafter**
17 **the bill will be redelivered to the Secretary who will arrange to**
18 **have it printed pursuant to Senate Rule 35. Should the sponsor**
19 **refuse to approve form and style changes made, the staff will**
20 **notify the Secretary who will treat the bill as having been with-**
21 **drawn.**

22 **33. READING OF BILLS AND RESOLUTIONS**

23 **Every bill ((a memorial, or resolution))) requiring the**

24 approval of the Governor, ((or)) **every memorial, and every**
 24a **resolu-**
 25 **tion proposing** a change in the Constitution of the State of North
 26 **Dakota, or ratifying an amendment to the Constitution of the**
 26a **United**
 27 **States,** shall be read two separate times, but the first reading and
 28 second reading may not be upon the same day; and the first
 28a reading may
 29 be by title ((of the bill)) only; unless upon such first reading a
 30 reading at length is demanded. The second reading shall be at
 30a length.
 31 **35. PRINTING OF BILLS AND RESOLUTIONS**
 32 All bills ((, memorials, or resolutions)) requiring the
 33 approval of the Governor ((or)), all memorials, and all
 33a resolutions

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1 **proposing** a change in the Constitution of the State of North
 1a **Dakota,**
 2 **or ratifying an amendment to the Constitution of the United**
 2a **States,**
 3 after the first reading, shall be printed unless otherwise ordered
 4 by the Senate. Bills, memorials, or resolutions which are prefiled
 5 pursuant to Rule 28 may be printed upon order of the Legislative
 6 ((Research Committee)) **Council.**

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1 **36. BILLS AND RESOLUTIONS REFERRED**
 2 Upon the first reading of a bill or ((joint)) **concurrent**
 3 resolution, the President shall refer it to an appropriate commit-
 3a tee,
 4 unless the Senate, upon motion, decides to refer the same to a
 4a select
 5 or other standing committee. All bills or resolutions ((asking))
 6 calling for a study of any matter by the Legislative ((Research
 7 Committee,)) **Council** shall be re-referred ((and acted upon
 7a by))
 8 to the Legislative ((Research)) **Council** Resolutions Committee
 9 ((before)), **which shall retain them until action is taken as pro-**
 10 **vided in Joint Rule 20, prior to final action thereon by the Senate.**
 11 **38. BILLS TO COMMITTEE ON APPROPRIATIONS**
 12 All bills or resolutions carrying on appropriations of ((two))
 13 **five hundred dollars or more shall be referred or re-referred to**
 13a **and**
 14 acted upon by the Committee on Appropriations before final
 14a action by
 15 the Senate thereon, unless otherwise ordered by a majority vote
 15a of
 16 the members present.
 17 **39. STANDING COMMITTEES**
 18 The Senate shall elect a Committee on Committees to consist of
 19 eight members of which the President of the Senate shall be the
 20 Chairman, and which committee shall appoint the following
 20a standing
 21 committees classified in accordance with the usual amount of work
 22 and concerned with matters in the field as indicated ((o)) :
 23 1. Agriculture
 24 Agriculture; Livestock; Drainage and Irrigation; Warehouse
 25 and Grain Grading.
 26 2. Appropriations
 27 All bills calling for appropriations in excess of ((two))
 28 **five hundred dollars.**
 29 3. Education
 30 Public Schools; Libraries; and Institutions of Higher
 31 Learning.

- 32 4. Finance and Taxation
 33 Public Debt; Taxes; and Tax Laws.
 34 5. Judiciary
 35 Elections and Election Privileges; Judiciary.

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- 1 6. State and Federal Government
 2 State and Federal Affairs; Board of Administration and
 3 Industrial Commission and institutions under their super-
 4 vision; State Historical Society and State Parks; Immigra-
 5 tion and Statistics.

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- 1 7. Industry, Business, and Labor
 2 Banks and Banking; Corporations; Insurance; Matters
 3 Pertaining to Private Business and Industry; Workmen's
 4 Compensation; Unemployment Compensation; Labor Laws and
 4a kindred subjects.
 5
 6 8. Natural Resources
 7 Game and Fish; Public Lands; Mines and Mining; Gas and
 7a Oil;
 8 Forestry.
 9 9. Political Subdivisions
 10 Cities; Counties; Townships; Park Districts; Apportionment.
 11 10. Social Welfare and Veterans' Affairs
 12 Public Welfare; Public Health; Public Safety; Temperance;
 13 Matters Affecting the Military and Veterans.

- 14 11. Transportation
 15 Highways and Bridges; Railroads; Motor Vehicles; Airlines
 16 and Airports.

PROCEDURAL COMMITTEES

- 17
 18 12. Delayed Bills, to consist of five members.
 19 13. Employment, to consist of eight members.
 20 14. Enrolled and Engrossed Bills, to consist of five members.
 21 15. Revision and Correction of Journal, to consist of three
 22 members.
 23 16. Rules, to consist of nine members.
 24 17. Legislative (((Research))) **Council** Resolutions, to consist
 25 of five members, one of whom may be a member of the
 25a Legislative
 26 (((Research Committee))) **Council**.

27 The number of members upon each standing committee shall be
 28 determined by the Senate at the time of the adoption of the re-
 28a port of
 29 the Committee on Committees. In all cases, a majority of the
 29a Committee
 30 shall be a quorum. The Committee Chairman or such person who
 30a is duly
 31 appointed to act as Chairman shall ensure that minutes of each
 31a Committee
 32 meeting be kept. Such minutes shall include the names of all
 32a Committee
 33 members present; the time of commencement and adjournment
 33a of each

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1 meeting; the bills or resolutions discussed by number, and a short
 2 phrase explaining what such bill or resolution relates to; and the
 3 names of all persons and their addresses who appear in relation to
 4 any certain bill or resolution. The minutes shall also include a
 5 record of recommended amendments to bills and resolutions, and
 5a the
 6 total aye and nay vote of the Committee on all bills and resolu-
 6a tions
 7 referred out of the Committee. Upon adjournment of the legis-

7a lative
 8 session, the minutes of all Committee meetings shall be delivered
 8a to
 9 the Legislative (((Research Committee))) **Council** and retained
 9a by
 10 (((such Committee))) **the Council** for a period of not less than
 10a one
 11 year following such adjournment.

12 **40. LIMITATIONS ON COMMITTEE MEMBERSHIP**
 13 Each member shall serve on not more than (((three))) **two**
 14 Standing Committees except the Majority Floor Leader, who shall
 14a not
 15 serve on any Standing Committee, (((all members of the Finance
 15a and
 16 Taxation Committee who shall serve on only one other Standing
 16a Com-
 17 mittee,))) and all members of the Appropriations Committee, who
 17a shall
 18 serve on no other Standing Committee. The Majority Floor
 18a Leader and
 19 Minority Floor Leader shall be permitted to participate in all
 19a Stand-
 20 ing Committees but shall not be permitted to vote therein except
 20a that
 21 the Minority Floor Leader may vote on the committees to which
 21a he has
 22 been appointed.

23 **41. MEETING OF COMMITTEES**
 24 The Committee on Appropriations shall meet on Monday, Tues-
 24a day,
 25 Wednesday, Thursday, and Friday of each week from 9:00 o'clock
 25a a.m.
 26 to 12:00 o'clock noon. (((The Committee on Finance and Taxa-
 26a tion shall
 27 meet on Monday, Tuesday, Wednesday, and Thursday of each
 27a week from
 28 9:00 o'clock a.m. to 12:00 o'clock noon. The Committees on Agri-
 28a culture,
 29 Judiciary, and Industry, Business, and Labor shall meet on Mon-
 29a day and
 30 Tuesday of each week from 9:00 o'clock a.m. to 12:00 o'clock noon.
 31 The Committees on Education and State and Federal Government
 31a shall
 32 meet on Wednesday and Thursday of each week from 9:00 o'clock
 32a a.m. to
 33 12:00 o'clock noon. The Committees on Natural Resources, Politi-
 33a cal

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1 Subdivisions, Social Welfare and Veterans' Affairs, and Transpor-
 1a tation
 2 shall meet on Friday of each week from 9:00 o'clock a.m. to 12:00
 3 o'clock noon.))) **The Committees on Finance and Taxation; Ju-
 3a diciary;
 4 Industry, Business, and Labor; Education; and State and Federal
 4a Govern-
 5 ment shall meet on Monday, Tuesday, and Wednesday of each
 5a week from
 6 9:00 a.m. to 12:00 noon. The Committees on Political Subdivi-
 6a sions;
 7 Social Welfare and Veterans' Affairs; Transportation; Agriculture;
 8 and Natural Resources shall meet on Thursday and Friday of each
 8a week
 9 from 9:00 a.m. to 12:00 noon. Any committee may schedule Sat-
 9a urday**

10 morning meetings.

11 53. SECOND READING

12 No bill ((, memorial, or resolution))) requiring the
13 approval of the Governor ((or)), no memorial, and no resolu-
13a tion

14 proposing a change in the Constitution of the State of North
14a Dakota,
15 or ratifying an amendment to the Constitution of the United
15a States,

16 shall be referred, except in the case of a bill or resolution which
17 is pre-filed pursuant to Rule 28, or amended until it shall have
18 been read; nor shall any such bill, memorial, or resolution have
19 its second reading and be put upon its final passage until at
20 least one day after the same has been reported to the Senate by
21 the Committee to which the same has been referred, provided that
22 any such bill, memorial, or resolution may have its second
23 reading and be put upon its final passage on the day the same is
24 reported back, when so ordered by two-thirds of the members-
24a elect
25 of the Senate.

26
27 55. FINAL PASSAGE

28 No bill shall become a law except by a vote of
29 the majority of the members-elect of each House, nor unless on
30 its final passage, the vote be taken by ayes and nays and the
31 names of those voting be entered in the journal; provided, how-
31a ever,
32 that no measure enacted or approved by a vote of the electors
33 shall be repealed or amended by the legislature, except by a

PAGE 11

1 two-thirds vote upon roll call of all members elected to each
2 House. Ratification of amendments to the Constitution of the
3 United States shall be by concurrent resolution approved by a
4 majority, upon roll call vote, of the members elected to each
5 House.

6 63. CLINCHER MOTION

7 A motion that any action taken by the Senate be reconsidered
8 and that the motion to reconsider be laid upon the table, if
9 carried, shall have the effect of preventing reconsideration
10 except upon a two-thirds vote of the members-elect. Such a
11 motion shall be decided without debate.

12 79. OFFICERS AND EMPLOYEE POSITIONS OF THE
12a SENATE.) The

13 following offices and employee positions shall be established and
14 the number, title, and manner of selection for each position shall
15 be as hereinafter indicated or stated:

16	Title of	Number of
17	Position	Positions
18	GROUP A	
19	Secretary of the Senate	1
20	Desk Reporter	1
21	Sergeant-at-Arms	1
22	Persons holding Group A positions shall be elected thereto by a	
23	majority of the members-elect and the vote shall be recorded in	
23a	the	
24	Journal.	
25	GROUP B	
26	Assistant Secretary of	
27	the Senate	1
28	Assistant Desk Reporter	1
29	Bill Clerk	1
30	Chief Stenographer and	
31	Payroll Clerk	1

32	Chief Committee Clerk	1
33	Calendar Clerk	1
34	Enrolling and Engrossing Clerk	1

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1 Persons holding Group B positions shall be appointed thereto by
 1a the
 2 party having a majority of the members-elect, acting by and
 2a through
 3 the Committee on Employment.

GROUP C

4		
5	Secretary to the President	1
6	Secretary to Majority	
7	Floor Leader	1
8	Secretary to Minority	
9	Floor Leader	1

10 The President and the Majority and Minority Floor Leaders shall
 11 appoint their respective Secretaries to such position, acting by
 12 and through the Committee on Employment.

GROUP D

13		
14	Deputy Sergeant-at-Arms	1
15	Assistant Sergeants-at-Arms	4
16	Bill Room Clerks	2
17	Stenographers	5
18	Typists	2
19	Appropriations Committee Clerk	1
20	Committee Clerks	((4)) 5
21	Assistant Enrolling and	
22	Engrossing Clerk	1
23	Pages	4
24	Chief Telephone (((Attendants 2))) Attendant 1	
25	(Alternate selections by Senate	
26	and House.)	
27	Telephone Attendants	2
28	(Alternate selection by	
29	Senate and House.)	
30	Bill Book Clerks	4
31	Information Desk Attendant	1
32	Journal Room Clerks	2
33	Parking Lot Attendant	1

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1	Chief in Charge of Journal Room	
2	and Bill Clerks	1
3	(Alternate selection by Senate	
4	and House.)	

5 Journal Proofreader 1

6 The employee positions of Group D shall be allocated to the major-
 6a ity
 7 and minority parties in proportion to each party's percentage of
 7a the
 8 total number of the members-elect and each party shall appoint
 8a the
 9 persons to the positions allocated to them, acting by and through
 9a the
 10 Committee on Employment except, however, that in allocating the
 10a posi-
 11 tions of Stenographers and Typists the minority party shall be
 12 allocated not less than one each of these positions. The majority
 13 party shall have the first right to select those positions of this
 14 group until their allocation is filled. (((The Chief in charge of
 15 Journal and Bill Room Clerks shall be appointed alternately by
 15a the
 16 Senate and House of Representatives.)))
 17 The powers, duties, and qualifications for each officer or

18 employee shall be ((specifically)) as provided ((in)) by law,
 19 these rules and ((as provided)) in the Legislative Handbook for
 20 North Dakota Legislators and Employees for such position.

PROPOSED JOINT RULE CHANGES

1 It is moved that Joint Rule No. 20 of the Forty-second Legislative
 2 be created, and Joint Rules Nos. 6 and 14 of the Forty-second
 3 Legislative Assembly be amended, to read as follows:

4 SECTION 1. AMENDMENT.) Joint Rules Nos. 6 and 14 are
 4a hereby

5 amended to read as follows:

6 6. CONFERENCE COMMITTEES

7 In every case of a difference between the two Houses upon any
 8 subject of legislation, if either House shall request a conference
 8a and

9 appoint a committee for that purpose, the other House shall also
 9a appoint

10 a committee ((, such committee)). **The committees so appoint-**
 10a **ted** shall

11 meet at such hour and place as shall be agreed on by the ((Chair-

11a man))
 12 **Chairmen**; and shall state to each other, verbally, or in writing, as
 13 either may choose, the reasons of their respective Houses, and

13a confer

14 freely thereon; and they shall be authorized to report, **in the man-**
 14a **ner**

15 **set out below**, to their respective Houses such modifications as
 15a they

16 think advisable. **The conference committee report shall first be**
 16a **sub-**

17 **mitted to the House having possession of the bill over which the**
 17a **dif-**

18 **ference has arisen, where it shall be acted upon and notice of such**
 19 **action transmitted to the other House. When the other House**

19a **shall**

20 **have also acted upon the report, it shall notify the House having**
 21 **possession of the bill, which House shall, of appropriate, proceed**

22 **to take action on the bill and transmit it to the other House for**
 23 **appropriate action.**

24 14. FISCAL NOTES.) All bills and resolutions introduced
 25 into either House of the Legislative Assembly having an effect of

26 five thousand dollars or more on the revenues, expenditures, or
 27 fiscal liability of the state, except appropriation measures

28 carrying specific dollar amounts, **and all resolutions calling for**
 29 **an interim study by the Legislative Council and having a fiscal**

30 **impact of one thousand dollars or more**, shall have a fiscal note
 31 attached to such bill or resolution which shall be prepared as

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1 herein provided. The determination as to whether a fiscal note
 2 is required shall be made by the Legislative ((Research Com-

2a mittee))

3 **Council** for those bills or resolutions prepared by the staff of the
 4 Legislative ((Research Committee)) **Council**, or by the Chair-

4a man of

5 the committee to which a bill or resolution is referred for those
 6 bills **or resolutions** not prepared by the Legislative. ((Research

7 Committee)) **Council**, or not bearing a fiscal note. Bills or
 8 resolutions to which amendments have been made having a fiscal

9 effect of five thousand dollars or more shall have a fiscal note

10 attached upon request of the Chairman of the committee consider-

10a ing

11 the bill or resolution, or by request of the majority of the members
 12 of the House in which the bill is considered at the time of second

13 reading. The Chairman of a committee may request the aid of

13a the
 14 Legislative (((Research Committee))) **Council** in making a deter-
 14a mination
 15 as to whether a bill or resolution requires a fiscal note.
 16 Fiscal notes shall be prepared by the state agency or depart-
 17 ment responsible for collecting or expending the revenues affected,
 18 or jointly by affected departments or agencies, at the request of
 19 the Legislative (((Research Committee))) **Council** or the Chair-
 19a man of
 20 the committee considering the bill or resolution. Requests for
 21 fiscal notes shall be in writing, addressed to the designated
 22 agency or department, and upon a proper request form and shall
 23 be accompanied by a reproduction of the bill or resolution having
 24 the fiscal effect. The Legislative (((Research Committee)))
 24a **Council**
 25 shall prepare all necessary forms for the implementation of the
 26 fiscal note procedure. Each agency or department to whom a
 26a request
 27 for a fiscal note is made shall state in writing, upon a fiscal
 28 note form, the fiscal impact in dollar amounts of the bill or
 29 resolution being considered. If the agency or department of
 30 whom a fiscal note is requested is unable to provide specific
 31 information upon the fiscal impact of the bill or resolution,
 32 it shall make an estimate of the impact according to such available
 33 information it may have or be able to obtain and shall state that

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1 the figures provided are an estimate. If such agency or depart-
 1a ment
 2 is not able to make an estimate it shall state such fact.
 3 All fiscal notes shall be prepared in triplicate and shall
 4 be returned to the Legislative (((Research Committee))) **Council**
 5 or the committee Chairman making such request, whichever the
 5a case
 6 may be, not later than five days from date of receipt of such
 7 request. One copy of the fiscal note shall be attached to the
 8 original bill or resolution, one copy shall be filed with the
 9 Bill Clerk of the House wherein the bill or resolution originated,
 10 and one copy shall be filed in the offices of the Legislative
 11 (((Research Committee))) **Council**. Any bill or resolution re-
 11a quiring
 12 a fiscal note shall be stamped or have written on its cover a
 13 notation to the effect that a fiscal note is required. Reports
 14 of committees shall include a notation that a specific bill or
 15 resolution carries a fiscal note. Upon second reading and final
 16 passage of all bills or resolutions carrying fiscal notes the
 17 Secretary of the Senate or the Clerk of the House, whichever the
 18 case may be, shall be required to read the fiscal note in its
 19 entirety at the time of reading the title of the bill or resolution
 20 to be voted upon.
 21 SECTION 2.) Joint Rule No. 20 is hereby created to read as
 22 follows:
 23 **20. PROCEDURE OF LEGISLATIVE COUNCIL RESOLUTIONS**
 23a **COMMITTEES**
 24 **After the thirty-fifth legislative day, the Legislative Council**
 25 **Resolutions Committee of both Houses shall meet jointly at a time**
 25a **and**
 26 **place to be agreed upon by the Chairman of the respective Com-**
 26a **mittees.**
 27 **At such meeting, the Committees shall consider and report on all**
 27a **bills**
 28 **and resolutions which shall have been re-referred to them**
 28a **pursuant to**
 29 **Senate Rule 36 and House Rule 38. The Chairman and Director**

29a of the
 30 Legislative Council, and all other interested persons, may be in-
 30a vited
 31 to attend this meeting. The Chairmen of the Legislative Council
 31a Reso-
 32 lutions Committees may call such additional joint meetings as may
 32a be
 33 necessary.

Senator Coughlin moved that the report of the Procedural Committee on Rules be amended as follows:

In Rule 21, delete the word "Clincher."

In Rule 63, delete the words "Such a motion shall be decided without debate."

Which motion prevailed.

Senator Ringsak moved that the report of the Procedural Committee on Rules be further amended as follows:

In Rule 39, under procedural committees following line 17, add the following:

"18. Telephone, to consist of three members."

"19. Printing, to consist of three members."

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 Longmire moved that the Temporary Rules, as amended be adopted as the permanent rules for the Forty-Second Legislative Assembly, which motion prevailed.

Senator Wilhite moved that the President appoint a committee of three to serve as a Telephone Committee, which motion prevailed.

The president appointed as such committee, Senators Ringsak, Robinson and Just.

Senator Wilhite moved that the President appoint a committee of three to serve as a Printing Committee, which motion prevailed.

The President appointed as such committee, Senators Doherty, Jones and Sanstead.

Senator Goldberg moved that the name of Senator Goldberg be deleted from the Committee on Employment and that the name of Senator Morgan be inserted in lieu thereof, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee appointed to arrange for committee rooms has met and wishes to recommend to the Director of Institutions that the office of the Motor Vehicle Registrar be moved to the State Office Building to provide two additional committee rooms plus space for clerical and stenographic employees for the Forty-second Legislative Assembly.

The Committee recommends that the north portion vacated by the Motor Vehicle Registrar be assigned to the Director of Institutions; and that during the interim the portion used by the Legislature for committee rooms be under the direction of the Director of Institutions for use for the assignment of temporary office space.

The Committee recommends the following:

Committee	Meeting Days	Room
Appropriations.....	MTWThF.....	Gold Room
Finance and Taxation.....	MTW.....	G-2
Judiciary.....	MTW.....	West End Motor Vehicle
Industry, Business and Labor.....	MTW.....	Old House Appropriations
Education.....	MTW.....	207
State and Federal Government.....	MTW.....	Senate Conference
Political Subdivisions.....	ThF.....	G-2
Social Welfare and Veterans Affairs.....	ThF.....	Senate Conference
Transportation.....	ThF.....	Old House Appropriations
Agriculture.....	ThF.....	207
Natural Resources.....	ThF.....	West End Motor Vehicle

SENATOR CLARENCE G. SCHULTZ
 SENATOR GAIL HERNETT
 SENATOR LESTER LARSON

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

COMMITTEE ON JOINT SESSION

The President announced the appointment of Senators Lowe, Schultz and Sanstead as a Committee on Joint Session to act with a like committee from the House.

REPORT OF SELECT COMMITTEES

Mr. President: Your Committee on Committees submits the following report as to proposed Chairmen, Vice Chairmen, and members of Standing Committees and Procedural Committees:

**Senate Committee Assignments
 Senate Standing Committees**

Agriculture

- Morgan, Chairman
- Pyle, V. Chairman
- Nasset
- Thane
- Thoreson
- Barth
- Gronhovd

Education

- Holand, Chairman
- Nasset, V. Chairman
- Pyle
- Redlin
- Roen
- Berube
- Van Horn

Industry, Business and Labor

- Hernett, Chairman
- Guy Larson, V. Chairman
- Goldberg
- Kautzmann
- Nothing
- Just
- Sanstead

Appropriations

- Sorlie, Chairman
- Lips, V. Chairman

Coughlin
Jones
Litten
Lowe
Melland
Robinson
Schultz
Strinden
Wenstrom
Lester Larson
Swedlund

Finance and Taxation

Butler, Chairman
Thoreson, V. Chairman
Anderson
Doherty
Unruh
Erdman
Rait

Judiciary

Chesrown, Chairman
Freed, V. Chairman
Thane
Page
Ringsak
Barth
Gronhovd

Natural Resources

Roen, Chairman
Jacobson, V. Chairman
Anderson
Guy Larson
Stroup
Christensen
Van Horn

State and Federal Government

Longmire, Chairman
Stroup, V. Chairman
Forkner
Jacobson
Morgan
Christensen
Kuster

Transportation

Forkner, Chairman
Unruh, V. Chairman
Butler
Page
Ringsak
Erdman
Kuster

Political Subdivisions

Redlin, Chairman
Goldberg, V. Chairman
Chesrown
Hernett
Longmire
Berube
Just

**Social Welfare and
Veterans' Affairs**

Kautzmann, Chairman
Nething, V. Chairman
Doherty
Freed
Holand
Rait
Sanstead

Senate Procedural Committees

Delayed Bills

Ringsak, Chairman
Robinson
Coughlin
Melland
Christensen

Legislative Council Resolutions

Unruh, Chairman
Page
Anderson
Freed
Rait

Enrolled and Engrossed Bills

Strinden, Chairman
Pyle
Schultz
Stroup
Barth

SENATOR ELTON W. RINGSAK, Vice Chairman

Senator Wilhite moved that the Senate Organizational Session adjourn, which motion prevailed.

MOTIONS

Senator Litten moved that the absent Senators be excused for the entire Organizational Session, which motion prevailed.

Senator Wilhite moved that the Senate recess until 12:00 on January 5, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

Journal of the Senate



Forty-second Legislative Assembly

FIRST DAY

Bismarck, January 5, 1971

At the hour of twelve o'clock noon of the fifth day of January 1971, according to the Constitution of the State of North Dakota, the North Dakota Senate convened in its regular session, Lieutenant Governor Richard F. Larsen presiding.

OATH OF OFFICE

Senator Wilhite moved that a committee of two be appointed to escort Associate Justice Harvey Knudson to the rostrum for the purpose of administering the oath of office to Senator Gronhovd, which motion prevailed.

The President appointed as such committee, Senators Page and Just and Associate Justice Harvey Knudson was escorted to the rostrum.

The President then administered the oath of office to Senator Gronhovd.

Prayer by Chaplain Richard Unkenholz, First United Methodist, Bismarck.

"Our living God, you make all things new! From your hand we receive each new day, each new year, each new opportunity. Grant to this assembly now convening special wisdom and insight that their labors may fashion new and creative results.

"Help us, O Lord, to learn from one another and always to bring to our work our best thought and effort.

"As these Senators and their co-laborers have been charged with special responsibility in behalf of the people of this State, may they also be given strength for the arduous days ahead. In times of discouragement, give hope! In times of conflict give self-control. When pressures are great and varied, give clear minds and wise judgment.

"In all of our activities, grant us regard for the welfare of our dear ones, our neighbors and our fellow-citizens. May our love of your laws be reflected in our human statutes and patterns of living. Help us to use our talents and privileges in such a way as to create in our society that which is new and better; through Jesus Christ our Lord. Amen."

Roll Call: All Senators present except Senators Anderson, Lowe, and Ringsak.

A quorum was declared by the President.

MAJORITY REPORT OF SELECT COMMITTEE ELECTION CONTEST

Mr. President: The majority of your Special Senate Election Contest Committee relating to the election contest in the 19th Legislative District, composed of part of Grand Forks County, North Dakota, respectfully reports the following:

That a Special Senate Election Contest Committee was appointed by the President of the Senate pursuant to Senate Resolution No. 1

of the Forty-second Legislative Assembly, consisting of Senators Wenstrom, Chairman, Freed, L. Larson, Strinden, and Nasset, to investigate charges made by Mr. Duane Mutch of the 19th Legislative District, composed of part of Grand Forks County, North Dakota, as follows:

1. That the pollbook results in Manvel City, 19th Legislative District, county of Grand Forks, North Dakota, differ in total count.
2. That the legal residence of certain voters in the 19th Legislative District in the city of Reynolds, North Dakota, is not legally established as provided by North Dakota law.
3. That ballots should be recounted in the 19th Legislative District because of improper totals if unqualified voters were allowed to vote, if known not to be qualified.
4. That there were possible errors in vote tabulations.
5. That other illegal ballots were counted which may be disclosed by depositions and testimony, including qualifications of absent voters' ballots.

That the Special Senate Election Contest Committee met and subpoenaed the ballots, pollbooks, and tally sheets of the 19th Legislative District for the general election held on November 3, 1970.

That the Special Senate Election Contest Committee examined the pollbooks and tally sheets and made a recount of all the ballots cast in the 19th Legislative District in such election and the results of the recount are as follows.

Precinct	Mutch	Kuster
Oakville Township	18	16
Grace Township	37	8
Larimore, Ward 1	47	29
Bentru Township	10	26
Union Township	48	71
Thompson City	40	68
Loretta Township	15	31
Elkmount Township	12	27
Niagara City	34	18
Hegton Township	33	37
Arvilla Township	48	50
Avon Township	36	27
Wheatfield Township	29	16
Inkster Township	49	25
Allendale Township	9	49
Northwood, Ward 2	66	32
Logan Center Township	29	23
Fairfield Township	8	22
Levant Township	9	19
Lakeville Township	12	14
Chester Township	35	18
Northwood, Ward 1	73	61
Washington Township	24	42
Larimore Township	32	43
Strabane Township	44	24
Johnstone Township	34	28
Gilby City	71	25
Americus Township	26	57
Reynolds City	4	44
Moraine Township	23	13
Manvel City	31	69
Plymouth Township	26	36
Emerado City	23	15
Blooming Township	18	28
Walle Township	40	61

Precinct	Mutch	Kuster
Niagara Township	33	13
Rye Township	17	24
Pleasant View Township	14	41
Brenna Township	30	45
Michigan Township	17	65
Elm Grove Township	37	20
Lind Township	39	11
Northwood Township	31	29
Gilby Township	52	18
Turtle River Township	17	34
Larimore, Ward 3	152	120
Larimore, Ward 2	84	48
Inkster Township	20	24
Agnes Township	34	18
Northwood, Ward 3	102	64
Mekinock Township	50	40
Ferry Township	41	59
TOTAL	1,863	1,845

That in regard to the specific charges brought by Mr. Duane Mutch, it was found that:

1. As to Paragraph 1 of the Notice of Contest, pollbooks for the precinct of Manvel City differ in count, as alleged.
2. As to Paragraph 2 of the Notice of Contest, the committee was unable to determine the truth of the allegation.
3. As to Paragraph 3 of the Notice of Contest, the committee was unable to determine the truth of the allegation.
4. As to Paragraph 4 of the Notice of Contest, it was found that there were certain errors in counting and accepting or rejecting of ballots by local election boards, and that the results of a recount of the ballots show that Mr. Duane Mutch received a majority of the votes cast at the general election held November 3, 1970, for the office of Senator for the 19th Legislative District.
5. As to Paragraph 5 of the Notice of Contest, the committee was unable to determine the truth of the allegation.

Therefore, the majority of Special Election Contest Committee respectfully recommends that the Senate rescind its action in the seating of Senator Kuster and that Mr. Duane Mutch be seated without prejudice as the duly elected Senator from the 19th Legislative District, composed of part of Grand Forks County, North Dakota, and that all of the ballots, pollbooks, and tally sheets subpoenaed be returned to the appropriate officer of Grand Forks County, North Dakota, and that the Special Senate Election Contest Committee be discharged.

FOR THE MAJORITY:

SENATOR FRANK A. WENSTROM, Chairman
 SENATOR HOWARD A. FREED
 SENATOR ROBERT M. NASSET
 SENATOR THERON L. STRINDEN

Senator Wenstrom moved that the report be adopted.

Senator Christensen moved that the Senate recess subject to the call of the chair in order that the minority report on the election contest may be completed, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

REPORT OF MINORITY OF SELECT COMMITTEE

Mr. President: A minority of your Special Senate Election Committee relating to the election contest in the 19th Legislative District,

composed of part of Grand Forks County, North Dakota, respectfully reports the following:

That a Special Senate Election Contest Committee was appointed by the President of the Senate pursuant to Senate Resolution No. 1 of the Forty-second Legislative Assembly, consisting of Senators Wenstrom, Chairman, Freed, L. Larson, Strinden, and Nasset, to investigate charges made by Mr. Duane Mutch of the 19th Legislative District, composed of part of Grand Forks County, North Dakota, as follows:

1. That the pollbook results in Manvel City, 19th Legislative District, county of Grand Forks, North Dakota, differ in total count.
2. That the legal residence of certain voters in the 19th Legislative District in the city of Reynolds, North Dakota, is not legally established as provided by North Dakota law.
3. That ballots should be recounted in the 19th Legislative District because of improper totals if unqualified voters were allowed to vote, if known not to be qualified.
4. That there were possible errors in vote tabulations.
5. That other illegal ballots were counted which may be disclosed by depositions and testimony, including qualifications of absent voters' ballots.

That the Special Senate Election Contest Committee met and subpoenaed the ballots, pollbooks, and tally sheets of the 19th Legislative District for the general election held on November 3, 1970.

That in regard to the contest brought by Mr. Duane Mutch, the minority finds, as follows:

1. The minority feels that contestant Duane Mutch failed to file notice of his contest with the secretary of the Senate in time for it to be considered by the Senate and Senator Kuster took the oath of office and was seated as a senator and cannot now be deprived of his office except by a two-thirds vote under Sec. 48 of the Constitution of the State of North Dakota.
2. The contestant did not supply to the Senate or its select committee sufficient supporting data to justify a recount and the contest was therefore insufficient to merit a recount and should be dismissed.
3. It appeared on the recount that a number of irregularities were uncovered which would merit the further consideration of the Senate among which are the following:
 - a. In two wards of Larimore, more than 20 ballots were determined to have insufficient stamp and endorsement and were declared invalid and notwithstanding the fact that contestant Mutch carried both precincts heavily, Sen. Kuster lost a net of 15 votes in the recount.
 - b. In two precincts in and about Gilby, the contestant gained a net of nine votes, notwithstanding the fact that contestant carried said precincts heavily and the tally books of the judges disclose agreement on the number of votes counted at the polling places in favor of said contestant.
 - c. The absent voters envelopes from two precincts in Larimore were found wrapped in the same package.
4. The Senate is the sole judge of the qualifications of its members and should declare Sen. Kuster duly elected, notwithstanding irregularities which were beyond the power of the electorate to prevent. The conscience of the Senate goes beyond the mere counting of ballots.
5. According to the Minutes of the Select Committee, Sen. L. Larson explained the reason for his dissenting vote on the motion. He stated it was his feeling that the errors shown indicate that

further investigation should be made into election board practices in the 19th Legislative District by the Senate, and that the election boards involved should be subpoenaed and the full Senate given an opportunity to look into the matter. He agreed with the committee findings in regard to the recount up to that point; however, he felt that further examination was warranted before a decision on the outcome of the election should be rendered.

Therefore, a minority of the Special Election Contest Committee respectfully recommends that the Senate affirm its action to the seating of Senator Kuster as the duly elected Senator from the 19th Legislative District, composed of part of Grand Forks County, North Dakota, and that the contest of Duane Mutch be dismissed and that all the ballots, pollbooks, and tally sheets subpoenaed be returned to the appropriate officer of Grand Forks County, North Dakota, and that the Special Senate Contest Committee be discharged.

SENATOR L. LARSON
For the minority

Senator L. Larson moved that the report of the minority be substituted for the report of the majority.

ROLL CALL

The question being on the motion of Senator L. Larson, the roll was called and there were ayes, 12 nays, 35; absent and not voting 2.

Those voting in the affirmative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	

Those voting in the negative were:

Anderson	Holand	Morgan	Schultz
Butler	Jacobson	Melland	Sorlie
Chesrown	Jones	Nasset	Strinden
Coughlin	Kautzmann	Nothing	Stroup
Doherty	Kuster	Page	Thane
Forkner	Larson, G.	Pyle	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Robinson	Wenstrom
Hernett	Longmire	Roen	Wilhite

Absent and not voting:

Lowe	Ringsak
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So the motion was declared lost.

The question being on the motion of Senator Wenstrom that the report of the majority be adopted.

Senator Christensen requested a ruling from the chair as to whether this motion required a two-thirds vote, and citing Section 48 of the State Constitution as a basis for his request.

The President ruled that the motion required a majority vote.

Senator Christensen then moved that the question be divided and that the last paragraph be voted on separately from the rest of the report, which motion lost.

ROLL CALL

The question being on the motion of Senator Wenstrom, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Butler	Holand	Morgan	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Coughlin	Jones	Nothing	Stroup

Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Those voting in the negative were:			
Barth	Gronhovd	Larson, L.	Swedlund
Berube	Just	Rait	Van Horn
Christensen	Kuster	Sanstead	

Absent and not voting:
Lowe Ringsak

So the motion was declared carried.

MOTION

Senator Wilhite moved that Duane Mutch be seated without prejudice as the duly elected Senator from the 19th Legislative District, composed of part of Grand Forks County, North Dakota, and that all of the ballots, pollbooks, and tally sheets subpoenaed be returned to the appropriate officer of Grand Forks County, North Dakota, and that the Special Senate Election Contest Committee be discharged.

ROLL CALL

The question being on the motion of Senator Wilhite, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Hernett	Melland	Schultz	

Those voting in the negative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	
Absent and not voting:			
Lowe	Ringsak		

So the motion was declared carried.

Senator Wilhite moved that the President appoint a committee of two to escort the Chief Justice of the North Dakota Supreme Court to the rostrum for the purpose of administering the oath of office to Senator Mutch.

The President appointed as such committee, Senators Melland and Jacobson and Chief Justice Alvin C. Strutz was escorted to the rostrum.

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

Senator Longmire moved that Senator Kuster be allowed the regular per diem for today and his mileage and that the payment to him for the organizational session be confirmed.

ROLL CALL

The question being on the motion of Senator Longmire, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie

Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Absent and not voting:

Lowe Ringsak Sanstead

So the motion was declared carried.

PERSONAL PRIVILEGE

Senator Wenstrom expressed his thanks and appreciation to the members of the Election Contest Committee and to all persons who assisted the committee in performing its duties.

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 2001. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations for the same matters or purposes provided for herein.

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 to appropriate money for the expenses of the educational departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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 to appropriate money for the expenses of the regulatory departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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 to appropriate money for the expenses of departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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 to appropriate money for the expenses of the judicial branch of government, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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 to appropriate money for the expenses of the legislative branch of government, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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 to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided herein.

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 the general maintenance, improvements and repairs, equipment, and miscellaneous items of the school for the blind at Grand Forks, North Dakota.

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 the general maintenance, improvements and repairs, and equipment of the school for the deaf at Devils Lake, North Dakota.

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 the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the Grafton state school at Grafton, 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 the general maintenance, improvements and repairs, and equipment for the tuberculosis sanatorium at San Haven, 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 the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the state hospital at Jamestown, North Dakota.

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 the maintenance and operation of the state industrial school at Mandan, North Dakota.

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 the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the state penitentiary and state farm.

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 paying the salaries and other expenses of the milk stabilization board.

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 pay for the education of children, who are deaf as well as blind, at any school or institution, outside the state of North Dakota, for which there are no facilities in the state.

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

The Committee on Appropriations introduced:

Senate Bill No. 2017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the state fire and tornado fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 2018. A Bill for an Act making an appropriation for the purpose of operating and maintaining the state bonding fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 2019. A Bill for an Act making an appropriation to the state board of public school education for the administration and supervision of grants for vocational agriculture, vocational home economics, office and distributive education, trade and industrial education, manpower development and training, rural area redevelopment, work study, local directors, state advisory council for vocational education, special needs programs, disadvantaged persons program, handicapped persons program, cooperative education, exemplary, research and educational professional development.

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

The Committee on Appropriations introduced:

Senate Bill No. 2020. A Bill for an Act making an appropriation for salaries and expenses of the division of vocational rehabilitation for rehabilitating disabled persons.

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

The Committee on Appropriations introduced:

Senate Bill No. 2021. A Bill for an Act making an appropriation to the department of public instruction for the purpose of paying salaries and other expense of the director of surplus property.

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

The Committee on Appropriations introduced:

Senate Bill No. 2022. A Bill for an Act making an appropriation for salaries and expenses of the diviston of supervised correspondence study.

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

The Committee on Appropriations introduced:

Senate Bill No. 2023. A Bill for an Act making an appropriation for the operation of the North Dakota state employees' retirement system.

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

The Committee on Appropriations introduced:

Senate Bill No. 2024. A Bill for an Act making an appropriation for salaries and expenses of the state seed department.

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

The Committee on Appropriations introduced:

Senate Bill No. 2025. A Bill for an Act making an appropriation for paying salaries and other expenses of the state tax commissioner.

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

The Committee on Appropriations introduced:

Senate Bill No. 2026. A Bill for an Act making an appropriation for salaries and expenses of the state library commission.

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

The Committee on Appropriations introduced:

Senate Bill No. 2027. A Bill for an Act making an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association.

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

The Committee on Appropriations introduced:

Senate Bill No. 2028. A Bill for an Act making an appropriation for salaries and other expenses to the unsatisfied judgement fund for administering the provisions of Chapter 39-17 of the North Dakota Century Code.

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

The Committee on Appropriations introduced:

Senate Bill No. 2029. A Bill for an Act making an appropriation for salaries and expenses for predatory animal control to the commissioner of agriculture.

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

The Committee on Appropriations introduced:

Senate Bill No. 2030. A Bill for an Act making an appropriation to the state outdoor recreation agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

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

The Committee on Appropriations introduced:

Senate Bill No. 2031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the department of public instruction.

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

The Committee on Appropriations introduced:

Senate Bill No. 2032. A Bill for an Act making an appropriation to the North Dakota trade commission in accordance with North Dakota Century Code 51-10.

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

The Committee on Appropriations introduced:

Senate Bill No. 2033. A Bill for an Act making an appropriation for the expenses of the operation of the centralized data processing system.

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

The Committee on Appropriations introduced:

Senate Bill No. 2034. A Bill for an Act making an appropriation for the purpose of paying the salaries and other expenses of the upper great plains transportation institute.

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

The Committee on Appropriations introduced:

Senate Bill No. 2035. A Bill for an Act making an appropriation for the purposes of defraying the expenses of the maintenance and operation of the North Dakota national guard and the adjutant general.

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

The Committee on Appropriations introduced:

Senate Bill No. 2036. A Bill for an Act making an appropriation to defray the expenses of the operation and maintenance of the North Dakota council on arts and humanities.

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

Senators Goldberg, L. Larson, Lowe, Melland, Robinson, Wenstrom, and Wilhite introduced:

Senate Bill No. 2037. A Bill for an Act to authorize the board of university and school lands to charge fees, and to repeal section 15-02-10 of the North Dakota Century Code.

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

Senators Goldberg, L. Larson, Lowe, Melland, Wenstrom, and Wilhite introduced:

Senate Bill No. 2038. A Bill for an Act to amend and reenact sections 6-01-17 and 6-06-08 of the North Dakota Century Code, relating to fees for examination of banks and credit unions by the department of banking and financial institutions.

Was read the first time and referred to the committee on Business and Industry.

Senators Goldberg, L. Larson, Lowe, Melland, Wenstrom and Wilhite introduced:

Senate Bill No. 2039. A Bill for an Act to require all state agencies, departments, and institutions which charge fees for licensing, inspection, or regulation of business activities or products to make reports.

Was read the first time and referred to the committee on Business and Industry.

Senators Goldberg, L. Larson, Lowe, Melland, Wenstrom, and Wilhite introduced:

Senate Bill No. 2040. A Bill for an Act to amend and reenact section 19-05-05 and subsections 1 and 2 of section 19-05-07 of the North Dakota Century Code, and to repeal section 19-05-06 of the North Dakota Century Code, relating to the discontinuance of the requirement for a license to sell oleomargarine.

Was read the first time and referred to the committee on Business and Industry:

Senators Goldberg, L. Larson, Lowe, Melland, Robinson, Wenstrom, and Wilhite introduced:

Senate Bill No. 2041. A Bill for an Act to amend and reenact sections 19-07-04, 19-07-05, 19-18-04, 19-20.1-06, 23-09-17, and 23-10-05 of the North Dakota Century Code, relating to fees charged by the state laboratories department for licenses issued and services provided, and providing a penalty.

Was read the first time and referred to the committee on Business and Industry.

Senators Coughlin, Stroup, and Wenstrom introduced:

Senate Bill No. 2042. A Bill for an Act to establish an office of higher education computer services under the control of the state board of higher education, and providing an appropriation and authority to transfer.

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

Senators Berube, Longmire, Nasset and Swedlund introduced:

Senate Bill No. 2043. A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code, relating to the compensation of school board members.

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

Senators Berube, Longmire, Nasset, and Swedlund introduced:

Senate Bill No. 2044. A Bill for an Act to amend and reenact section 15-29-01 of the North Dakota Century Code, relating to school board meetings.

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

Senators Butler, Jacobson, Rait, and Wilhite introduced:

Senate Bill No. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; and to repeal section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property.

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

Senators Butler, Rait, and Wilhite introduced:

Senate Bill No. 2046. A Bill for an Act to provide for the taxation of all property at market value, the public policy therein, the reduction of increases or excess levies, the listing of real property, and a levy for the state medical center; and to amend and reenact sections 2-06-15, 2-07-06.3, 4-02-26, 4-02-27, 4-02-27.1, 4-02-27.2, 4-02-32, 4-02-37, 4-08-15, 4-16-02, 4-31-05, 11-11-24, 11-11-46, 11-11-53, 11-28-06, 11-28-17, 15-18-03, 15-18-04.2, 15-18-05, 15-20-10.1, 15-34-09.1, 15-40-18, 15-42-09.1, 15-42-28, 15-47-21, 15-48-01, 15-48-04, 15-48-05, 15-59.1-02, 18-06-10, 18-07-01, 18-10-07, 18-10-14, 21-03-04, subsections 1, 5, and 6

of section 21-03-06, subsection 1 of section 23-14-11, section 23-18-01, subsection 10 of section 23-24-08, sections 23-24-09, 24-05-01, 25-12-02, 40-05-09.1, 40-38-02, 40-43-01, 40-45-01, 40-45-02, 40-46-02, 40-46-26, 40-48-07, 40-49-14, 40-55-08, 40-55-09, 40-57.2-04, 40-59-01, 57-01-08, 57-15-06, 57-15-06.3, 57-15-06.4, 57-15-08, subsection 4 of section 57-15-10, sections 57-15-10.1, 57-15-12, 57-15-14, subsection 2 of section 57-15-15, subsection 1 of section 57-15-16, sections 57-15-19.4, 57-15-20, 57-15-22, 57-15-24, 57-15-27.1, 57-15-28, 57-15-36, 57-15-37, 57-15-38, 57-15-42, 57-15-43, 57-15-44, 57-15-48, 57-15-49, 57-15-50, 57-15-51, 57-15-52, 57-15-53, 57-15-54, 57-15-55, 57-19-04, 57-47-04, 58-17-02, subsection 9 of section 61-16-11, sections 61-16-12, 61-21-09, subsection 9 of section 61-24-08 and section 61-24-09 of the North Dakota Century Code, providing for the reduction of mill levy limitations to one-fourth of their former amounts for the political subdivisions of this state, including counties; cities; civil townships; school districts; vector control districts; irrigation districts; water management districts; rural fire protection districts; county, city, and joint county park districts; and the Garrison diversion conservancy district; providing for the reduction in statutory limitations on the indebtedness of the political subdivisions of this state; and providing an effective date

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

Senators Butler, and Jacobson introduced:

Senate Bill No. 2047. A Bill for an Act to create and enact section 57-51-02.1 of the North Dakota Century Code, to provide for an exemption from the gross production tax on oil produced by marginal and near marginal oil wells.

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

Senators Butler, Jacobson, Rait, and Wilhite introduced:

Senate Bill No. 2048. A Bill for an Act providing for the creation of a special income tax study commission for the purpose of making a comprehensive study of the income tax laws of this state and to develop and to present to the forty-third legislative assembly recommendations for the improvement of such tax laws; making an appropriation; and declaring an emergency.

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

Senators Butler, Jacobson, Rait, and Wilhite introduced:

Senate Bill No. 2049. A Bill for an Act to amend and reenact sections 57-35-06 and 57-35.1-02 of the North Dakota Century Code, relating to the taxation of banks, trust companies, and building and loan associations, and to repeal subsection 19 of section 57-39.2-04 of the North Dakota Century Code, to remove the exemption from the sales tax for banks.

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

Senators Butler, Jacobson, Rait, and Wilhite introduced:

Senate Bill No. 2050. A Bill for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, to require notice by publication to competitors by potential project operators applying for tax exemptions.

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

Senators Butler, Rait, and Wilhite introduced:

Senate Bill No. 2051. A Bill for an Act to create and enact section 40-57.1-06 of the North Dakota Century Code, to provide for reapplication for tax exemptions in those cases where the exempted property increases in value and in those cases where a project operator moves to a new location.

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

Senators Butler, Jacobson, Rait, and Wilhite introduced:

Senate Bill No. 2052. A Bill for an Act to create and enact section 40-57.1-05 of the North Dakota Century Code, to provide that the state board of equalization shall have discretion in accepting reapplications for tax exemptions for new industries.

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

Senators Butler, Jacobson, and Wilhite introduced:

Senate Bill No. 2053. A Bill for an Act to amend and reenact section 40-57-17 of the North Dakota Century Code, to provide that leaseholds granted by municipalities shall be classified as personal property for only five years.

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

Senators Butler, Jacobson, and Wilhite introduced:

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

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

Senators Coughlin, Holand, Lips, and Litten introduced:

Senate Bill No. 2055. A Bill for an Act to provide for the creation of multicounty welfare districts from welfare boards that do not meet certain standards, providing a hearing for affected county boards, authorizing the promulgation of rules and regulations and enforcement of the same, providing for distribution of property.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten, Sorlie, Strinden, and Van Horn introduced:

Senate Bill No. 2056. A Bill for an Act to permit the consolidation of county welfare boards into multicounty welfare districts, for determinations, for hearings, and for a plan.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten, Sorlie, Strinden, and Van Horn introduced:

Senate Bill No. 2057. A Bill for an Act to require newly constructed or expanded health care facilities to be certified before receiving payments of public funds, defining the procedure for certification and the standards thereof, and providing for a public hearing.

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

Senators Coughlin, Holand, Kautzmann, Lips, Little, and Van Horn introduced:

Senate Bill No. 2058. A Bill for an Act to create and enact sections 50-06-03.1 and 50-06-05.1 of the North Dakota Century Code, relating to terms of office of the members of the public welfare board and the powers and duties of such board; to amend and reenact sections 50-06-02, 50-06-03, 50-06-04, 50-06-09, and 50-06-14 of the North Dakota Century Code, relating to the appointment of members of the public welfare board, qualifications for the executive director, and financing of public welfare programs; and to repeal section 50-06-06 of the North Dakota Century Code, relating to powers and duties of the public welfare board.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten, Sorlie, and Van Horn introduced:

Senate Bill No. 2059. A Bill for an Act to amend and reenact sections 50-01-07, 50-01-08, and 50-01-09 of the North Dakota Century Code, relating to the appointment of county welfare board members, their terms of office and compensation, and their duties, and providing for the time of appointment of board members.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten and Van Horn introduced:

Senate Bill No. 2060. A Bill for an Act to create and enact section 50-01-25 of the North Dakota Century Code; to amend and reenact section 50-01-01 and subsection 4 of section 50-24-03 of the North Dakota Century Code, concerning the transfer of property to become eligible for welfare aid and defining fraud in obtaining such aid; and providing a penalty.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten and Van Horn introduced:

Senate Bill No. 2061. A Bill for an Act to amend and reenact section 15-59.1-01 of the North Dakota Century Code, relating to the mandatory formation of county boards of special education.

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

Senators Holand, Lips, Litten and Van Horn introduced:

Senate Bill No. 2062. A Bill for an Act to create and enact subsection 16 of section 50-06-06 of the North Dakota Century Code, and to amend and reenact sections 12-46-02, 12-46-03, 12-46-04, 12-46-05, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-10.1, 12-46-11, 12-46-12, 12-46-13, 12-46-16, 12-46-17, 12-46-18, 12-46-21, 12-46-22, 12-46-23, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-06, 12-52-07, 54-23-01, and 54-23-22 of the North Dakota Century Code, transferring control of the North Dakota industrial school to the public welfare board.

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

Senators Goldberg, G. Larson, Hernet, Redlin and Van Horn introduced:

Senate Bill No. 2063. A Bill for an Act to amend and reenact sections 2-06-10, 15-55-02, 21-01-06, 21-02-02, 21-02-11, 21-03-08, subsection 4 of section 23-11-19, sections 23-11-22, 23-24-10, 24-08-07, 40-24-19, 40-29-15, 40-31-09, 40-33-18, 40-34-03, subsection 1 of section 40-35-08, sections 40-35-09, 40-54-10, subsections 3 and 4 of section 40-58-10, subsection 2 of section 40-61-08, sections 55-08-08, 61-08-07, 61-08-12, 61-08-20, 61-12-38, 61-16-13, 61-16-32, 61-21-50, and 61-21-53 of the North Dakota Century Code, to increase the interest rate ceilings on bonds, warrants, and certificates of indebtedness of the state and political subdivisions to eight percent on issues sold at private sale, to provide that all bond issues and certificates of indebtedness totaling more than one hundred thousand dollars must be sold at public sale, to provide that there shall not be any interest rate ceiling on issues sold at public sale, and to provide that the interest rate on bond issues shall be computed on the basis of average maturities according to standard tables of bond values.

Was read the first time and referred to the committee on Business and Industry.

Senators Anderson, Ringsak, Roen, Swedlund, and Thoreson introduced:

Senate Bill No. 2064. 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 Anderson, Freed, Ringsak, Roen, Swedlund, and Thoreson introduced:

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of state's attorney in a county of over 35,000 population be a full-time position, the employment of assistant state's attorneys, and restrictions on the powers of state's attorneys.

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

Senators Anderson, Freed, Ringsak, Roen, and Thoreson introduced:

Senate Bill No. 2066. A Bill for an Act to repeal section 16-20-10 of the North Dakota Century Code, relating to immunity from prosecution for persons testifying to campaign contributions by corporations.

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

Senators Longmire, Melland and Van Horn introduced:

Senate Bill No. 2067. A Bill for an Act to create and enact sections 16-01-11.1 and 16-01-11.2 of the North Dakota Century Code; to amend and reenact section 16-01-11 of the North Dakota Century Code, relating to regulations governing initiative, referendum, and recall petitions, and the powers and duties of the secretary of state in regard thereto; providing an appropriation; and declaring an emergency.

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

Senators Doherty, Longmire, Pyle, Schultz, and Unruh introduced:

Senate Bill No. 2068. A Bill for an Act to create and enact section 54-21-25 of the North Dakota Century Code, providing the authorization for the director of institutions to contract with other states or the federal government for the incarceration of persons convicted under the criminal laws of the state of North Dakota.

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

Senators Doherty, Longmire, Pyle, and Unruh introduced:

Senate Bill No. 2069. A Bill for an Act to create and enact chapter 29-30.1 of the North Dakota Century Code, relating to the interstate rendition of accused persons.

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

Senators Doherty, Longmire, Pyle, Schultz, and Unruh introduced:

Senate Bill No. 2070. A Bill for an Act to create and enact sections 32-36-14.1, 32-36-14.2, 32-36-14.3, and 32-36-14.4 of the North Dakota Century Code, relating to blood testing to aid in the determination of the paternity of a child born out of wedlock; to provide for appointment and compensation of expert witnesses; and to provide for admission into evidence of the results of the tests.

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

Senators Doherty, Longmire, Pyle, and Unruh introduced:

Senate Bill No. 2071. A Bill for an Act to create and enact section 19-21-04.1 of the North Dakota Century Code, and to amend and reenact sections 19-21-01, 19-21-02, and 19-21-05 of the North Dakota Century Code, relating to the labeling and regulation of mis-branded and banned hazardous substances, setting forth the powers and duties of the state laboratories department, and providing penalties.

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

Senators Doherty, Longmire, Pyle, Schultz, and Unruh introduced:

Senate Bill No. 2072. A Bill for an Act to amend and reenact subsections 1 and 2 of section 2-03-01, and sections 2-03-04, 2-03-05, 2-03-06, 2-03-08, 2-03-09, 2-03-10, and 2-03-14 of the North Dakota Century Code, relating to the lawfulness of flight over land and water, the method of operation of aircraft, and liability for damages caused by the operation of aircraft or in accidents involving aircraft; and providing a penalty.

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

Senator Nething introduced:

Senate Bill No. 2073. A Bill for an Act to create and enact chapters 11-09.1 and 11-09.2 of the North Dakota Century Code, relating to a county-city consolidated form of government, providing for the administration and setting forth the powers and duties thereof, providing for the method of adopting the form of government, and providing for the dissolution of consolidated cities within the county; to amend and reenact section 11-05.1-05 of the North Dakota Century Code, relating to the duties of the county consolidation committee; and providing penalties.

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

Senator Nething introduced:

Senate Bill No. 2074. A Bill for an Act making an appropriation to the legislative council to be used as a grant-in-aid to a county or counties which express a willingness to submit the question of consolidation of counties, or adoption of an alternative form of county government, or both, to the county residents and agree to implement a plan for improvement of the operation of their government, and providing for the administration of the grant-in-aid program by the legislative council.

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

Senator Nething introduced:

Senate Bill No. 2075. A Bill for an Act to amend and reenact subsection 2 of section 11-13-02 and section 54-10-17 of the North Dakota Century Code, requiring the county auditor to prepare a monthly financial statement, and requiring the state auditor to prepare an annual consolidated financial statement for all counties.

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

Senator Nething introduced:

Senate Bill No. 2076. A Bill for an Act to amend and reenact sections 40-38-11 and 54-40-08 of the North Dakota Century Code, relating to joint or cooperative action by political subdivisions in carrying out functions or duties which may be assigned to one or more of them, and the consolidation or merger of library services by agreement between political subdivisions.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2077. A Bill for an Act to amend and reenact sections 37-10-03, 37-10-03.1, 37-10-03.2, 37-10-03.3, 37-10-03.4, 37-10-04, and 37-10-06 of the North Dakota Century Code, relating to the administration of armories; and to repeal section 37-10-02 of the North Dakota Century Code, relating to the board of armory supervisors.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2078. A Bill for an Act to amend and reenact sections 53-01-02, 53-01-03, 53-01-07, 53-01-08, 53-01-09, 53-01-10, 53-01-11, 53-01-12, 53-01-14, 53-01-15, 53-01-16, and 53-01-19 of the North Dakota Century Code, relating to the state athletic commission and to provide that the secretary of state shall serve as state athletic commissioner; and to repeal sections 53-01-01, 53-01-04, 53-01-05, and 53-01-06 of the North Dakota Century Code, relating to the state athletic commission.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2079. A Bill for an Act to repeal section 37-17-04 of the North Dakota Century Code, relating to the civil defense advisory council.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2080. A Bill for an Act to amend and reenact sections 50-10-01, 50-10-05, subsection 1 of section 50-10-06, and subsection 1 of section 50-10-09 of the North Dakota Century Code, and to repeal sections 50-10-02, 50-10-03, 50-10-04, and subsection 10 of section 50-10-06 of the North Dakota Century Code, to provide for the abrogation of the crippled children's commission and to transfer its functions to the public welfare board.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 39-03-03 and 39-03-13 of the North Dakota Century Code, relating to the appointment of highway patrolmen and powers of the superintendent of the highway patrol; and to repeal section 39-03-14 of the North Dakota Century Code, relating to the state highway patrol hearing board.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2082. A Bill for an Act to create and enact sections 24-02-03.1, 24-02-03.2, and 54-07-01.1 of the North Dakota Century Code, relating to the authority of the highway commissioner in matters of national defense and damages to public roads, and emergency powers of the governor; and to repeal chapter 24-13 of the North Dakota Century Code, relating to the highway traffic advisory committee.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2083. A Bill for an Act to amend and reenact sections 15-52-10, 15-52-15, subsection 3 of section 15-52-16, sections 15-52-17, 15-52-18, 15-52-19, 15-52-20, 15-52-21, 15-52-22, 15-52-23, 15-52-24, 15-52-25, 15-52-26, and 15-52-28 of the North Dakota Century Code; and to repeal sections 15-52-11, 15-52-12, 15-52-13, and 15-52-14 of the North Dakota Century Code, to provide for the abrogation of the medical center loan fund board and for the transfer of the functions of such board to the university of North Dakota.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2084. A Bill for an Act to repeal section 25-10-03 of the North Dakota Century Code, relating to the mental health coordinating committee.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2085. A Bill for an Act to repeal chapter 54-49 of the North Dakota Century Code, relating to the natural resources council.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2086. A Bill for an Act to repeal section 55-08-02 of the North Dakota Century Code, relating to the state park advisory council.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2087. A Bill for an Act to provide that the state department of health shall be responsible for rabies control; and to repeal chapter 23-22 of the North Dakota Century Code, relating to the rabies control committee.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2088. A Bill for an Act to create and enact subsection 12 of section 57-01-02 of the North Dakota Century Code; to amend and reenact sections 39-19-01 and 39-19-03 of the North Dakota Century Code; and to repeal section 39-19-02 of the North Dakota Century Code; relating to the reciprocity commission.

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

Senators Lips and Morgan introduced:

Senate Bill No. 2089. A Bill for an Act to establish an administrative committee on veterans' affairs and to provide for its powers and duties and organization thereof; to amend and reenact sections 37-01-25.1, 37-14-04, 37-14-05, 37-14-06, 37-14-07, 37-14-08, 37-14-09, 37-14-10, 37-14-11, 37-14-12, 37-14-18, 37-15-03, 37-15-07, 37-15-08, 37-15-10, 37-15-15, 37-15-16, 37-15-19, 37-15-21, and 37-18-07 of the North Dakota Century Code, relating to the veterans' aid fund, the veterans' aid commission, and the soldiers' home, and the administrative procedures thereof; and to repeal sections 37-14-01, 37-14-02, 37-14-03.1, 37-14-03.2, 37-14-03.4, 37-14-03.5, 37-14-13, 37-14-14, 37-14-15, 37-14-17, 37-15-04, 37-15-05, 37-15-06, 37-15-09, 37-15-20, 37-18-02, 37-18-03, and 37-18-09 of the North Dakota Century Code, relating to the qualifications, compensation, and terms of members of the veterans' aid commission, appropriations to the veterans' aid fund, the postwar rehabilitation fund, meetings, compensation, powers and duties of the trustees of the soldiers' home, qualifications and appointment of the veterans' service commissioner, and the advisory committee to the department of veterans' affairs.

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

Senators Lips, Morgan, and Sanstead introduced:

Senate Bill No. 2090. A Bill for an Act to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri-Fort Union Commission.

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

Senators Butler, Forkner, L. Larson, and Rait introduced:

Senate Bill No. 2091. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to allocating highway tax distribution funds directly to cities and to establish a separate fund for the moneys received from the highway tax distribution fund.

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

Senators Butler, Forkner, and Rait introduced:

Senate Bill No. 2092. A Bill for an Act transferring the field enforcement functions of the weight control division of the state highway department, together with all field equipment and facilities used by the weight control division, to the state highway patrol, and to amend and reenact sections 24-01-13, 24-03-02, 39-03A-09, 39-04-40, and 39-12-07 of the North Dakota Century Code, relating to the authority of the state highway commissioner in regulating and controlling the weight of vehicles traveling upon the state highway system.

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

Senators Holand and Nasset introduced:

Senate Bill No. 2093. A Bill for an Act relating to payments under the foundation program; to create and enact section 57-15-14.1 of the North Dakota Century Code, relating to tax levy limitations in school districts, to amend and reenact section 15-40.1-06 of the North Dakota Century Code, relating to the foundation program payments; to repeal section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts; and providing an appropriation.

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

Senators Holand and Nasset introduced:

Senate Bill No. 2094. A Bill for an Act to provide an emergency five-mill general fund levy for high school districts.

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

Senator Butler introduced:

Senate Bill No. 2095. 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 certain sales to automobile body repair shops.

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

Senator Freed introduced:

Senate Bill No. 2096. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to the prorating of salaries of court reporters among the counties of the judicial districts on the basis of population.

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

Senator Hernettt introduced:

Senate Bill No. 2097. A Bill for an Act to provide for an automatic recount if a certain percentage of vote difference exists between candidates for the same congressional, state or legislative office.

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

Senator Guy Larson introduced:

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 46-04-02 of the North Dakota Century Code, relating to distribu-

tion of North Dakota printed laws to state-supported junior colleges.

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

Senator Longmire introduced:

Senate Bill No. 2099. A Bill for an Act to create and enact subsection 8 of section 26-03A-03 of the North Dakota Century Code, and to amend and reenact sections 26-26-02, 26-26-07, 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 permissive coverage of mental disorders in accident and sickness insurance policies, and providing an effective date

Was read the first time and referred to the committee on Business and Industry.

Senator Melland introduced:

Senate Bill No. 2100. A Bill for an Act to authorize a levy by counties and cities for programs and activities for older persons, and to require contracts with the governing bodies of such counties and cities.

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

Senator Roen introduced:

Senate Bill No. 2101. A Bill for an Act to amend and reenact section 15-28-09 of the North Dakota Century Code relating to school district elections, and to repeal section 15-28-02 of the North Dakota Century Code, relating to rural representation on school boards.

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

Senator Stroup introduced:

Senate Bill No. 2102. A Bill for an Act to create and enact section 13-05-07.1 of the North Dakota Century Code, relating to prohibiting collection agencies from harassing or making unjustified and fraudulent claims.

Was read the first time and referred to the committee on Business and Industry.

Senator Stroup introduced:

Senate Bill No. 2103. A Bill for an Act to amend and reenact subsection 1 of section 13-03-03 and subsection 5 of section 51-13-02 of the North Dakota Century Code, relating to allowing the maximum rate of interest to be charged for small loans and on retail installment sales.

Was read the first time and referred to the committee on Business and Industry.

Senator Stroup introduced:

Senate Bill No. 2104. A Bill for an Act to amend and reenact subsections 4 and 5 of section 31-11-03 of the North Dakota Century Code, relating to disputable presumptions.

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

Senator Stroup introduced:

Senate Bill No. 2105. A Bill for an Act to amend and reenact section 39-17-07 of the North Dakota Century Code, relating to the limitation on amount collectible from the unsatisfied judgement fund.

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

Senator Lips introduced:

Senate Bill No. 2106. A Bill for an Act to create and enact section 57-15-24.1 of the North Dakota Century Code, authorizing a county levy of one-half mill for an alcoholism prevention program.

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

Senator Nasset introduced:

Senate Bill No. 2107. A Bill for an Act to create and enact chapter 19-16.1 of the North Dakota Century Code relating to the sale and distribution of antifreeze, providing for the regulation thereof by the state laboratories department and providing a penalty; and to repeal chapter 19-16 of the North Dakota Century Code relating to the sale and distribution of antifreeze.

Was read the first time and referred to the committee on Business and Industry.

Senators Jones and L. Larson introduced:

Senate Bill No. 2108. A Bill for an Act to provide for regulation and licensing of mobile home parks and travel trailer parking areas, providing a penalty, and to repeal chapter 23-10 of the North Dakota Century Code.

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

Senators Forkner, Page, Ringsak introduced:

Senate Bill No. 2109. A Bill for an Act to create and enact subdivision m of subsection 2 of section 39-04-18 of the North Dakota Century Code, and to amend subdivisions c and e of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to allowing out-of-state motor vehicles to retain their license plates until they expire, if the owners or operators of such vehicles are gainfully employed in this state.

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

Senator Pyle introduced:

Senate Bill No. 2110. A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, and 4-09-20 of the North Dakota Century Code, relating to the transfer of the state seed department.

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

Senators Holand and Litten introduced:

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the dates for distribution of personal property tax replacement moneys to counties; and declaring an emergency.

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

Senator Jacobson introduced:

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 20-05-02 of the North Dakota Century Code, relating to changing the opening of big game season from noon on Friday to sunrise on Saturday.

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

Senator Litten introduced:

Senate Bill No. 2113. A Bill for an Act to amend and reenact sections 15-19-01, 15-19-02, 15-19-03, and 15-19-06 of the North Dakota Century Code, relating to the establishment of high school correspondence courses, the administration of the division of independent study, the duties of superintendents of schools, and special operating funds.

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

Senator Roen introduced:

Senate Bill No. 2114. A Bill for an Act to provide for the reorganization and annexation of any school district in this state which is not operating a high school within its school district.

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

Senator Roen introduced:

Senate Bill No. 2115. A Bill for an Act to provide for a discount of sales and use taxes to be paid for retailers to compensate for costs of records, collection, reports, and remittance.

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

Senator Stroup introduced:

Senate Bill No. 2116. A Bill for an Act to amend and reenact section 28-05-08 of the North Dakota Century Code, relating to the cancellation of lis pendens by the entry of a final judgement.

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

Senator Stroup introduced:

Senate Bill No. 2117. 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 and to define "motor vehicle" for purposes of security interests.

Was read the first time and referred to the committee on Business and Industry.

Senators Christensen and Litten introduced:

Senate Bill No. 2118. A Bill for an Act to amend and reenact section 52-12-04 of the North Dakota Century Code, relating to clarifying whether teachers who have nine-month contracts are eligible for year-round health insurance.

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

Senators Christensen, Litten and Sorlie introduced:

Senate Bill No. 2119. A Bill for an Act to amend and reenact section 27-11-22 of the North Dakota Century Code, to exempt attorneys employed by the state of North Dakota from paying annual license fees.

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

Senators Christensen and Litten introduced:

Senate Bill No. 2120. A Bill for an Act to create and enact sections 43-33-20 and 54-44-12; to amend and reenact sections 27-11-17, 27-11-23, 27-12-04, 27-12-06, 43-01-04, 43-04-07, subsections 6 and 8 of section 43-12-07, sections 43-13-07, 43-15-05, 43-19.1-09, 43-23-04, 43-26-05, and subsection 4 of section 43-27-04; and to repeal sections 43-02-07, 43-03-07, 43-04-08, subsection 2 of section 43-05-07, sections 43-06-06, 43-09-08, 43-10-09, 43-11-09, 43-15-11, 43-17-15, 43-18-07, 43-21-07, 43-25-15, 43-28-07, 43-32-15, and 43-34-06, all of the North Dakota Century Code, relating to the deposit and disbursement of the moneys received by all occupational and professional boards, associations, and commissions.

Was read the first time and referred to the committee on Business and Industry.

Senators Christensen, Litten and Sorlie introduced:

Senate Bill No. 2121. A Bill for an Act to amend and reenact sections 48-02-02 and 48-02-03 of the North Dakota Century Code, relating to the prerequisite to building or repair of public buildings.

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

Senators Christensen and Litten introduced:

Senate Bill No. 2122. A Bill for an Act to create and enact sections 25-09-02.1, 25-09-02.2, 25-09-03.1, and 25-09-04.1 of the North Dakota Century Code; to amend and reenact sections 25-09-02,

25-09-03, 25-09-04, 25-09-05, 25-09-06, subsection 2 of section 25-09-07, and section 25-09-08 of the North Dakota Century Code; and to repeal section 25-09-11 of the North Dakota Century Code, all relating to the expenses of care and treatment of patients at the Grafton state school and the state hospital.

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

Senators Christensen, Litten, Sorlie introduced:

Senate Bill No. 2123. A Bill for an Act providing a declaration of legislative intent relating to the allowance of free meals, lodging, and food supplies to officers and employees of state charitable and penal institutions, and to repeal sections 12-46-08, 12-47-09, and 25-01-09 of the North Dakota Century Code.

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

Senator Sanstead introduced:

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-21-01 of the North Dakota Century Code, to provide that precincts in which voting machines are used shall also make available to electors paper ballots at the elector's option.

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

Senator Sanstead introduced:

Senate Bill No. 2125. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to income qualifications of a head of a family under the homestead credit law.

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

Senator Morgan introduced:

Senate Bill No. 2126. A Bill for an Act to create and enact seven additional subsections to section 19-18-02, paragraph 8 of subdivision b of subsection 20 of section 19-18-02, and section 19-18-06.1 of the North Dakota Century Code, and to amend and reenact subsections 1, 2, and 11 of section 19-18-02, sections 19-18-03 and 19-18-04, subsection 2 of section 19-18-05, and section 19-18-11 of the North Dakota Century Code, relating to the regulation of the distribution, sale, and labeling of economic poisons, and cooperation with the federal government.

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

Senator Hernetz introduced:

Senate Bill No. 2127. A Bill for an Act to amend and reenact sections 15-01-02, 15-03-04, 15-03-15, and 15-03-18 of the North Dakota Century Code, relating to the investment of various permanent funds under the control of the board of university and school lands.

Was read the first time and referred to the committee on Business and Industry.

Senator Strinden introduced:

Senate Bill No. 2128. A Bill for an Act to repeal section 15-47-14 of the North Dakota Century Code, relating to attendance of education association meetings by superintendents, principals, and teachers.

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

Senator Coughlin introduced:

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 39-21-40 of the North Dakota Century Code, relating to the dates for using studded tires.

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

Senator G. Larson introduced:

Senate Bill No. 2130. A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

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

Senators Longmire, Melland and Van Horn introduced:

Senate Resolution No. 2. A resolution relating to the employment practices of the Senate, the duties and responsibilities of the Senate Employment Committee, the duties and responsibilities of the Legislative Council regarding Senate employees, and establishing the use of a uniform employment application form.

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

Senators Berube, Longmire, Nasset and Swedlund introduced:

Senate Concurrent Resolution No. 4001. A Concurrent Resolution commending the State Board of Higher Education and the president and administration of each college and university within the State for past efforts in reducing the overlapping of courses and duplication of instruction at the several institutions of higher education, and for performing studies in regard to instructional programs and space utilization at such institutions, and urging the continuance and enlargement of such efforts.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten, Strinden and Van Horn introduced:

Senate Concurrent Resolution No. 4002. A Concurrent Resolution directing the Public Welfare Board to implement administrative recommendations of the welfare study to improve the administration of public welfare in North Dakota.

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

Senators Coughlin, Holand, Kautzmann, Lips, Litten and Van Horn introduced:

Senate Concurrent Resolution No. 4003. A Concurrent Resolution directing the Public Welfare Board of North Dakota to initiate a pilot project involving the employment of a mental retardation coordinator in one of the board's Area Social Service Centers, and to report to the next Legislative Assembly the results of the project and recommendations concerning the project.

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

Senators Longmire, Melland and Van Horn introduced:

Senate Concurrent Resolution No. 4004. A Concurrent Resolution for the amendment of section 25 of the Constitution of the State of North Dakota, relating to the protection of the people's rights of initiative and referendum from fraud; to provide the Secretary of State with a thirty-five day period in which to pass upon the sufficiency of initiative and referendum petitions; to authorize a district court review of the sufficiency of petitions; to provide that initiative and referendum petitions shall be circulated by qualified electors; and relating to the time during which measures approved by referendum or initiative can only be amended or repealed by an extraordinary majority of the legislative assembly.

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

Senators Pyle, Van Horn and Wenstrom introduced:

Senate Concurrent Resolution No. 4005. A Concurrent Resolution requesting that the State Board of Higher Education place certain fire insurance moneys in a special fund, lower tuition costs at Ellendale

Branch-UND, institute vocational and technical training programs at Ellendale Branch-UND with the assistance of the State Board of Vocational Education, and that Ellendale Branch-UND continue as a branch of the University of North Dakota.

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

Senators Longmire and Thoreson introduced:

Senate Concurrent Resolution No. 4006. A concurrent resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

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

Senators Christensen and Litten introduced:

Senate Concurrent Resolution No. 4007. A Concurrent Resolution directing the State Auditor's office to establish a performance post-audit program, and declaring legislative intent regarding the expenditure of funds appropriated to the State Auditor's office for the biennium ending June 30, 1973.

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

Senators Christensen and Litten introduced:

Senate Concurrent Resolution No. 4008. A Concurrent Resolution relating to personnel policies for administrative agencies and institutions under the control of the Board of Higher Education in regard to additional employment by public employees.

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

Senator Sorlie introduced:

Senate Concurrent Resolution No. 4009. A concurrent resolution urging Congress to amend the Uniform Time Act of 1966 to provide that daylight savings time would commence on Memorial Day and end on Labor Day.

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

Senator Morgan introduced:

Senate Concurrent Resolution No. 4010. 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 Agriculture.

Senator Wilhite moved that the Senate recess until 1:30 p.m., January 6, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 6, 1971

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

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

January 6, 1971

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

Dear Sir:

In my letter dated December 7, 1970 I listed the hold-over senators for the state of North Dakota who were elected at the general election in 1968. However, I listed Mr. Ted Hardmeyer as a hold-over senator from the 38th Legislative District which consists of Hettinger, part Stark and part Adams counties. This was an error, the hold-over senator for the 38th Legislative District is Mr. Robert Nasset of Regent, will you please make the corrections on your records.

Yours sincerely,
BEN MEIER
Secretary of State

REPORT OF STANDING COMMITTEES

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

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2018 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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. 2028 has had the same under consideration and recommends that the same be amended as follows:

In line 17 delete the figure "46,000.00" and insert in lieu thereof the figure "47,000.00"

In line 21 delete the figure "6,300.00" and insert in lieu thereof the figure "5,300.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The amendment takes \$1,000.00 from the Contingent-emergency and transfers it to Salaries and Wages to allow the director to handle more cases on a direct basis rather than refer them to outside counsel.

SENATOR SORLIE, 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 Bill No. 2096, has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2104 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2113 has had the same under consideration and recommends that the same do pass and be placed on the consent calendar.

SENATOR HOLLAND, Chairman

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

REPORT OF SELECT COMMITTEES

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

Arthur Herk, Fingal	Assistant Secretary
Vernon Asheim, Mohall	Bill Clerk
Cora Essington, Bismarck	Chief Stenographer and Payroll Clerk
Lois J. Scherr, Bismarck	Chief Committee Clerk
Roland Reich, Wilton	Calendar Clerk
Dormilee Diede, Bismarck	Secretary to the President
Gladys Van Vleet, Bismarck	Secretary, Majority Floor Leader
Patricia Mitzel, Bismarck	Secretary, Minority Floor Leader
Richard Jagd, Grand Forks	Deputy Sergeant-at-Arms
Emil Albrecht, Bismarck	Assistant Sergeant-at-Arms
Ralph Scott, Jamestown	Assistant Sergeant-at-Arms
Art Solberg, Wyndmere	Assistant Sergeant-at-Arms
Nick Frank, Dickinson	Assistant Sergeant-at-Arms
Janine Haug, Bismarck	Stenographer
Lorraine Moos, Mandan	Stenographer
Mary Alice Landgren, Wilton	Stenographer
Gladys Derrick, Bismarck	Appropriations Committee Clerk
Marjorie Trangsrud, Devils Lake	Committee Clerk
Carolyn Sette, Bismarck	Committee Clerk
Marlene Backman, Bismarck	Committee Clerk
Edna Sand, Bismarck	Committee Clerk
John DeWald, Bismarck	Enrolling and Engrossing
Marquerite Stenehem, Bismarck	Chief Telephone Attendant
Wanda Froelich, Mandan	Bill Book Clerk
Violetta LaGrave, Mandan	Bill Book Clerk
Arne Gilje, Carrington	Bill Book Clerk
Phyllis Connolly, Dunn Center	Information Desk Attendant
Hazel Ludemann, Bismarck	Journal Room Clerk
Larry Borlaug, Washburn	Proofreader
Elma Schauer, Bismarck	Proofreader

SENATOR ROBINSON, Chairman

Senator Robinson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Robinson the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Lowe Stroup

So the motion was declared adopted.

The Lieutenant Governor then administered the oath of office to the Senate employees.

FIRST READING OF SENATE BILLS

Senator Barth introduced:

Senate Bill No. 2131. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to homestead credit for persons sixty-five years of age or older with a limited income.

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

Senator Barth introduced:

Senate Bill No. 2132. A Bill for an Act to require compulsory retirement of all full-time state employees at the age of sixty-five.

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

The Committee on Appropriations introduced:

Senate Bill No. 2133. A Bill for an Act to amend and reenact section 25-07-02 of the North Dakota Century Code, relating to housing for the superintendent of the school for the deaf.

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

The Committee on Appropriations introduced:

Senate Bill No. 2134. A Bill for an Act to repeal section 4 of chapter 45 of the 1969 Session Laws of the state of North Dakota, relating to the state industrial school; and declaring an emergency.

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

Senators Goldberg, Sanstead, and Christensen introduced:

Senate Bill No. 2135. A Bill for an Act to amend and reenact section 54-24-09 of the North Dakota Century Code, relating to the state library's distribution of certain publications.

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

Senator Lowe introduced:

Senate Bill No. 2136. A Bill for an Act making an appropriation for the educational commission of the states.

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

Senator Lowe introduced:

Senate Bill No. 2137. A Bill for an Act to amend and reenact sections 12-21-07, 12-21-09, and 12-21-11 of the North Dakota Century Code, to provide that certain motion picture theater employees shall not be liable for showing or possessing obscene motion pictures if acting within the scope of their employment.

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

Senator Melland introduced:

Senate Bill No. 2138. A Bill for an Act to amend and reenact section 16-04-17 of the North Dakota Century Code, to provide that precincts shall be arranged on voting machines according to the total votes cast in the previous general election for governor, and to provide for the placement of names on ballots and voting machines in races having more than three candidates.

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

Senator Melland introduced:

Senate Bill No. 2139. A Bill for an Act to create and enact section 11-07-03.1 of the North Dakota Century Code, and to amend and reenact sections 11-07-03 and 11-11-02 of the North Dakota Century Code, to provide an additional method of redistricting counties and electing county commissioners.

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

Senator Melland introduced:

Senate Bill No. 2140. A Bill for an Act to amend and reenact section 40-21-07 of the North Dakota Century Code, relating to the number of signatures necessary on a nominating petition for a candidate for municipal office.

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

Senator Melland introduced:

Senate Bill No. 2141. A Bill for an Act acknowledging the rights and defining the limitations of legislative office, establishing a code of legislative conduct, and establishing a joint committee on legislative conduct.

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

Senator Longmire introduced:

Senate Bill No. 2142. A Bill for an Act providing that special defenses not involving the merits of an action may be tried before, and separately from, other issues.

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

Senator Wilhite introduced:

Senate Concurrent Resolution No. 4011. A Concurrent Resolution urging Congress and the United States Forest Service to relinquish control of the lands surrounding the burning coal vein area in western North Dakota and directing the North Dakota Park Service to seek control of this area.

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

ANNOUNCEMENT

Senator Wilhite reported to the Senate that the President had received a telegram from Senator Lowe stating that he was getting

along fine but that he would not be in attendance for a few days.

Senator Wilhite moved that the President of the Senate send greetings to Senator Lowe from the Senate extending best wishes and wishing him a speedy recovery, which motion prevailed.

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

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

LEO LEIDHOLM, Secretary

SECOND DAY

Bismarck, January 6, 1971

The Senate convened at 2:00 P.M., the President presiding. Prayer by Chaplain David Walters, First United Pentecostal, Bismarck.

Invocation for the Forty-Second Legislative Assembly.

"Our Precious God and Saviour, Jesus we exalt your wonderful name we are so thankful for the privilege we have to serve you. Lord as we come before you with our many needs and problems we need your presence to stand with us. May we as those great and notable men we read about in your word seek your face for guidance. We know that without you we can do nothing. Lord our problems are so very great and our abilities so few move upon with your presence and power. Flood these halls and assembly chambers with the Holy Ghost. Help us to realize that the actions taken and the words spoken are recorded in eternity.

"Precious Lord, we ask you to bless the presiding officer and strengthen his hands to the task. We ask that you will bless each member of this assembly and that you will become more of a reality to them today. To the only wise and true God we give you praise and glory as we ask these favors.

"In the Holy, Wonderful name of Jesus, Amen."

Roll Call: All Senators present except Senator Lowe.

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:

Page 32, line 7, from the bottom of the page, after the word "should" insert the word "declare"

Page 48, line 37, delete "? ? ?" and insert in lieu thereof the word "Education."

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

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

MOTION

Senator Kautzmann moved that Senate Bill No. 2128 be returned to the Senate from the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

Senator Kautzmann moved that Senate Bill No. 2128 be referred to the Committee on Education, which motion prevailed.

Senator Wilhite moved that the Senate recess until 1:30 p.m., January 7, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

SECOND DAY AFTER RECESS AND
THIRD DAY

Bismarck, January 7, 1971

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

REPORT OF SELECT COMMITTEES

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

Patricia Ann Nelson, Litchville	Bill Room Clerk
Evelyn Sholts, Bismarck	Bill Room Clerk
JoAnn Owens, Bismarck	Stenographer
Joanne Hetland, Bismarck	Typist
Gertrude Berge, Hatton	Typist
Donna Heisler, Mandan	Committee Clerk
MacDonald Omafray, Wilton	Enrolling and Engrossing
Clara Clendenen, New Salem	Page
Linda Kay Parkin, Amidon	Page
Janice K. Tischmak, Bismarck	Page
Wayne Stenehjelm, Bismarck	Page
Daline Meidinger, Bismarck	Page
Patricia Ann McMahon, Bismarck	Page
Alan Charles Walker, Bismarck	Page
Jerry Nagel, Bismarck	Bill Book Clerk
Harold Kiesz, Beulah	Journal Room Clerk-Typist
John Spitzer, Baldwin	Journal Room Clerk
Pius Reiss, Napoleon	Parking Lot Attendant

SENATOR ROBINSON, Chairman

Senator Robinson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Robinson the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Strinden
Butler	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Sanstead	Wilhite

Absent and not voting:

Christensen	Rait	Robinson	Roen
Lowe			

So the motion was declared carried.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2037 has had the same under consideration and recommends that the same do pass.

KENNETH L. 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 Bill No. 2071 has had the same under consideration and recommends that the same do pass.

EMIL E. KAUTZMANN, Chairman

Senator Kautzmann 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. 2078 has had the same under consideration and recommends that the same do pass.

KENNETH L. 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 Bill No. 2080 has had the same under consideration and recommends that the same do pass.

EMIL E. KAUTZMANN, Chairman

Senator Kautzman 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. 2110 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 15 following the triple parentheses insert the word "special"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

KENNETH L. MORGAN, Chairman

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

FIRST READING OF SENATE BILLS

Senator Morgan introduced:

Senate Bill No. 2143. A Bill for an Act to amend and reenact subsection 6 of section 39-09-02 of the North Dakota Century Code, relating to the maximum speed limits for all vehicles on limited-access highways.

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

Senator Morgan introduced:

Senate Bill No. 2144. A Bill for an Act to amend and reenact subsection 2 of section 39-06-07, subsections 1 and 3 of section 39-06-14, and section 39-06-18 of the North Dakota Century Code, requiring a color photograph and a thumbprint or fingerprint of the applicant to be attached to his motor vehicle operator's license.

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

Senator Morgan introduced:

Senate Bill No. 2145. A Bill for an Act to amend and reenact subsection 6 of section 20-01-01 of the North Dakota Century Code, relating to definitions of game birds to include mourning doves.

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

Senator Morgan introduced:

Senate Bill No. 2146. A Bill for an Act to amend and reenact section 18-09-02 of the North Dakota Century Code, relating to rulemaking power of the state fire marshal.

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

Senator Longmire introduced:

Senate Bill No. 2147. A Bill for an Act to amend and reenact sections 14-05-17 and 14-06-06 of the North Dakota Century Code, relating to instituting divorce or separation actions in counties where there are family courts.

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

CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 2028 as recommended by the Committee on Appropriations, and printed on pages 55 and 56 of the Senate Journal, be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS ON THE CONSENT CALENDAR

Senate Bill No. 2113. A Bill for an Act to amend and reenact sections 15-19-01, 15-19-02, 15-19-03, and 15-19-06 of the North Dakota Century Code, relating to the establishment of high school correspondence courses, the administration of the division of independent study, the duties of superintendents of schools, and special operating funds.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Coughlin	Just	Nething	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Roen	Wenstrom
Gronhovd	Longmire	Sanstead	Wilhite
Absent and not voting:			
Chesrown	Lowe	Rait	Robinson
Christensen			

So the bill was passed and the title was agreed to.

Senate Bill No. 2017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the state fire and tornado fund.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden

Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Absent and not voting:

Christensen	Lowe	Rait	Robinson
Holand			

So the bill was passed and the title was agreed to.

Senate Bill No. 2018. A Bill for an Act making an appropriation for the purpose of operating and maintaining the state bonding fund.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Mutch	Stroup
Chesrown	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Absent and not voting:

Christensen	Lowe	Rait	Robinson
Holand			

So the bill was passed and the title was agreed to.

Senate Bill No. 2096. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to the prorating of salaries of court reporters among the counties of the judicial districts on the basis of population.

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, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Those voting in the negative were:

Nothing

Absent and not voting:

Lowe

So the bill was passed and the title was agreed to.

Senate Bill No. 2104. A Bill for an Act to amend and reenact sub-sections 4 and 5 of section 31-11-03 of the North Dakota Century Code, relating to disputable presumptions.

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Lowe

So the bill was passed and the title was agreed to.

MOTIONS

Senator Stroup moved that Senate Bill No. 2105 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Stroup requested unanimous consent to withdraw Senate Bill No. 2105, which request was granted.

Senator Robinson moved that the Rules of the 42nd Legislative Assembly be amended as follows:

Delete all of Senate Rule 79 and insert in lieu thereof the following:

79. OFFICERS AND EMPLOYEE POSITIONS OF THE SENATE.)
The following offices and employee positions shall be established and the number, title, and manner of selection for each position shall be as hereinafter indicated or stated:

Title of Position	Number of Positions
Group A	
Secretary of the Senate	1
Desk Reporter	1
Sergeant-at-Arms	1
Persons holding Group A positions shall be elected thereto by a majority of the members-elect and the vote shall be recorded in the Journal.	
Group B	
Assistant Secretary of the Senate	1
Assistant Desk Reporter	1
Bill Clerk	1
Chief Stenographer and Payroll Clerk	1
Chief Committee Clerk	1
Appropriations Committee Clerk	1
Committee Clerks	5

Calendar Clerk	1
Enrolling and Engrossing Clerk	1

Persons holding Group B positions shall be appointed thereto by the party having a majority of the members-elect, acting by and through the Committee on Employment.

Group C

Secretary to the President	1
Secretary to Majority Floor Leader	1
Secretary to Minority Floor Leader	1

The President and the Majority and Minority Floor Leaders shall appoint their respective Secretaries to such positions, acting by and through the Committee on Employment.

Group D

Deputy Sergeant-at-Arms	1
Assistant Sergeant-at-Arms	4
Bill Room Clerks	2
Stenographers	5
Typists	2
((Appropriations Committee Clerk	1
Committee Clerks	4)))
Assistant Enrolling and Engrossing Clerk	1
Pages	4
Chief Telephone Attendant	1
(Alternate selection by House and Senate)	
Telephone Attendants	2
(Alternate selection by House and Senate)	
Bill Book Clerks	4
Information Desk Attendant	1
Journal Room Clerks	2
Journal Room Clerk-Typist	1
(Alternate selection by House and Senate)	
Parking Lot Attendant	1
Chief in Charge of Journal Room and Bill Clerks	1
(Alternate selection by House and Senate)	
Journal Proofreader	2

The employee positions of Group D shall be allocated to the majority and minority parties in proportion to each party's percentage of the total number of the members-elect and each party shall appoint the persons to the positions allocated to them, acting by and through the Committee on Employment, except, however, that in allocating the positions of Stenographers and Typists the minority party shall be allocated not less than one each of these positions. The majority party shall have the first right to select those positions of this group until their allocation is filled. The Chief in Charge of Journal and Bill Room Clerks shall be appointed alternately by the Senate and House of Representatives. The Chief Telephone Attendant shall be appointed alternately by the Senate and House of Representatives.

The powers, duties, and qualifications for each officers or employee shall be specifically provided in these rules and as provided in the Legislative Handbook for North Dakota Legislators and Employees for such positions.

ROLL CALL

The question being on Motion of Senator Robinson, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Thane
Doherty	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite

Those voting in the negative were:

Barth	Erdman	Just	Rait
Berube	Gronhovd	Larson, L.	Swedlund

Absent and not voting:

Lowe

So the motion was declared carried.

Senator Litten moved that the Chaplaincy Schedule of the 42nd Legislative Assembly, Senate Sessions, be printed in the Journal, which motion prevailed.

CHAPLAINCY SCHEDULE
 Forty-Second Legislative Assembly
 State of North Dakota
 Convening January 5, 1970

The following schedule is submitted on behalf of the Bismarck and Mandan Ministerial Associations for Chaplaincy service for the Forty-Second Legislative Assembly. In case of failure of the designated person to present himself, telephone the Rev. Richard Unkenholz, 223-4401, or if unable to contact him, call the Rev. Gerald Ruelle, 223-5000.

Date	Senate Sessions	Office	Residence
January			
5	Richard Unkenholz, First United Methodist	223-4401	223-0965
5	Norman Winkelman, Calvary United Methodist	255-4281	255-3720
6	David Walters, United Pentecostal	223-8125	223-9049
7	George Unruh, Lutheran Social Services	223-1432	
8	Frank Unruh, Mennonite Brethren	223-0797	
9	James Tuxbury, St. Mary's High School	223-4113	673-4982
11	Thomas Sullivan, St. Joseph Church, Mandan	663-9562	
12	Clarence Stomp, House of Prayer Lutheran	223-2202	223-9754
13	Arnold Spain, St. Anne's Church	223-1549	
14	Lester Soberg, United Church of Christ	255-1104	223-6602
15	E. C. Schumacher, Evangelical Free	223-6271	223-3330
16	T. Christian Nelson, Christ's Church Episcopal, Mandan	663-8466	663-5208
18	Tommy Sands, Church of God	223-8541	
19	Gerald Ruelle, St. Alexius Chaplain	223-5000	
20	Verle Reinicke, Faith Lutheran	223-2236	255-4623
21	Alwin Reimnitz, Zion Lutheran	223-8286	223-9065
22	Harley Refsal, First Lutheran, Mandan	663-3594	663-5086
23	James Reardon, Cathedral Roman Catholic	223-1033	
25	Casimer Paluck, Cathedral Roman Catholic	223-1033	

26	John Nicolai, Trinity Lutheran	223-3560	223-0591
27	Walter Schott, Good Shepherd United Methodist, Mandan	663-8909	663-3421
28	Lester Myers, Church of the Nazarene, Mandan		663-8975
29	John Miller, Baptist Temple, Mandan	663-5020	663-6232
30	A. B. Meyer, Bismarck Reformed	223-3304	
February			
1	Gerald Mertz, Faith Lutheran	223-2236	255-2858
2	Gary Maser, Good Shepherd Lutheran	255-1001	223-1663
3	Stanley Malmgren, First Baptist	223-8614	255-3148
4	John MacMullen, First United Methodist, Mandan	663-8339	663-3350
5	Robert Lynne, Good Shepherd Lutheran	255-1001	255-1119
6	Oscar Lund, Lutheran Chaplain	223-4700	223-9439
8	Raymond Loven, Assembly of God		255-2647
9	Capt. Thomas Lewis, Salvation Army	223-1889	223-1976
10	John Kuhn, Christ the King, Mandan	663-6200	663-8842
11	Thomas Kramer, Catholic Education Office	223-0481	255-4584
12	Edward Korte, Christ the King, Mandan	663-6200	663-8842
13	David Knecht, McCabe United Methodist	255-1160	223-1975
15	Marvin Klemmer, Catholic Chancery Office	223-1347	
16	Lloyd Jorgenson, Assembly of God	255-0500	223-1852
17	Warren K. Johnson, First Lutheran	223-4340	223-3310
18	Roger Jespersen, McCabe United Methodist	255-1160	255-2866
19	R. W. Horn, State Industrial School	663-9523	663-3760
20	John Holten, Church of the Cross Lutheran	223-1001	223-8099
22	Sgt. Ruby Hoffman, Salvation Army, Mandan	663-9217	
23	Donald Hill, St. Mary's Roman Catholic	223-5562	
24	Ira Herzberg, Calvary United Methodist		255-0598
25	Hensel Hendrickson, Trinity Lutheran	223-3560	223-2981
26	Dale Heikkinen, First Lutheran	223-4340	223-8765
27	Roger Hedberg, Mandan Baptist	663-8368	663-8549
March			
1	Gerhart Harms, Bethel Lutheran	255-1433	255-3807
2	Richard Hagestuen, First Lutheran, Mandan	663-3594	663-3154
3	J. T. Burdine, Southern Baptist		255-4277
4	S. A. Freeman, Church of Christ	223-5134	255-1218
5	Austin Engel, United Church of Christ	224-2428	255-4064
6	Walter Ellingson, St. George Episcopal	223-1942	255-1857
8	Norman Dukert, St. Joseph Catholic, Mandan	663-9188	663-9562
9	A. Benjamin Dove, First Presbyterian, Mandan	663-5788	663-5329
10	Walter Dingfield, Bismarck Baptist	223-4445	223-8361
11	Christopher Davis, Annunciation Priory	255-1520	
12	Blaine Cook, Corpus Christi Catholic	255-4600	255-4584
13	James M. Butler, First Presbyterian	223-6091	223-3325
15	Donald Burton, Lord of Life Lutheran	223-2986	255-1182

Senator Wilhite moved that the following Deadline Dates be printed in the Journal:

DEADLINE DATES

Last day for introduction of bills — Jan. 22 before 2 p.m.

Last day for introduction of resolutions — Feb. 15 before 2 p.m.

Senate bills must be out of committee — Feb. 18 before 2 p.m.

Senate bills must be over to House — Feb. 20 before 2 p.m.

All bills out of committee and on calendar — Mar. 12 before 2 p.m.

Adjourn, sine die — March 16 before 2 p.m.

Which motion prevailed.

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

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

LEO LEIDHOLM, Secretary

THIRD DAY

Bismarck, January 7, 1971

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

Prayer by Chaplain Oscar Lund, Lutheran Social Services, Bismarck.

O Lord, we thank Thee for our heritage and we pray Thee that we be found faithful in its preservation, not as a precious heirloom but as the basis for greater fulfillment of Thy purpose among mankind. Do Thou guide in all that is done in this important Assembly. We ask it in Thy most holy name. Amen.

Roll call: All Senators present except Senator Lowe.

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 after recess and second day and finds the same correct.

SENATOR BUTLER, Vice Chairman

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

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee entitled Committee on Committees submits the following for the purpose of amending Senate Standing Committee assignments as found on pages 25, 26, and 27 of the Journal of the Senate for the Organizational and Orientation Session for the 42nd Legislative Assembly, which amendments are as follows:

Committee on Industry, Business and Labor, delete the name "Just" and insert in lieu thereof the name "Mutch"

Committee on Transportation, delete the name "Kuster" and insert in lieu thereof the name "Mutch"

Committee on State and Federal Government, delete the name "Kuster" and insert in lieu thereof the name "Just"

SENATOR RINGSACK, Vice Chairman

Senator Ringsack moved that the report be adopted.

Senator Just: Mr. President. I have a couple of comments I would like to make for the record.

Mr. President, Gentlemen of the Senate, I consider it a privilege to be part of this august body.

In addition to the prestige of serving, I expected some frustrations.

I read and saw Advice and Consent — two terms particularly associated with the Senate, so I am not surprised at my removal as a freshman Senate member from Business, Industry and Labor committee to make room for a senior member.

In a body of changing membership, there must, of necessity, be freshman members.

The seniority system as a part of the governmental system in our country has entertained considerable criticism. People are becoming increasingly frustrated by big corporations and big government.

In reference to this problem, I want to refer to a book I read recently in preparation for my work in the Senate.

The "Lessons of History" by historian Will and Auriel Durant, is a sequel to their 10 volume series, "The Story of Civilization."

These astute observers of our heritage point out in the "Lessons of History" that in the past 3,500 years of recorded history — democracies have only enjoyed brief interludes of success. Our predecessors in the democratic experiment have included Roman and Greek democracies. But the Durants point out that wealth tends to control a democracy — and we do have great concentrations of wealth and power in this country today.

If we were to judge forms of government from their prevalence and duration in history, we have to yield to monarchy — while democracies by contrast have been hectic interludes.

Monarchy has often disgraced itself; but if, said Gibbon, "a man were called upon to fix the period during which the condition of the human race was most happy and prosperous, he would without hesitation name that which elapsed from Nerva to the death of Marcus Aurelius. Their united reigns are possibly the only period of history in which the happiness of a great people was the sole object of government. It was that brilliant age, when Rome's subjects complimented themselves on being under her rule, the emperor transmitted his authority not to his offspring, but to the ablest man he could find — democracy must do the same.

This incident altering my membership on a committee will not of itself alter the course of history — but society has a tendency to forge itself more like the movement of a glacier and the frustrations of society today are causing us to re-examine values and look in new directions.

Thank you for your attention. I consider it a privilege to share my feelings and comments with you.

I think Henry David Thoreau says it best for me, "I would rather sit alone on my pumpkin than be crowded on a velvet cushion." I'll take my pumpkin over to the committee on State and Federal Government.

Thank you.

The question being on the motion of Senator Ringsak, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit:

House Bill No. 1048

House Bill No. 1050

House Bill No. 1051

House Bill No. 1064

House Bill No. 1067

House Bill No. 1068

House Bill No. 1074

House Bill No. 1085

House Bill No. 1095

House Concurrent Resolution No. 3006

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

ROY GILBREATH, Chief Clerk

MOTION

Senator Wenstrom moved that the Sergeant-at-Arms be directed to return to the County Court of Grand Forks County the materials received from said Court in connection with the Election Contest of the 19th District, and to take a receipt therefor.

ROLL CALL

The question being on the motion of Senator Wenstrom, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sorlie
Butler	Jones	Nething	Strinden
Chesrown	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Redlin	Thane
Forkner	Litten	Ringsak	Thoreson
Freed	Longmire	Robinson	Unruh
Goldberg	Melland	Roen	Wenstrom
Hernett	Morgan	Schultz	Wilhite
Holand	Mutch		

Those voting in the negative were:

Barth	Erdman	Just	Rait
Berube	Gronhovd	Larson, L.	Sanstead
Christensen			

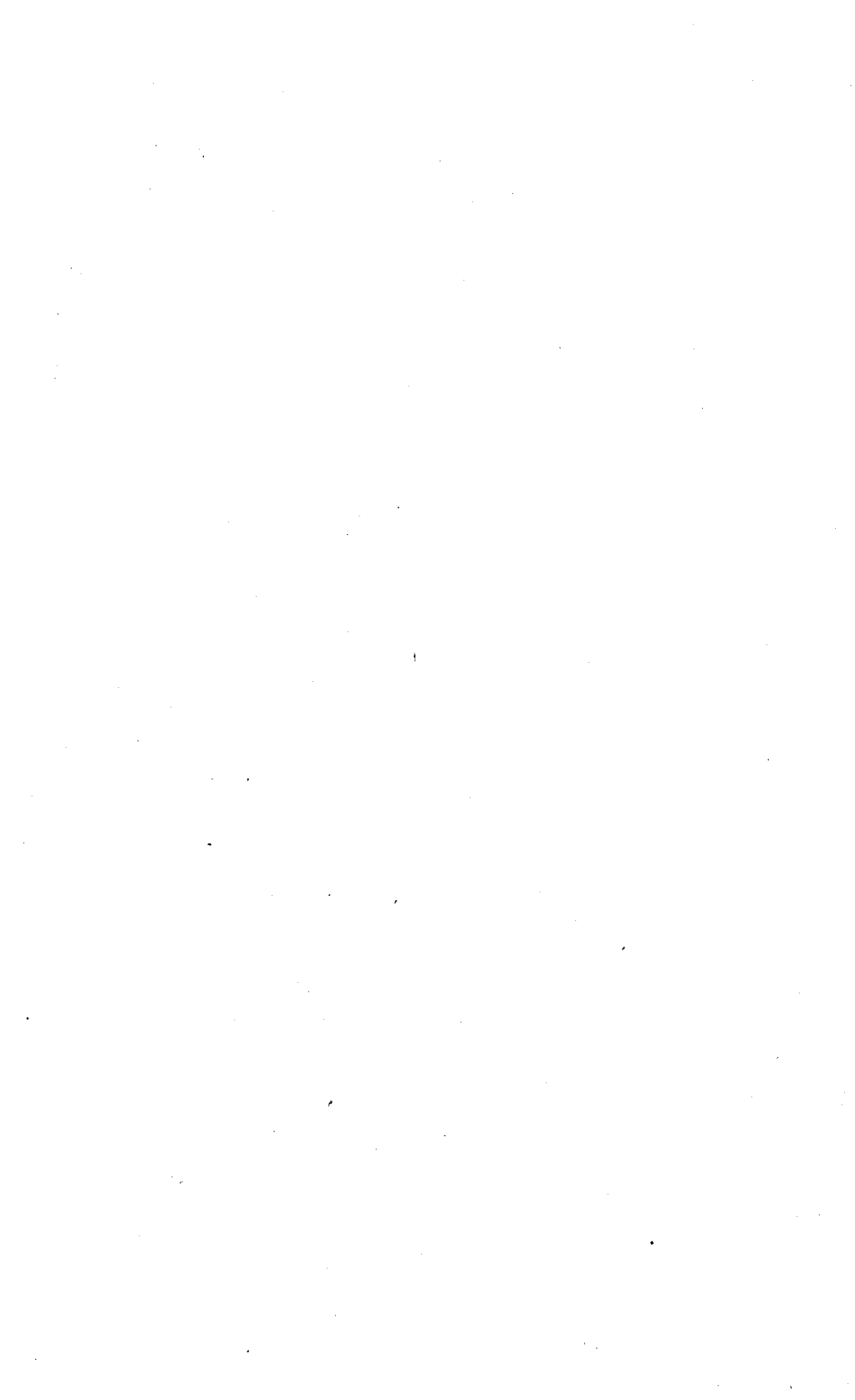
Absent and not voting:

Lowe	Van Horn
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So the motion was declared carried.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2028, 2037, 2071, 2078, and 2080, that the Senate recess until 1:30 p.m., on January 8, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRD DAY AFTER RECESS AND FOURTH DAY

Bismarck, January 8, 1971

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. 2027 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips 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. 2084 has had the same under consideration and recommends that the same do pass.

EMIL E. KAUTZMANN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2085 has had the same under consideration and recommends that the same be indefinitely postponed.

LELAND 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. 2086 has had the same under consideration and recommends that the same be indefinitely postponed.

LELAND ROEN, Chairman

Senator Roen moved that the report be adopted, which motion lost and Senate Bill No. 2086 is placed on the calendar.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2100 has had the same under consideration and recommends that the same do pass.

EARL H. REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2106 has had the same under consideration and recommends that the same do pass.

EARL H. REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2112 has had the same under consideration and recommends that the same do pass.

LELAND 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. 4009 has had the same under consideration and recommends that the same do pass.

LELAND ROEN, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 2110 as recommended by the Committee on Appropriations, and printed on page 62 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. 2028

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2028. A Bill for an Act making an appropriation for salaries and other expenses to the unsatisfied judgement fund for administering the provisions of Chapter 39-17 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 58 of the Senate Journal, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Stroup
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litlen	Roen	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Berube	Butler	Robinson	Thoreson
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Absent and not voting:

Lowe	Ringsak	Swedlund
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So the bill passed and the title was agreed to.

Senate Bill No. 2037. A Bill for an Act to authorize the board of university and school lands to charge fees, and to repeal section 15-02-10 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, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
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Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Just	Pyle	Stroup
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg			

Those voting in the negative were:

Butler	Jones	Nothing	Swedlund
Doherty	Larson, G.	Page	Van Horn
Holand	Litten		

Absent and not voting:

Lowe	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2071. A Bill for an Act to create and enact section 19-21-04.1 of the North Dakota Century Code, and to amend and reenact sections 19-21-01, 19-21-02, and 19-21-05 of the North Dakota Century Code, relating to the labeling and regulation of mis-branded and banned hazardous substances, setting forth the powers and duties of the state laboratories department, 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, 47; nays, 0; absent and not voting, 2.

So the bill passed and the title was agreed to.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2078. A Bill for an Act to amend and reenact sections 53-01-02, 53-01-03, 53-01-07, 53-01-08, 53-01-09, 53-01-10, 53-01-11, 53-01-12, 53-01-14, 53-01-15, 53-01-16, and 53-01-19 of the North Dakota Century Code, relating to the state athletic commission and to provide that the secretary of state shall serve as state athletic commissioner; and to repeal sections 53-01-01, 53-01-04, 53-01-05, and 53-01-06 of the North Dakota Century Code, relating to the state athletic 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, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden

Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Roen	Wenstrom
Gronhovd	Longmire	Sanstead	Wilhite

Those voting in the negative were:

Butler	Goldberg	Robinson
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Absent and not voting:

Lowe Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2080. A Bill for an Act to amend and reenact sections 50-10-01, 50-10-05, subsection 1 of section 50-10-06, and subsection 1 of section 50-10-09 of the North Dakota Century Code, and to repeal sections 50-10-02, 50-10-03, 50-10-04, and subsection 10 of section 50-10-06 of the North Dakota Century Code, to provide for the abrogation of the crippled children's commission and to transfer its functions to the public welfare 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe Ringsak Thoreson

So the bill passed and the title was agreed to.

MOTIONS

Senator Sorlie moved that Senate Bill No. 2042 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that Senate Bill No. 2042 be re-referred to the Committee on Education, which motion prevailed.

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

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

LEO LEIDHOLM, Secretary

FOURTH DAY

Bismarck, N. D., January 8, 1971

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

Prayer by Chaplain Frank Unruh, Mennonite Brethren, Bismarck.

Our God and our Father we want to thank You for our beloved Nation and our State of North Dakota and this Legislature.

How we praise You that these men are willing to take time out to acknowledge You in prayer. Bless them for it.

Give them a due sense of responsibility in discharging their duty, and discretion in acting upon a bill. Grant them a high regard for honesty and moral discernment.

Undergird and strengthen them to perform their tasks well, with dignity and respect. Remind them that they are representing the citizens of North Dakota and doing it as unto You, Lord, with inner dedication and zeal.

May they not forget that they are held accountable to You as to how they legislate in all matters of business before them.

Our Father, bless and encourage them in their ministry, looking to You constantly for wisdom, understanding, grace, power and strength, and I know that You will never, no never fail them. In Jesus name we pray. Amen.

Roll call: All Senators present except Senators Lowe and 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 Second Day After Recess and Third Day and recommends that the same be corrected as follows:

On page 69, line 17, delete the word "previous" and insert in lieu thereof the word "precious"

And when so corrected recommends that the same be approved.

FRANCIS BUTLER, Vice Chairman

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

FIRST READING OF SENATE BILLS

Senator Erdman introduced:

Senate Bill No. 2148. A Bill for an Act to create and enact subsection 4 of section 54-52-02.1 of the North Dakota Century Code, relating to the authority for city, county, and school district employees to join the public employees' retirement system.

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

Senators Litten and Lips introduced:

Senate Bill No. 2149. A Bill for an Act to amend and reenact subsection 23 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation as pertains to parking structures.

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

Senators Litten, Melland, Kautzmann and Unruh introduced:

Senate Bill No. 2150. A Bill for an Act to amend and reenact sections 23-15-01, 23-15-02, 23-15-04, and 62-04-05 of the North Dakota Century Code, relating to fireworks.

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

Senators Lips and Wilhite introduced:

Senate Bill No. 2151. A Bill for an Act to amend and reenact subsection 13 of section 26-08-11 of the North Dakota Century Code, relating to authorized investment of funds of insurance companies.

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

Senator Chesrown introduced:

Senate Bill No. 2152. A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to an

inquiry conducted by the state's attorney.

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

Senators Lips, and Wilhite introduced:

Senate Bill No. 2153. A Bill for an Act to authorize domestic life insurance companies to invest in subsidiaries.

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

Senators Lips and Rait introduced:

Senate Bill No. 2154. A Bill for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code, to provide for an annual assessment of real property.

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

Senators Lips and Erdman introduced:

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 26-03-12 of the North Dakota Century Code, relating to the transfer of policies of life and health insurance.

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

Senators Lips and Wilhite introduced:

Senate Bill No. 2156. A Bill for an Act to protect shareholders of North Dakota corporations by requiring public announcement and fair, full and effective disclosure to shareholders in regard to take-over bids and to declare an emergency.

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

Senators Lips and Wilhite introduced:

Senate Bill No. 2157. A Bill for an Act to amend and reenact subsection 3 of section 26-03-36 of the North Dakota Century Code, relating to provisions prohibited in a life insurance policy.

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

Senators Lips and Litten introduced:

Senate Bill No. 2158. A Bill for an Act to amend and reenact subsection 3 of section 28-01-18 of the North Dakota Century Code, relating to the limitation of malpractice actions.

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

Senators Lips and Litten introduced:

Senate Bill No. 2159. A Bill for an Act to amend and reenact Section 31-08-01 of the North Dakota Century Code, relating to the admissibility in evidence of business records.

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

Sentor Holand introduced:

Senate Bill No. 2160. 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, as contained in house bill no. 1045, as approved by the forty-second legislative assembly, relating to changing the county reorganization committee to a regional committee.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1048. A Bill for an Act to amend and reenact sections 57-16-03 and 57-16-06 of the North Dakota Century Code, relating to the requirements for notice and the form of ballots for excess mill levy elections.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1050. A Bill for an Act to amend and reenact section 11-10.1-06 of the North Dakota Century Code, relating to the duties of county directors of tax equalization in obtaining agricultural statistics; to repeal sections 4-01-01, 4-01-02, 4-01-03, 4-01-06, 4-01-07, 4-01-10, 4-01-11, 4-01-12, 4-01-13, and 4-01-14 of the North Dakota Century Code, relating to the collection of agricultural statistics by assessors, the furnishing of such statistics by county auditors, and the duties of the commissioner of agriculture in his capacity as state statistician; and declaring an emergency.

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

House Bill No. 1051. A Bill for an Act to repeal subsection 3 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from the sales tax of agricultural products when sold in exchange for like agricultural products produced by the purchaser and is for the purchaser and his family.

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

House Bill No. 1064. A Bill for an Act to amend and reenact section 43-17-22 of the North Dakota Century Code, to remove the citizenship requirements for the licensing of physicians.

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

House Bill No. 1067. A Bill for an Act to create and enact sections 44-08-18, 54-06-15, and 54-21-17.1 of the North Dakota Century Code, relating to keys issued to the state capitol building, and offices therein; providing for retention of a state official's or employee's final wage or salary check upon failure to return an issued key; providing for payment of a fee in lieu of return of a key; providing the procedures for enforcement; and declaring an emergency.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1068. A Bill for an Act to amend and reenact section 46-02-10 of the North Dakota Century Code, relating to the printing and binding of public documents, and providing deadlines for delivery.

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

House Bill No. 1074. A Bill for an Act to amend and reenact subsection 4 of section 62-01-14 of the North Dakota Century Code, relating to distribution of records of pistols sold.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1085. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the emergency commission.

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

House Bill No. 1095. A Bill for an Act to amend and reenact section 63-01-01 of the North Dakota Century Code, to include marijuana within the definition of noxious weeds.

Which was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution No. 3006. A concurrent resolution urging the United States Congress to reinstate the investment credit.

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:

Senate Bill No. 2017

Senate Bill No. 2018

Senate Bill No. 2096

Senate Bill No. 2104

Senate Bill No. 2113

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

LEO LEIDHOLM, Secretary

**REPORT OF LEGISLATIVE COMPENSATION COMMISSION
TO THE 42nd LEGISLATIVE ASSEMBLY**

SENATOR WILHITE: Mr. President. House Bill No. 256 of the 41st Legislative Assembly created a Legislative Compensation Commission, to consist of five members appointed by the Governor to four-year terms of office. The committee appointed consisted of Mr. John Rouzie of Bowman as Chairman; Mr. Arley Bjella of Williston; Mr. Gorman King of Valley City; Dr. James Mahoney of Devils Lake, and Mr. Edward Nesemeier of Casselton.

You have each received a copy of the written report of this Committee.

Mr. Rouzie is here today to make an oral report of the findings and recommendations of this committee.

Mr. President, I move that we proceed to the matter of the report of Mr. Rouzie, at this time, which motion prevailed.

Mr. Rouzie then gave his oral report to the Senate.

MOTION

Senator Wilhite moved that the Senate recess at the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTH DAY AFTER RECESS, FIFTH DAY,
AND SIXTH DAY

Bismarck, January 11, 1971

The Senate convened at the call of the chair, 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. 2110

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

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

FIRST READING OF SENATE BILLS

Senators Chesrown, Nething, Holand, Freed and Longmire introduced:

Senate Bill No. 2161. A Bill for an Act to amend and reenact section 40-18-18 of the North Dakota Century Code relating to the fees of jurors in municipal court and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 2162. A Bill for an Act to create a personnel division within the department of accounts and purchases and to provide for the classification of employment positions and the development of a compensation plan.

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

Senators Morgan and Nasset introduced:

Senate Bill No. 2163. A Bill for an Act to amend and reenact section 4-30-29 of the 1969 Supplement to the North Dakota Century Code, relating to rules and regulations concerning grades of milk for Grade "A" and manufacturing purposes.

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

Senators Morgan and Nasset introduced:

Senate Bill No. 2164. A Bill for an Act to amend and reenact section 4-30-02 of the 1969 Supplement to the North Dakota Century Code, relating to the license required for persons manufacturing, processing, distributing or dealing in milk or milk products, fees and terms of licensure.

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

Senators Morgan and Nasset introduced:

Senate Bill No. 2165. A Bill for an Act to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to standards for Grade A milk and milk products, to create state standards for Grade A milk production and processing, and to regulate plant and farm inspections.

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

Senators Nething, Holand and Unruh introduced:

Senate Bill No. 2166. A Bill for an Act to amend and reenact sections 39-08-01 and 39-08-03 of the North Dakota Century Code extending certain crimes under the Motor Vehicle Code off highways.

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

Senators Chesrown, Freed and Unruh introduced:

Senate Bill No. 2167. A Bill for an Act to amend and reenact section 14-05-19 of the North Dakota Century Code relating to transcription of testimony in default divorce cases.

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

Senators Chesrown, Nething, Holand, Freed and Unruh introduced:

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 28-20-34 and 28-26-13 of the North Dakota Century Code relating to interest on judgments and verdicts.

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

Senator Freed introduced:

Senate Bill No. 2169. A Bill for an Act to create and enact subsection 11 of section 43-15-10 of the North Dakota Century Code, relating to powers of the state board of pharmacy.

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

Senators Longmire and Unruh introduced:

Senate Bill No. 2170. A Bill for an Act to provide funds for the surplus property division of the state department of public instruction to obtain property declared surplus by the United States Government, making an appropriation and declaring an emergency.

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

Senators Sanstead and Kautzmann introduced:

Senate Bill No. 2171. A Bill for an Act to amend and reenact sections 40-57.1-01 and 40-57.1-02 of the North Dakota Century Code, relating to property and income tax exemptions for new industries.

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

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

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

LEO LEIDHOLM, Secretary

FIFTH DAY

Bismarck, January 11, 1971

The Senate convened at 2:00 P.M., the President presiding. Prayer by Chaplain Guy Larson, Bismarck.

Roll call: All Senators present except Senator Ringsak.

A quorum was declared by the President.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2027, 2084, 2086, 2100, 2106, 2110, 2112, and Senate Concurrent Resolution 4009, that the Senate adjourn, which motion prevailed.
LEO LEIDHOLM, Secretary

SIXTH DAY

Bismarck, January 11, 1971

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

Prayer by Chaplain Charles H. Backes, Church of St. Joseph, Mandan.

"As this Senate begins another day of decisions for the State of North Dakota, we first turn to You, our God, in praise and thanksgiving for all the gifts and grace You have conferred upon us in past years. We adore You as our living God; a God who has created each of us — a God who is extremely interested in each being whom He has created — A God who will guide each of us if only we respond to Your call.

"We thank You, our Creator and Keeper, for this country and its freedom. And, we pray that this freedom will always continue to be part of our heritage.

"Now we ask, O God, that You bless this Senate and their work today and during the months which lie ahead. And, we ask that You inspire each member of this Senate with Your special blessing, so that, when their work is done, the laws they have enacted will be the BEST that can be made to help all our people on their journey back to You, their Creator."

Roll call: All Senators present except Senator 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 third day after recess and fourth day and recommends that the same be corrected as follows:

On page 78, line 8 from the bottom of the page, delete the second figure "15-53.1-17" and insert in lieu thereof "15-53.1-18"

On page 80, in line 34, delete the words "until 1:30 p.M. on" and in line 35, delete the words "January 11, 1971" and insert in lieu thereof "at the call of the chair"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Chairman

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

REPORT OF STANDING COMMITTEES

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 be amended as follows:

On page 1 line 23 following the word "necessary" insert "**board approved**"

Renumber the lines accordingly.

And when so amended recommends 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 Senate Bill No. 2044, 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 Finance and Taxation to whom was referred Senate Bill No. 2050, has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 18 after word "period" insert triple parentheses before and after the word "of" and insert in lieu thereof "**not exceeding**"

On page 2 line 4 following the word "notices" insert "**, the form of which shall be prescribed by the state board of equalization,**"

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. 2051, 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. 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. 2053, 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. 2054, 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 Senate Bill No. 2061, has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 13 following the second word "of" insert triple parentheses before and after the word "one" and insert the following "from three to five"

On page 1 line 14 insert triple parentheses before and after "member" and insert in lieu thereof "**members**" and insert triple parentheses before the word "each" and after the word "the" and insert in lieu thereof "**within the county**"

On page 1 line 15 insert triple parentheses before and after the word "county"

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 Industry, Business and Labor to whom was referred Senate Bill No. 2063, has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2066, has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the bill title, delete the word "campaign" and insert in lieu thereof the word "campaign".

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2077, has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2090 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2098 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. 2099 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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 be amended as follows:

On page 1 line 21 after the word "state" delete the triple parentheses

On page 2 line 1 after the word "determine" delete the triple parentheses

Re-number the lines accordingly.

And when so amended recommend the same do pass.

SENATOR HOLAND, Chairman

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 11, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1040

House Bill No. 1075

House Bill No. 1087

House Bill No. 1107

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

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2027. A Bill for an Act making an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association.

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, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2084. A Bill for an Act to repeal section 25-10-03 of the North Dakota Century Code, relating to the mental health coordinating 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, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2086. A Bill for an Act to repeal section 55-08-02 of the North Dakota Century Code, relating 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, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Roen
Berube	Hernett	Melland	Schultz
Butler	Holand	Morgan	Sorlie
Chesrown	Kautzmann	Nothing	Strinden
Coughlin	Lips	Page	Stroup
Forkner	Litten	Redlin	Wenstrom
Freed			

Those voting in the negative were:

Barth	Jones	Nasset	Thane
Christensen	Just	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Robinson	Van Horn
Gronhovd	Lowe	Sanstead	Wilhite
Jacobson	Mutch	Swedlund	

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2100. A Bill for an Act to authorize a levy by counties and cities for programs and activities for older persons, and to require contracts with the governing bodies of such 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, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Roen
Barth	Hernett	Longmire	Sanstead
Berube	Holand	Lowe	Swedlund
Chesrown	Jacobson	Melland	Thane
Christensen	Jones	Nasset	Thoreson
Coughlin	Just	Nothing	Unruh
Doherty	Kautzmann	Page	Van Horn
Erdman	Larson, G.	Pyle	Wenstrom
Forkner	Larson, L.	Rait	Wilhite
Goldberg	Lips	Redlin	

Those voting in the negative were:

Butler	Mutch	Schultz	Strinden
Freed	Robinson	Sorlie	Stroup
Morgan			

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2106. A Bill for an Act to create and enact section 57-15-24.1 of the North Dakota Century Code, authorizing a county levy of one-half mill for an alcoholism prevention program.

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, 25; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jacobson	Melland	Sanstead
Berube	Kautzmann	Nasset	Swedlund
Chesrown	Larson, G.	Nothing	Unruh
Christensen	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Roen	

Those voting in the negative were:

Barth	Gronhovd	Morgan	Sorlie
Butler	Holand	Mutch	Strinden
Coughlin	Jones	Page	Stroup
Doherty	Just	Pyle	Thane
Erdman	Larson, L.	Robinson	Thoreson
Forkner	Lowe	Schultz	Van Horn
Freed			

Absent and not voting:

Ringsak

Senator Holand changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

Senate Bill No. 2110. A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, and 4-09-20 of the North Dakota Century Code, relating to the transfer of the state seed department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 62 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Low	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 20-05-02 of the North Dakota Century Code, relating to changing the opening of big game season from noon on Friday to sunrise on Saturday.

Senator Sorlie moved that Senate Bill No. 2112 be laid over one legislative day, which motion prevailed.

Senate Concurrent Resolution No. 4009. A concurrent resolution urging Congress to amend the Uniform Time Act of 1966 to provide that daylight savings time would commence on Memorial Day and end on Labor Day.

Was read the second time.

Senator Sorlie moved that Senate Concurrent Resolution No. 4009 be adopted, which motion prevailed.

MOTION

Senator Butler moved that Senate Bill No. 2130 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Butler moved that Senate Bill No. 2130 be re-referred to the Committee on Education, which motion prevailed.

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 11, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2028

Senate Bill No. 2037

Senate Bill No. 2071

Senate Bill No. 2078

Senate Bill No. 2080

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 11, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1047

House Bill No. 1069

House Bill No. 1090

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

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 11, 1971

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 3007

House Concurrent Resolution No. 3008

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

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess until 1:30 P.M., January 12, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



SIXTH DAY AFTER RECESS AND
SEVENTH DAY

Bismarck, January 12, 1971

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

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 FINANCE AND TAXATION

Senator Butler — Chairman

Commissioner of Banking and Financial Institutions (6-01-01 — Title changed by the 1969 legislature)

G. W. (Gil) Ellwein, Bismarck, October 1, 1969 — July 1, 1973.

COMMITTEE ON STATE AND FEDERAL GOVERNMENT

Senator George Longmire — Chairman

1. **Director of Institutions** (S.B. 425, 1969 Session Laws)
Walter Fiedler, Ryder, July 1, 1969 — January 1, 1973
2. **State Historical Board** (55-01-01 as amended)
Ben H. Innis, Williston, July 1, 1969 — July 1, 1972
Robert Cory, Minot, July 1, 1969 — July 1, 1972
Dr. D. Jerome Tweton, Grand Forks, July 14, 1970 — July 1, 1972

COMMITTEE ON EDUCATION

Senator Holand — Chairman

1. **North Dakota Council on Arts and Humanities** (Chapter 397, Article 3, 1967 Session Laws)
Dr. Frank C. Pearson, Dickinson, July 1, 1969 — July 1, 1972
Mrs. Richard Beckmen, Bismarck, July 1, 1970 — July 1, 1975
2. **State Board of Higher Education** (15-10-02)
Mrs. Arthur (Ailsa) Simonson, Crosby, July 1, 1970 — July 1, 1977
3. **Higher Education Facilities Commission** (15-10-29)
Dr. J. Kenneth Galloway, Devils Lake, July 1, 1969 — July 1, 1972
Kenneth Urdahl, Jamestown, July 1, 1970 — July 1, 1973
4. **State Board of Public School Education** (15-21-17 amended)
Merlyn Miller, Wahpeton, April 7, 1970 — July 1, 1972
Richard Hilborn, Durbin, July 1, 1970 — July 1, 1976
Donald Lange, Webster, July 1, 1970 — July 1, 1976

COMMITTEE ON SOCIAL WELFARE AND VETERANS AFFAIRS
Senator Kautzmann, Chairman**Soldiers Home Trustees** (37-15-03)

- Stephen J. Groth, Enderlin, March 29, 1969 — July 1, 1972
Arthur E. Ulness, Fargo, July 1, 1970 — July 1, 1975
Bernard A. Wagner, Sanborn, June 19, 1970 — July 1, 1974

MOTION

Senator Butler moved that the appointment of C. W. (Gil) Ellwein, as Commissioner of Banking and Financial Institutions be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Freed, Nasset and Strinden introduced:

Senate Bill No. 2172. A Bill for an Act to amend and reenact section 39-16.1-01, subsections 2 and 3 of section 39-16.1-04, and subsection 1 of section 39-16.1-09 of the North Dakota Century Code, relating to proof of financial responsibility and notification to the highway commissioner by insurance companies whenever they issue a policy of motor vehicle liability insurance.

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

Senator Lips introduced:

Senate Bill No. 2173. A Bill for an Act to amend and reenact sections 23-17.1-01, 23-17.1-02, 23-17.1-03, 23-17.1-04, 23-17.1-05, 23-17.1-06, and 23-17.1-07 of the North Dakota Century Code, relating to the licensing of addiction hospitals and declaring an emergency.

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

Senators Goldberg, Nething, Longmire, Holand and Chesrown introduced:

Senate Bill No. 2174. A Bill for an Act to provide a method of selection of jurors; and to repeal chapter 27-09 of the North Dakota Century Code.

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

Senators Goldberg, Nething, Longmire, Holand and Chesrown introduced:

Senate Bill No. 2175. A Bill for an Act to amend and reenact section 16-13-07 of the North Dakota Century Code, providing for a permanent pollbook to the clerk of the district court by the county auditor.

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

Senators Melland, Berube, Nasset and Roen introduced:

Senate Bill No. 2176. A Bill for an Act to amend and reenact subsection 6 of section 39-12-04 of the North Dakota Century Code, relating to width, height, and length limitations on vehicles — exceptions.

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

Senators Roen and Freed introduced:

Senate Bill No. 2177. A Bill for an Act authorizing the State Historical Society of North Dakota to sell a tract of land in Billings County, North Dakota, and declaring an emergency.

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

Senators Sanstead and Jones introduced:

Senate Bill No. 2178. A Bill for an Act to amend and reenact section 15-36-11 of the North Dakota Century Code, relating to teachers' certificates.

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

Senator L. Larson and Nasset introduced:

Senate Concurrent Resolution No. 4012. A Concurrent Resolution for an amendment to article 1 of the amendments to the Constitution of the state of North Dakota, relating to lotteries and gift enterprises.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1040. A Bill for an Act to amend and reenact section 36-09-14 of the North Dakota Century Code, relating to the issuance of brand books by the commissioner of agriculture.

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

House Bill No. 1047. A Bill for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the medical advisory council.

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

House Bill No. 1069. A Bill for an Act to repeal chapter 61-17 of the North Dakota Century Code, which contains the tri-state water compact and provides for a tri-state waters commission.

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

House Bill No. 1075. A Bill for an Act to amend and reenact sections 4-09-10, 4-09-11, and 4-09-14 of the North Dakota Century Code, relating to the labeling of hermetically sealed seed containers, and to the time limit within which such seed containers must be retested.

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

House Bill No. 1087. A Bill for an Act to amend and reenact sections 4-02-17 and 4-02-18 of the North Dakota Century Code; and to repeal section 4-02-21 of the North Dakota Century Code, relating to the Missouri Slope agriculture and fair association.

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

House Bill No. 1090. A Bill for an Act to repeal sections 23-13-09 and 23-13-10 of the North Dakota Century Code, relating to the safety committee.

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

House Bill No. 1107. A Bill for an Act to permit any person over eighteen years of age to be a blood donor without parental authority.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3007. A Concurrent Resolution urging Congress and the United States Forest Service to declare the national grasslands in western North Dakota ineligible for lease for strip mining of coal.

Was read the first time.

Senator Wilhite moved that the rules be suspended and that House Concurrent Resolution No. 3007 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. 3007. A Concurrent Resolution urging Congress and the United States Forest Service to declare the

national grasslands in western North Dakota ineligible for lease for strip mining of coal.

Was read the second time.

Senator Wilhite moved that House Concurrent Resolution No. 3007 be adopted, which motion prevailed.

FIRST READING OF
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3008. A Concurrent Resolution commending Mr. Iver Kval for his many years of service to the Legislative Assembly of the State of North Dakota.

Was read the first time.

Senator Wilhite moved that the rules be suspended and that House Concurrent Resolution No. 3008 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. 3008. A Concurrent Resolution commending Mr. Iver Kval for his many years of service to the Legislative Assembly of the State of North Dakota.

Was read the second time.

Senator Holand: "Mr. President. Gentlemen of the Senate. I feel compelled to make a few remarks about this resolution, in part because of my long association with Iver Kval, and in part for the information of some of the newer Senators who may not have had an opportunity of meeting him. What has brought this resolution about is that one of the Members of the House inquired of me about Iver's absence. I pointed out our information indicated that he was gravely ill and that he would not be in service at any time again for the legislature. In fact Iver came here in 1955 and I guess his term of service is as long as mine, and those of you who knew him know that he was our faithful parking lot attendant starting when the parking lot to the west of the capitol was nothing but a gravel path, one that required a great deal of work in order that we might be able to find a place to park during our busy schedule. Iver was devoted to the legislature, was devoted to the job we assigned to him. To him this was the most important job up here — at least he treated it that way. I think the resolution is most appropriate. I know that he will be most gratified that the Legislature of North Dakota has taken a few minutes of its time to express appreciation to him. Thank you."

MOTION

Senator Wilhite moved that House Concurrent Resolution No. 3008 be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2039 has had the same under consideration and recommends that the same be amended as follows:

In the title of the bill on line 3 after the word "of" insert the word "private"

On page 1 line 12 after the word "regulate" insert the word "private"

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2040 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the word "and" and insert in lieu thereof a comma.

On page 1, line 2, following the section number "19-05-07", insert the words: ", subsection 1 of section 19-05-09, section 19-05-15, and subsection 1 of section 19-05-19"

On page 3, line 21, after the period insert the following three new sections:

"SECTION 3. AMENDMENT.) Subsection 1 of section 19-05-09 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The state tax commissioner shall prepare and purchase suitable stamps denoting the payment of the tax for use on each kind of package described in this chapter. The state tax commissioner shall keep an accurate record of all stamps coming into and leaving his hands. The moneys received from the sale of oleomargarine stamps shall be deposited in the general fund of this state. No manufacturer, wholesaler, distributor, jobber or any person acting as such shall sell or dispose of any stamps received by him under the provisions of this chapter to another manufacturer, wholesaler, distributor, jobber or any person acting as such or to any other person. If a manufacturer, wholesaler, distributor, jobber or any person acting as such owns or operates more than one place of business, stamps may be distributed to the various places of business by the main office ((, but each place of business shall have a separate license))).

SECTION 4. AMENDMENT.) Section 19-05-15 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-05-15. FORGING OR COUNTERFEITING STAMPS — PUNISHMENT.) Any person who, with intent to defraud the state, makes, alters, forges, or counterfeits any (((license or))) stamps provided for in this chapter or assists therein or who has in his possession any forged, counterfeited, spurious, or altered (((license or))) stamp, knowing the same to be forged, counterfeited, spurious, or altered, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the the penitentiary for not more than three years, or by both such fine and imprisonment.

SECTION 5. AMENDMENT.) Subsection 1 of section 19-05-19 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The tax commissioner and his authorized agents shall enforce the provisions of this chapter and shall have the powers of peace officers. They may arrest violators of the provisions of this chapter and enter complaint before any court of competent jurisdiction, and may seize without formal warrant, and use as evidence, any forged, counterfeited, spurious, or altered (((license or))) stamp, and untaxed oleomargarine found in the possession of any person in violation of this chapter (((;)))."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2060 has had the same under consideration and recommends that the same be amended as follows:

In the title of the bill on line 3 after the numerals "50-01-01" delete the remainder of the line

In the title of the bill delete all of lines 4 through 6

On page 2 line 21 insert triple parentheses before the word "SECTION"

On page 2 line 28 insert triple parentheses following the period and delete the remainder of the line

Delete all of lines 29 through 32

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2062 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary 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 7, delete the period and insert in lieu thereof a comma and the following words: "and to create and enact a section to provide for an effective date thereof."

On page 4, after the last printed line of the bill, insert the following new section:

"SECTION 4. EFFECTIVE DATE.) The provisions of this Act with respect to states attorneys in counties having a population in excess of thirty-five thousand shall not be mandatory until January 6, 1975, except that such states attorneys affected by this Act may elect to be subject to its provisions on July 1, 1971."

And renumber the pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2067 has had the same under consideration and recommends that the same be amended as follows:

On page 1 in line 23 delete the words "fifty-one" and insert the words "a ten" and after the word "percent" insert the word "random sample"

On page 1 in line 24 after the word "petition" but before the period insert the words "nor to less than ten persons in any county if ten or more persons signing such petitions list post-office addresses in such county"

On page 2 in line 13 after the period insert the following new sentences: "The secretary of state may, in his discretion, make personal telephone calls to persons whose signatures are contained in such petitions to obtain the information required in the questionnaire from the signatory, and shall record the information in the same manner as a returned questionnaire. Such a telephone call shall be considered in lieu of a written questionnaire within the requirements of this section."

And renumber the pages and lines accordingly.

And when so amended recommends the same be rereferred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

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

Mr. President: The Majority of your Committee on Transportation to whom was referred Senate Bill No. 2081 has had the same under consideration and recommends that the same do pass.

For the Majority:
 Senator Forkner
 Senator Unruh
 Senator Erdman
 Senator Butler

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted.

Mr. President: The Minority of your Committee on Transportation to whom was referred Senate Bill No. 2081 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Minority:
 Senator Ringsak
 Senator Page
 Senator Mutch

Senator Ringsak moved that the report of the minority be substituted for that of the majority, which motion lost.

The question being on the motion of Senator Forkner, which motion prevailed.

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

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2083 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 Transportation to whom was referred Senate Bill No. 2088 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2091, has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 20 following the word "transferred" insert triple parentheses before the word "on" and after the word "basis"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2095, 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. 2097, has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2107, has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2109, has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner 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 CHESROWN, Chairman

Senator Chesrown 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 delete all of lines 18 and 19

On page 1 line 20 delete the following "**dollars or less per annum from all sources**" and insert triple parentheses before and after the comma

On page 1 line 21 insert triple parentheses before and after "fifty" and insert in lieu thereof the word "**seventy-five**"

On page 2 line 18 after the word "dollars" delete the remainder of the line

On page 2 line 19 after the word "per annum" insert the following "**the exemption shall be granted only if the statement is filed with the assessor prior to May 1 each year**"

On page 2 line 19 delete the following "**applicable,**"

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. 2131, 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 Senate Bill No. 2136, has had the same under consideration and recommends that the same do pass and be rereferred to the Appropriations Committee.

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. 2137, has had the same under consideration

and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Bill No. 2106 was lost, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2106. A Bill for an Act to create and enact section 57-15-24.1 of the North Dakota Century Code, authorizing a county levy of one-half mill for an alcoholism prevention program.

Which has been read.

Senator Lips moved that Senate Bill No. 2106 be amended as follows:

On page 1, line 11, delete the following: "is authorized"

On page 1, line 12, delete the following: "to" and insert in lieu thereof, the following: ", upon a majority vote of the electorate thereof, shall"

And renumber the lines accordingly.

Which motion prevailed.

Senator Ringsak moved that Senate Bill No. 2106 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

MOTION

Senator Melland moved that the Senate reconsider the action by which Senate Bill No. 2100 was passed, which motion prevailed.

Senator Melland moved that Senate Bill No. 2100 be re-referred to the Committee on Political Subdivisions, 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 42nd Legislative Assembly of the State of North Dakota, as printed in its entirety on page 143 of the House Journal, which motion prevailed.

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

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

LEO LEIDHOLM, Secretary

SEVENTH DAY

Bismarck, January 12, 1971

The Senate convened at 2:00 P.M., the President presiding. Prayer by Chaplain Clarence Stomp, House of Prayer Lutheran, Bismarck.

O God, our Father, give us wisdom to know what we ought to do.

Save us from:

- The cowardice which will not face the truth;
- The laziness which will not learn the truth;
- The prejudice which cannot see the truth;
- The stubbornness which will not accept the truth;
- The pride which will not seek the truth.

Save us from:

- The folly that is deaf to conscience;
- The arrogance which will not accept advice;
- The self-conceit which resents all rebuke;
- The shut mind that bars the door to the entry of the Holy Spirit, who is the Spirit of Truth.

O God, our Father, give us grace and power to do what we ought to do.

Save us from:

The weakness of will which is too easily deflected from its goal;

The lack of resistance which too easily yields to temptation;

The procrastination which puts things off until it is too late to do them;

The want of perseverance which begins a task but cannot finish it.

Save us from:

The love of ease which chooses the comfortable way;

The fear of men which cannot stand alone;

The faint heart which will not venture for your name.

So grant us wisdom clearly to know and power faithfully to fulfil your commands; through Jesus Christ our Lord.

Amen.

Roll call: All Senators present except Senator 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, fifth day and sixth day and finds the same correct.

SENATOR LOWE, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Bill No. 2043 as recommended by the Committee on Education, and printed on page 83 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2050 as recommended by the Committee on Finance and Taxation, and printed on page 84 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2061 as recommended by the Committee on Education, and printed on page 84 of the Senate Journal, be adopted.

Senator Nasset moved that Senate Bill No. 2061 be re-referred to the Committee on Education, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2066 as recommended by the Committee on Judiciary, and printed on page 85 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2135 as recommended by the Committee on Education, and printed on page 85 of the Senate Journal, be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 12, 1971.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2027

Senate Bill No. 2084

Senate Bill No. 2086

Senate Bill No. 2110

Senate Concurrent Resolution No. 4009

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

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, January 12, 1971

Mr. Speaker: I have the honor to return:
House Concurrent Resolution No. 3007
House Concurrent Resolution No. 3008
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

Senate Bill No. 2044. A Bill for an Act to amend and reenact section 15-29-01 of the North Dakota Century Code, relating to school board meetings.

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 2051. A Bill for an Act to create and enact section 40-57.1-06 of the North Dakota Century Code, to provide for reapplication for tax exemptions in those cases where the exempted property increases in value and in those cases where a project operator moves to a new location.

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, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Roen
Berube	Hernett	Longmire	Sanstead
Butler	Holand	Lowe	Sorlie
Chesrown	Jacobson	Melland	Swedlund
Christensen	Jones	Nasset	Thoreson
Coughlin	Just	Nothing	Unruh
Doherty	Kautzmann	Rait	Wenstrom
Erdman	Larson, L.	Redlin	Wilhite
Forkner	Lips	Ringsak	

Those voting in the negative were:

Barth	Larson, G.	Page	Stroup
Freed	Morgan	Robinson	Thane
Goldberg	Mutch	Strinden	Van Horn

Absent and not voting:

Pyle Schultz

So the bill passed and the title was agreed to.

Senate Bill No. 2052. A Bill for an Act to create and enact section 40-57.1-05 of the North Dakota Century Code, to provide that the state board of equalization shall have discretion in accepting reapplications for tax exemptions for new industries.

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, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Robinson
Barth	Hernett	Longmire	Roen
Berube	Holand	Lowe	Sanstead
Butler	Jacobson	Melland	Schultz
Chesrown	Jones	Morgan	Sorlie
Christensen	Just	Nasset	Swedlund
Coughlin	Kautzmann	Nething	Thoreson
Doherty	Larson, G.	Page	Unruh
Erdman	Larson, L.	Rait	Wenstrom
Forkner	Lips	Redlin	Wilhite

Those voting in the negative were:

Freed	Mutch	Strinden	Thane
Goldberg	Ringsak	Stroup	Van Horn

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 2053. A Bill for an Act to amend and reenact section 40-57.17 of the North Dakota Century Code, to provide that leaseholds granted by municipalities shall be classified as personal property for only five years.

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

Was read the second time.

Senator Butler moved that Senate Bill No. 2054 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senate Bill No. 2063. A Bill for an Act to amend and reenact sections 2-06-10, 15-55-02, 21-01-06, 21-02-02, 21-02-11, 21-03-08, subsection 4 of section 23-11-19, sections 23-11-22, 23-24-10, 24-08-07, 40-24-19, 40-29-15, 40-31-09, 40-33-18, 40-34-03, subsection 1 of section 40-35-08, sections 40-35-09, 40-54-10, subsections 3 and 4 of section 40-58-10, subsection 2 of section 40-61-08, sections 55-08-08, 61-08-07, 61-08-12, 61-08-20, 61-12-38, 61-16-13, 61-16-32, 61-21-50, and 61-21-53 of the North Dakota Century Code, to increase the interest rate ceilings on bonds, warrants, and certificates of indebtedness of the state and political subdivisions to eight percent on issues sold at private sale, to provide that all bond issues and certificates of indebtedness totaling more than one hundred thousand dollars must be sold at public sale, to provide that there shall not be any interest rate ceiling on issues sold at public sale, and to provide that the interest rate on bond issues shall be computed on the basis of average maturities according to standard tables of bond values.

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, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Rait	Swedlund
Coughlin	Lips	Redlin	Thane
Erdman	Litten	Ringsak	Thoreson
Forkner	Longmire	Robinson	Unruh
Freed	Lowe	Roen	Van Horn
Goldberg	Melland	Sanstead	Wenstrom
Hernett	Morgan	Schultz	Wilhite
Holand	Mutch		

Those voting in the negative were:

Berube	Gronhovd	Just	Larson, L.
Doherty			

Absent and not voting:

Barth	Pyle
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So the bill passed and the title was agreed to.

Senate Bill No. 2077. A Bill for an Act to amend and reenact sections 37-10-03, 37-10-03.1, 37-10-03.2, 37-10-03.3, 37-10-03.4, 37-10-04, and 37-10-06 of the North Dakota Century Code, relating to the administration of armories; and to repeal section 37-10-02 of the North Dakota Century Code, relating to the board of armory supervisors.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernett	Lowe	Sanstead
Berube	Holand	Melland	Schultz
Butler	Jacobson	Morgan	Strinden
Chesrown	Jones	Mutch	Stroup
Christensen	Just	Nasset	Swedlund
Coughlin	Kautzmann	Nothing	Thane
Doherty	Larson, G.	Page	Unruh
Erdman	Larson, L.	Rait	Van Horn

Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Ringsak	Wilhite
Goldberg			

Absent and not voting:

Pyle	Roen	Sorlie	Thoreson
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So the bill passed and the title was agreed to.

Senate Bill No. 2079. A Bill for an Act to repeal section 37-17-04 of the North Dakota Century Code, relating to the civil defense advisory council.

Was read the second time.

Senator Longmire moved that Senate Bill No. 2079 be amended as follows:

In line 1 of the title after the word "of" insert "the 1969 Supplement to"

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2079 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Pyle	Thoreson
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So the bill passed and the title as amended was agreed to.

Senate Bill No. 2090. A Bill for an Act to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri-Fort Union Commission.

Was read the second time.

Senator Longmire moved that Senate Bill No. 2090 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 46-04-02 of the North Dakota Century Code, relating to distribution of North Dakota printed laws to state-supported junior colleges.

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie

Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:
Pyle Thoreson

So the bill passed and the title was agreed to.

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 20-05-02 of the North Dakota Century Code, relating to changing the opening of big game season from noon on Friday to sunrise on Saturday.
Which has been read.

Senator Nasset moved that Senate Bill No. 2112 be amended as follows:

In line 3 of the title, delete the word "sunrise" and insert in lieu thereof "10 A.M."

On page 1, lines 19 and 24, delete the words "sunrise" and insert in lieu thereof "10:00 A.M."

Which motion prevailed.

Senator Nasset moved that the rules be suspended and that Senate Bill No. 2112 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, 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, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Lowe	Schultz
Berube	Holand	Melland	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite

Those voting in the negative were:

Freed Morgan Stroup

Absent and not voting:
Pyle Rait

So the bill passed and the title was agreed to.

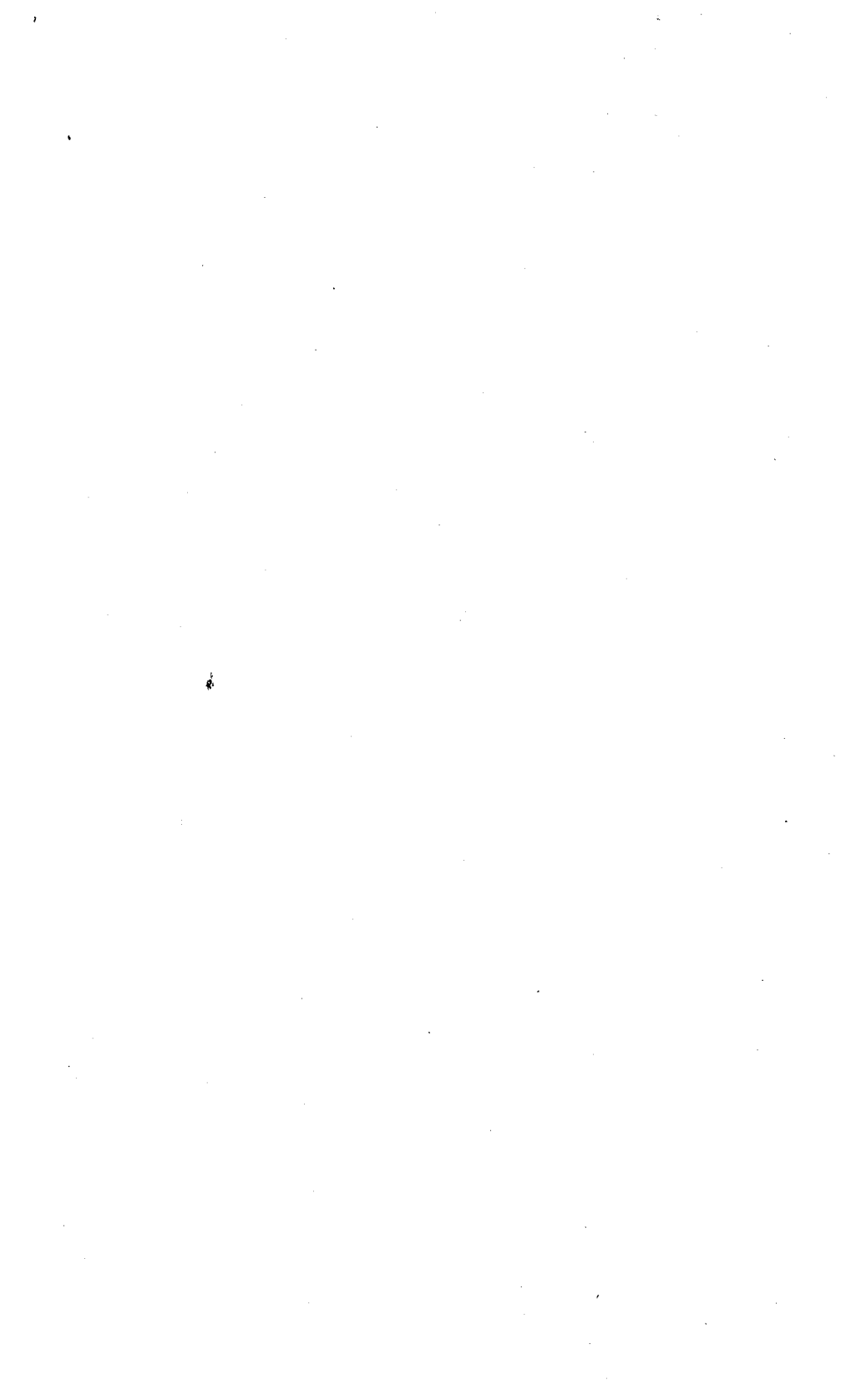
MOTION

Senator Stroup moved that Senate Bill No. 2116 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Stroup requested unanimous consent of the Senate to withdraw Senate Bill No. 2116, which request was granted.

Senator Wilhite moved that the Senate recess until 1:30 P.M., January 13, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 13, 1971

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

CONSIDERATION OF AMENDMENTS

Senator Hernettt moved that the amendments to Senate Bill No. 2039 as recommended by the Committee on Industry, Business and Labor, and printed on page 94 of the Senate Journal, be adopted, which motion prevailed.

Senator Goldberg moved that the reading of the amendments to Senate Bill No. 2040 be dispensed with, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2040 as recommended by the Committee on Industry, Business and Labor, and printed on pages 94 and 95 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the reading of the amendments to Senate Bill No. 2060 be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2060 as recommended by the Committee on State and Federal Government and printed on pages 95 and 96 of the Senate Journal, be adopted, which motion lost.

Senator Longmire moved that Senate Bill No. 2060 be amended as follows:

In the title of the bill on line 3 after the numerals "50-01-01" delete the words "and subsection 4 of Section 50-24-03"

On page 2 delete lines 21 through 32

Which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2065 as recommended by the Committee on Judiciary and printed on page 96 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2067 as recommended by the Committee on State and Federal Government and printed on page 96 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2067 is re-referred to the Committee on Appropriations.

Senator Forkner moved that the amendments to Senate Bill No. 2091 as recommended by the Committee on Transportation and printed on page 97 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2125 as recommended by the Committee on Finance and Taxation and printed on page 98 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Lips, Van Horn, Kautzmann and Sanstead introduced:

Senate Bill No. 2179. 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 Industry, Business and Labor.

Senators Morgan, Melland, Thoreson and Christensen introduced:

Senate Bill No. 2180. A Bill for an Act to create and enact chapter 4-34 of the North Dakota Century Code, relating to the power of the commissioner of agriculture to control or eradicate barberry bushes and hedges; to create and enact chapter 63-01.1 of the North Dakota Century Code, relating to the control and eradication of noxious weeds, the authority and duties of the commissioner of agriculture and the governing bodies of the political subdivisions in regard to noxious weed control, and creating the office of county weed control officer; to provide that the state highway commissioner shall provide for eradication and control of noxious weeds along state and federal highways; to repeal chapters 63-01, 63-02, 63-03, and 63-04 of the North Dakota Century Code, relating to weed eradication and control; and providing penalties.

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

Senators Ringsak, Morgan and Thoreson introduced:

Senate Bill No. 2181. A Bill for an Act relating to the escheat of unclaimed accounts of the Postal Savings System held by the United States Treasury Department; providing an appropriation; and declaring an emergency.

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

Senators Ringsak, Forkner, Morgan, and Redlin introduced:

Senate Bill No. 2182. A Bill for an Act to amend and reenact subsections 1 and 2 of section 11-10-10 and section 27-08-08 of the North Dakota Century Code, relating to increasing salaries of county officers and imposing a minimum salary level.

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

Senators G. Larson, Thoreson, Jacobson, Jones and Anderson introduced:

Senate Bill No. 2183. A Bill for an Act establishing an advisory council on agriculture and agri-business, defining its powers and duties, and providing an appropriation.

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

Senators Longmire, Christensen, Redlin, Robinson and Morgan introduced:

Senate Bill No. 2184. A Bill for an Act to amend and reenact section 61-24-04 of the North Dakota Century Code, providing that the board of directors of the Garrison Diversion Conservancy District receive the same compensation as legislative council members.

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

Senator Wilhite introduced:

Senate Bill No. 2185. A Bill for an Act to amend chapter 57-55 of the 1969 Supplement to the North Dakota Century Code by creating and enacting thereto a new section to provide a discount for payment of taxes on mobile homes or trailer houses and their contents; and to amend and reenact section 57-55-11 of the 1969 Supplement to the North Dakota Century Code, relating to collection of taxes on mobile homes or trailer houses.

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

Senators Thane, Ringsak, Page, and Morgan introduced:

Senate Bill No. 2186. A Bill for an Act requiring the placing of warning signs on dead end roads and highways.

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

Senators Litten, Sanstead, Wilhite and Christensen introduced:

Senate Bill No. 2187. A Bill for an Act to provide for a preliminary meeting of the delegates to the constitutional convention and declaring an emergency.

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

Senators Litten and Unruh introduced:

Senate Bill No. 2188. A Bill for an Act to require banking institutions and building and loan associations to pay interest on certain escrow accounts.

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

REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2043

Senate Bill No. 2050

Senate Bill No. 2066

Senate Bill No. 2106

Senate Bill No. 2135

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2038 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 1 at the end of the line insert the following "**dollars and not more than forty-five hundred**"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2041 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2048 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. 2049 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 16 after the first word "**taxes**" insert the following "**, including motor vehicle excise taxes,**"

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 State and Federal Government to whom was referred Senate Bill No. 2058 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 30 insert triple parentheses before and after the word "six" and insert the word "four"

On page 3 line 4 delete the following "one six-year term" and insert in lieu thereof "two four-year terms"

An when so amended recommends the same be rereferred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2059 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, following the period, delete the remainder of the line

On page 2, delete lines 4 and 5

On page 2, line 6, delete the following: "of the public welfare board of North Dakota.", and insert in lieu thereof, the following: "The board of county commissioners shall nominate three people for each position and the public welfare board of North Dakota shall appoint from such nominations the members of the county welfare board."

On page 2, line 27, following the period, delete the remainder of the line

On page 2, delete line 28

On page 2, line 29, delete the following: "one years of age or older before the end of such term."

On page 3 line 10, place triple parentheses before and after the word "twenty-five" and insert in lieu thereof the word "thirty"

An renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2068 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete all of the language following the words A BILL and insert in lieu thereof the following: "for an Act to create and enact section 54-21-25 of the North Dakota Century Code, providing the authorization for the director of institutions to contract with other governmental agencies for the custody and treatment of persons lawfully committed to his control.

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

SECTION 1.) Section 54-21-25 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-21-25. AUTHORITY TO CONTRACT WITH OTHER GOVERNMENTAL AGENCIES FOR PRISONERS.) If the director of institutions determines that suitable state facilities or services are not available for inmates under his control he may contract for same with the proper authorities of the United States, another state, another agency in this state or a political subdivision of this state. The

director may also contract, without cost to the state, to provide services or facilities for persons held by any of the jurisdictions mentioned in this paragraph."

And renumber the pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2069 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2070 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2120 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2121 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2124 has had the same under consideration and recommends that the same be amended as follows:

In line 4 of the title of the bill after the word "ballots" delete the words "at the elector's option" and insert in lieu thereof the following "in the event machines become inoperable for a reasonable length of time"

On page 2 line 7 after the word "available" delete the remainder of the line and insert in lieu thereof the following: "for voting in the event the machine becomes inoperable for a reasonable length of time."

On page 2 delete all of lines 8 and 9

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2132 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2138 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2147 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 4011 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

MESSAGE TO THE SENATE

House Chamber

Bismarck, January 13, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1041
House Bill No. 1059
House Bill No. 1088
House Bill No. 1096

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

ROY GILBREATH, Chief Clerk

MOTIONS

Senator Butler moved that Senate Bill No. 2048 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Coughlin moved that Senate Bill No. 2129 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Coughlin requested unanimous consent to withdraw Senate Bill No. 2129, which request was granted.

Senator Hernettt moved that Senate Bill No. 2172 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 2172 be re-referred to the Committee on Judiciary, which motion prevailed.

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

Senator Wilhite moved that after reading of Senate Bills Nos. 2062, 2081, 2082, 2083, 2088, 2097, 2107 and 2137, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

EIGHTH DAY

Bismarck, January 13, 1971

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

Prayer by Chaplain Arnold Spain, St. Anne's Church, Bismarck.

God, our Father, the members of this senate have sworn by your name to be faithful in upholding the constitution of this state. Now, we ask your grace for them that they may have wisdom in knowing, courage in accomplishing, and dedication in fulfilling the responsibilities of their office.

They wish your gift of wisdom in their deliberations so that their debates may be conducted in earnestness, charity and with a passion for truth. They realize that they were elected by some of the people to serve all of the people, and they seek courage from you to resist the pressures that may unjustly be put upon them. They wish you to keep alive in them the spirit of dedication to the public good which first impelled them to seek public office.

They are aware that when the work of this term is completed, it is not only to their constituents that they must render an account; thus, they stand before you in humility. Look upon them with favor.

This we ask through Christ Jesus. Amen.

Roll call: All Senators present except Senator Ringsak.

A quorum was declared by the President.

REVISION AND CORRECTION

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

On page 96, in lines 10 and 11 from the bottom of the page, correct the spelling of the word "requirements"

An when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

MOTION

Senator Stroup moved that Senate Bill No. 2103 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Stroup requested unanimous consent of the Senate to withdraw Senate Bill No. 2103, which request was granted.

FIRST READING OF A SENATE RESOLUTION

Senators Wilhite and Christensen introduced:

Senate Resolution No. 3. A Resolution commending Dean Thomas J. Clifford upon his being named the new President of the University of North Dakota.

Was read the first time.

MOTION

Senator Wilhite moved that the rules be suspended, that Senate Resolution No. 3 be not printed as a bill but printed in journal, not referred to committee, and placed on second reading and final passage, which motion prevailed.

SENATE RESOLUTION No. 3

- 1 A resolution commending Dean Thomas J. Clifford upon his
- 1a being
- 2 named the new President of the University of North Dakota.
- 3
- 4 WHEREAS, Dean Thomas J. Clifford has for many years
- 5 devoted his very special talents and energies to furthering
- 6 the cause of higher education in North Dakota; and
- 7 WHEREAS, he has served with distinction and exceptional
- 8 merit in the dual capacities of Vice President of Finance
- 9 and Dean of the College of Business and Public Administration
- 10 for the University of North Dakota; and

11 WHEREAS, he has been widely recognized both in North
12 Dakota and in professional circles for his civic and educa-
13 tional accomplishments; and

14 WHEREAS, members of the North Dakota State Senate
15 through association with him over the years have come to
16 highly respect him as an administrator and value him as a
17 friend; and

18 WHEREAS, after careful deliberation and after screening
19 the top candidates available for the position from across
20 the country, the North Dakota State Board of Higher Education
21 has chosen Dean Thomas J. Clifford to be the next President
22 of the University of North Dakota;

23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
23a OF THE
24 STATE OF NORTH DAKOTA:

Page No. 2

1 That it extend to President-Designate Dean Thomas J.
2 Clifford its most heartfelt congratulations and sincere best
3 wishes in the job ahead, and that it express to him its
4 confidence that he will continue and further his excellent
5 record of accomplishment and achievement in his new post; and
6 BE IT FURTHER RESOLVED, that the Secretary of the Senate
7 forward a copy of this resolution to Dean Thomas J. Clifford.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 3. A Resolution commending Dean Thomas J. Clifford upon his being named the new President of the University of North Dakota.

Was read the second time.

Senator Wilhite moved that Senate Resolution No. 3 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2062. A Bill for an Act to create and enact subsection 16 of section 50-06-06 of the North Dakota Century Code, and to amend and reenact sections 12-46-02, 12-46-03, 12-46-04, 12-46-05, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-10.1, 12-46-11, 12-46-12, 12-46-13, 12-46-16, 12-46-17, 12-46-18, 12-46-21, 12-46-22, 12-46-23, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-06, 12-52-07, 54-23-01, and 54-23-22 of the North Dakota Century Code, transferring control of the North Dakota industrial school to the public welfare board.

Which has been read.

Senator Kautzmann moved that Senate Bill No. 2062 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2043. A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code, relating to the compensation of school board members.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 83 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane

Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2050. A Bill for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, to require notice by publication to competitors by potential project operators applying for tax exemptions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 84 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2066. A Bill for an Act to repeal section 16-20-10 of the North Dakota Century Code, relating to immunity from prosecution for persons testifying to campaign contributions by corporations.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 85 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 39-03-03 and 39-03-13 of the North Dakota Century Code, relating to the appointment of highway patrolmen and powers of the superintendent of the highway patrol; and to repeal section 39-03-14 of the North Dakota Century Code, relating to the state highway patrol hearing 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, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Schultz
Barth	Hernett	Longmire	Sorlie
Berube	Holand	Lowe	Stroup
Butler	Jacobson	Melland	Swedlund
Chesrown	Jones	Nasset	Thane
Christensen	Just	Nothing	Thoreson
Erdman	Kautzmann	Rait	Unruh
Forkner	Larson, G.	Redlin	Wenstrom
Freed	Larson, L.	Roen	Wilhite
Goldberg	Lips	Sanstead	

Those voting in the negative were:

Doherty	Mutch	Pyle	Strinden
Morgan	Page	Robinson	

Absent and not voting:

Coughlin	Ringsak	Van Horn
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So the bill passed and the title was agreed to.

Senate Bill No. 2082. A Bill for an Act to create and enact sections 24-02-03.1, 24-02-03.2, and 54-07-01.1 of the North Dakota Century Code, relating to the authority of the highway commissioner in matters of national defense and damages to public roads, and emergency powers of the governor; and to repeal chapter 24-13 of the North Dakota Century Code, relating to the highway traffic advisory 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Lowe		

Absent and not voting:

Coughlin	Ringsak	Van Horn
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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 15-52-10, 15-52-15, subsection 3 of section 15-52-16, sections 15-52-17, 15-52-18, 15-52-19, 15-52-20, 15-52-21, 15-52-22, 15-52-23, 15-52-24, 15-52-25, 15-52-26, and 15-52-28 of the North Dakota Century Code; and to repeal sections 15-52-11, 15-52-12, 15-52-13, and 15-52-14 of the North Dakota Century Code, to provide for the abrogation of the

medical center loan fund board and for the transfer of the functions of such board to the university 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Lowe	Sanstead	

Absent and not voting:

Coughlin Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2088. A Bill for an Act to create and enact subsection 12 of section 57-01-02 of the North Dakota Century Code; to amend and reenact sections 39-19-01 and 39-19-03 of the North Dakota Century Code; and to repeal section 39-19-02 of the North Dakota Century Code; relating to the reciprocity 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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Lowe	Sanstead	Wilhite
Hernett	Melland		

Absent and not voting:

Berube Coughlin Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2097. A Bill for an Act to provide for an automatic recount if a certain percentage of vote difference exists between candidates for the same congressional, state or legislative 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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden

Butler	Jones	Nasset	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Lowe	Sanstead	

Absent and not voting:
Coughlin Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2107. A Bill for an Act to create and enact chapter 19-16.1 of the North Dakota Century Code relating to the sale and distribution of antifreeze, providing for the regulation thereof by the state laboratories department and providing a penalty; and to repeal chapter 19-16 of the North Dakota Century Code relating to the sale and distribution of antifreeze.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Lowe	Sanstead	

Absent and not voting:
Coughlin Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2135. A Bill for an Act to amend and reenact section 54-24-09 of the North Dakota Century Code, relating to the state library's distribution of certain publications.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 85 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2137. A Bill for an Act to amend and reenact sections 12-21-07, 12-21-09, and 12-21-11 of the North Dakota Century Code, to provide that certain motion picture theater employees shall not be liable for showing or possessing obscene motion pictures if acting within the scope of their employment.

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, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Lowe	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2062. A Bill for an Act to create and enact subsection 16 of section 50-06-06 of the North Dakota Century Code, and to amend and reenact sections 12-46-02, 12-46-03, 12-46-04, 12-46-05, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-10.1, 12-46-11, 12-46-12, 12-46-13, 12-46-16, 12-46-17, 12-46-18, 12-46-21, 12-46-22, 12-46-23, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-06, 12-52-07, 54-23-01, and 54-23-22 of the North Dakota Century Code, transferring control of the North Dakota industrial school to the public welfare board.

Senator Kautzmann moved that Senate Bill No. 2062 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 13, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2044
Senate Bill No. 2051
Senate Bill No. 2052
Senate Bill No. 2053
Senate Bill No. 2063
Senate Bill No. 2077
Senate Bill No. 2079
Senate Bill No. 2098
Senate Bill No. 2112

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 13, 1971

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 3012

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

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess until 1:30 P.M., January 14, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

EIGHTH DAY AFTER RECESS AND NINTH DAY

Bismarck, January 14, 1971

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. 2039

Senate Bill No. 2040

Senate Bill No. 2060

Senate Bill No. 2065

Senate Bill No. 2067

Senate Bill No. 2091

Senate Bill No. 2125

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

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

MOTIONS

Senator Holand moved that Senate Bill No. 2042 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Holand moved that Senate Bill No. 2042 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Lips moved that Senate Bill No. 2179 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Lips moved that Senate Bill No. 2179 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Sorlie moved that Senate Concurrent Resolution No. 4005 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that Senate Concurrent Resolution No. 4005 be re-referred to the Committee on Education, which motion prevailed.

MILEAGE AND PER DIEM COMMITTEE

Senator Ringsak moved that the President appoint a committee of three to serve as a Committee on Mileage and Per Diem, which motion prevailed.

The President appointed as such committee, Senators Mutch, Page and Swedlund.

FIRST READING OF SENATE BILLS

Senators Longmire, Unruh and Lowe introduced:

Senate Bill No. 2189. A Bill for an Act to amend and reenact section 15-59-04 of the North Dakota Century Code, relating to

mandatory school district special education programs.

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

Senators Morgan and Van Horn introduced:

Senate Bill No. 2190. A Bill for an Act to amend and reenact section 20-08-02 of the North Dakota Century Code, providing that only deer with at least one antler may be taken during deer season.

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

Senators Longmire, Chesrown, Lips, Strinden and Nothing introduced:

Senate Bill No. 2191. A Bill for an Act making an appropriation for the purpose of matching private funds and student fees for the construction of a winter sports building at the university of North Dakota, Grand Forks, North Dakota, as authorized by chapter 204 of the 1969 Session Laws of North Dakota.

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

Senators Lips, Sanstead, Christensen and Litten introduced:

Senate Bill No. 2192. A Bill for an Act to amend and reenact sections 40-38-01, 40-38-02, and 40-38-03 of the North Dakota Century Code, and to repeal section 58-03-08 of the North Dakota Century Code, relating to public libraries.

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

Senator Erdman introduced:

Senate Bill No. 2193. A Bill for an Act to create and enact a new subsection to section 11-17-01, section 11-17-11, a new subsection to section 27-07-25, and section 27-07-36.1, and to amend and reenact sections 11-17-10 and 27-07-36 of the North Dakota Century Code, relating to microfilming of records, documents, and papers by clerks of court.

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

Senators Wenstrom, Christensen and Sanstead introduced:

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 40-38-11 of the North Dakota Century Code, relating to the consolidation or merger of library services.

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

Senator Goldberg introduced:

Senate Bill No. 2195. A Bill for an Act to amend and reenact section 26-23-09 of the North Dakota Century Code, relating to limiting the state bonding fund to only surety or fidelity bonds.

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

Senator Goldberg introduced:

Senate Bill No. 2196. A Bill for an Act to amend and reenact sections 26-27-06, 26-27-07, 26-27.1-07, and 26-27.1-08 of the North Dakota Century Code, relating to the filing of annual statements by corporations and the costs of investigating the affairs of corporations.

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

Senators Nasset, Pyle, Roen and Van Horn introduced:

Senate Bill No. 2197. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, as contained in

section 9 of House Bill No. 1045, relating to annexation of territory when pupils attend in another state.

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

Senators Nasset, Berube, Pyle, Redlin and Roen introduced:

Senate Bill No. 2198. A Bill for an Act to amend and reenact section 15-53.1-07 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, relating to the contracting by a school board prior to the effective day of annexation.

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

Senators Holand, Lips, Longmire and Sanstead introduced:

Senate Bill No. 2199. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

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

Senator Redlin introduced:

Senate Bill No. 2200. A Bill for an Act to amend and reenact sections 40-14-01, 40-14-02, 40-14-04, 40-15-01, 40-15-02, 40-15-05, and 40-18-03 of the North Dakota Century Code, relating to the offices of city treasurer and municipal judge and providing that they be appointive offices in all cities; and to repeal sections 40-15-03 and 40-17-14 of the North Dakota Century Code.

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

Senators Butler and Rait introduced:

Senate Bill No. 2201. A Bill for an Act to repeal sections 57-54-16, 57-54-21, and 57-54-22 of the North Dakota Century Code, relating to motor vehicle fuel tax deductions allowed wholesale and retail dealers for costs of collection and shrinkage.

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

Senators Butler and Rait introduced:

Senate Bill No. 2202. A Bill for an Act to amend and reenact subsection 1 of section 57-36-11 of the North Dakota Century Code, relating to tax meter machines, and to repeal section 57-36-10 of the North Dakota Century Code, relating to purchasing cigarette stamps at a discount.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Lips introduced:

Senate Concurrent Resolution No. 4013. A Concurrent Resolution requesting Congress to call a convention to amend the Constitution of the United States to provide for revenue sharing.

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

Senators Thoreson, Doherty, Wilhite and Longmire introduced:

Senate Concurrent Resolution No. 4014. A Concurrent Resolution directing the director of the North Dakota Park Service to negotiate with the governing body of the city of Rugby, North Dakota, for the potential establishment of a Geographical Center State Park.

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

Senators Doherty, Just and Jacobson introduced:

Senate Concurrent Resolution No. 4015. A Concurrent Resolution urging Congress to enact legislation to provide for revenue sharing.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1041. A Bill for an Act to amend and reenact section 4-30-12 of the North Dakota Century Code, relating to the increase in the license fee for all milk and cream testers licensed by the department of agriculture, and providing a penalty.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1059. A Bill for an Act to amend and reenact subsection 50-24-01, sections 50-24-13 and 50-24-15 of the North Dakota Century Code, and to repeal subsections 10 and 11 of section 50-24-01, subsection 10 of section 50-24-03, and section 50-24-04 of the North Dakota Century Code, all relating to medical assistance for the aged.

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

House Bill No. 1088. A Bill for an Act to amend and reenact section 4-10.1-04 of the North Dakota Century Code, relating to the composition of the state potato council.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1096. A Bill for an Act to amend and reenact section 39-21-40 of the North Dakota Century Code, relating to the date pneumatic tires with metal studs must be removed, and declaring an emergency.

Which was read the first time and referred to the Committee on Transportation.

House Concurrent Resolution No. 3012. A Concurrent Resolution to retain existing rail passenger service.

Which was read the first time.

Senator Wilhite moved that the rules be suspended and the House Concurrent Resolution No. 3012 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3012. A Concurrent Resolution to retain existing rail passenger service.

Was read the second time.

Senator Wilhite moved that House Concurrent Resolution No. 3012 be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation 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 5 line 9 following the period insert the following

"No person may act or attempt to act as a crewmember of any aircraft or start an engine or attempt to start an engine of any aircraft within eight hours after the consumption of any alcoholic beverage or while using any drug that affects his faculties in any way contrary to safety."

On page 5 at the end of line 25 insert the following new language

"The North Dakota aeronautics commission, its members, the director, employees of the commission, any highway patrolman, any sheriff, any city police officer, any peace officer, any airport authority or any airport manager or his agents, may arrest without a war-

rant, day or night, any person on any airport or in any private or public building upon a public airport whoever violates any of the provisions of this section."

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2073 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2074 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2087 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 1 following the word "department" insert the following " , the state veterinarian,"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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 be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2100 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, following the comma, insert the following words: "to provide elections for authorizing or removing the levy,"

On page 1, line 9, following the word "PERSONS", insert the following words: — ELECTIONS TO AUTHORIZE OR REMOVE THE LEVY"

On page 2, line 22, add the following new subsection:

"3. The levy authorized by this Act shall be imposed or removed only by a majority vote of the electorate of the county or city directing the governing body to do so. The governing body shall be authorized to put the issue before the people."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom

was referred Senate Bill No. 2106 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete all of the words following "A BILL" and insert in lieu thereof the following: "for an Act to create and enact section 57-15-24.1 of the North Dakota Century Code, authorizing a county levy of one-half mill for an alcoholism prevention program, and providing for elections to impose or remove the levy.

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

SECTION 1.) Section 57-15-24.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

57-15-24.1. MILL LEVY FOR ALCOHOLISM PREVENTION PROGRAM — ELECTIONS TO IMPOSE OR REMOVE LEVY.) The board of county commissioners of any county is authorized, upon a majority vote of the county's electorate directing it to so act, to levy a tax, not to exceed one-half of a mill on the dollar of net assessed taxable valuation of the county, for the purpose of providing alcoholism prevention and rehabilitation services either on a county basis or in cooperation with other counties as provided in section 54-40-08. The levy provided for in this section shall be over and above any tax limitation provided by law. The levy shall be removed by a majority vote of the county's electorate. The board shall be authorized to put the issue of whether to impose or remove the levy before the electorate."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2108 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2140 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2187 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

MOTION

Senator Lips moved that the rules be suspended and that Senate Bill No. 2187 be placed on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2187. A Bill for an Act to provide for a preliminary meeting of the delegates to the constitutional convention and declaring an emergency.

Was read the second time.

Senator Nothing moved that Senate Bill No. 2187 be amended as follows:

On page 1, line 12, delete the word "shall" and insert in lieu thereof the word "may"

Which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2187 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, 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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sorlie
Barth	Holand	Nasset	Strinden
Berube	Jacobson	Netting	Swedlund
Butler	Just	Page	Thane
Chesrown	Kautzmann	Pyle	Unruh
Christensen	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Sanstead	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Coughlin	Longmire	Ringsak	Schultz
Doherty	Morgan	Robinson	Stroup
Freed	Mutch	Roen	Thoreson
Jones			

Absent and not voting:

Hernett Lowe

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

Senator Sorlie moved that the vote by which Senate Bill No. 2187 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

APPOINTMENT OF COMMITTEE

The President appointed a committee consisting of Senator Wilhite, Senator Wenstrom and Senator Christensen for the purpose of examining Section 63 of the State Constitution and Senate Rule number 53 to determine whether these are in conflict. Such committee to serve at the call of the President.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2039, 2040, 2041, 2060, 2065, 2069, 2091, 2120, 2121, 2125, 2134, 2138, 2147 and Senate Concurrent Resolution No. 4011, that the Senate adjourn, which motion prevailed.

NINTH DAY

Bismarck, January 14, 1971

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

Prayer by Chaplain Lester Soberg, United Church of Christ, Bismarck.

"Our Lord, eons ago when your universe was a gaseous void, you created our rich and beautiful world.

"When the world was still young, you created man in your image, giving him intelligence and judgement. To all you gave the privilege of living in your world, using it, enjoying it.

"Throughout the ages, through the words and acts of wise men, you have given us guidelines to show us how we might live happily together in your world.

"If we look at ourselves candidly, we recognize that we have frequently misused your creation, and that our relationships with each other have been tainted by greed, hate, suspicion, and other happiness-destroying emotions and motives.

"For our misconduct we ask your forgiveness.

"We pray with frequency, 'thy kingdom come, thy will be done on earth as it is in heaven.'

"We, as legislators, have been provided with a special opportunity and responsibility to implement these words in North Dakota through our activities here. Give us guidance in our efforts to do this.

"We realize that our judgment is conditioned by many factors — our personal prejudices, pressure groups, the voters who put us here, as well as our moral convictions — and right judgements sometimes are difficult to determine. Nonetheless, we carry the responsibility for determining the character of the future by our present decision-making.

"Therefore we ask for your continual enlightenment:

"Provide us with a vision of the good world that might be.

"Give us wisdom to determine what constitutes the greatest good for the greatest number of our fellows.

"Give us minds that are receptive to hearing opinions other than our own on the possibility that we might learn something therefrom.

"May we ever keep in mind that we are here because we are considered trustworthy and intelligent, men to whom our constituents have entrusted their future. With your help, may we be worthy of their confidence in us. Amen."

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 eighth day and recommends that the same be corrected as follows:

On page 109, last line, delete word "vehical" and insert in lieu thereof the word "vehicle"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Chairman

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 14, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1049

House Bill No. 1056

House Bill No. 1061

House Bill No. 1082

House Bill No. 1083

House Bill No. 1100

House Bill No. 1103

House Bill No. 1112

House Bill No. 1114

House Bill No. 1137

House Concurrent Resolution No. 3005

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

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Hernettt moved that the amendments to Senate Bill No. 2038 as recommended by the Committee on Industry, Business and Labor, and printed on page 109 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2049 as recommended by the Committee on Finance and Taxation, and printed on pages 109 and 110 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2058 as recommended by the Committee on State and Federal Government, and printed on page 110 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that Senate Bill No. 2058 be placed on the calendar, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2059 as recommended by the Committee on State and Federal Government and printed on page 110 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2068 as recommended by the Committee on State and Federal Government and printed on pages 110 and 111 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2124 as recommended by the Committee on State and Federal Government and printed on page 111 of the Senate Journal, be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2039. A Bill for an Act to require all state agencies, departments, and institutions which charge fees for licensing, inspection, or regulation of private business activities or products to make reports.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended on page 94 of the Senate Journal, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sorlie
Barth	Gronhovd	Melland	Strinden
Berube	Holand	Mutch	Stroup
Butler	Jacobson	Nasset	Swedlund
Chesrown	Jones	Nothing	Thane
Christensen	Just	Page	Thoreson
Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Robinson	Wilhite
Freed	Litten	Sanstead	

Those voting in the negative were:

Morgan	Ringsak	Roen	Schultz
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Absent and not voting:

Hernettt	Low
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So the bill passed and the title was agreed to.

Senate Bill No. 2040. A Bill for an Act to amend and reenact section 19-05-05, subsections 1 and 2 of section 19-05-07, subsection 1 of section 19-05-09, section 19-05-15, and subsection 1 of section 19-05-19 of the North Dakota Century Code, and to repeal section

19-05-06 of the North Dakota Century Code, relating to the discontinuance of the requirement for a license to sell oleo-margarine.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 94 and 95 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Roen	Melland	Schultz
Barth	Gronhovd	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litlen	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Hernett Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2041. A Bill for an Act to amend and reenact sections 19-07-04, 19-07-05, 19-18-04, 19-20.1-06, 23-09-17, and 23-10-05 of the North Dakota Century Code, relating to fees charged by the state laboratories department for licenses issued and services provided, 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, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Roen
Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nething	Strinden
Chesrown	Just	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Coughlin	Larson, L.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Forkner	Litlen	Ringsak	Wenstrom
Freed	Longmire	Robinson	Wilhite
Goldberg	Melland		

Those voting in the negative were:

Doherty Kautzmann Schultz Thoreson

Absent and not voting:

Hernett Lowe Stroup

So the bill passed and the title was agreed to.

Senator Longmire moved that Senate Bill No. 2060 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of state's attorney in a county of over 35,000 population be a full-time position, the employment of assistant state's attorneys, and restrictions

on the powers of state's attorneys, and to create and enact a section to provide for an effective date thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 96 of the Senate Journal, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Netthing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg			

Those voting in the negative were:

Mutch Redlin

Absent and not voting:

Hernett Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2069. A Bill for an Act to create and enact chapter 29-30.1 of the North Dakota Century Code, relating to the interstate rendition of accused persons.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Netthing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Hernett Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2091. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to allocating highway tax distribution funds directly to cities and to establish a separate fund for the moneys received from the highway tax distribution fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 97 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nething	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Anderson	Hernett	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2120. A Bill for an Act to create and enact sections 43-33-20 and 54-44-12; to amend and reenact sections 27-11-17, 27-11-23, 27-12-04, 27-12-06, 43-01-04, 43-04-07, subsections 6 and 8 of section 43-12-07, sections 43-13-07, 43-15-05, 43-19.1-09, 43-23-04, 43-26-05, and subsection 4 of section 43-27-04; and to repeal sections 43-02-07, 43-03-07, 43-04-08, subsection 2 of section 43-05-07, sections 43-06-06, 43-09-08, 43-10-09, 43-11-09, 43-15-11, 43-17-15, 43-18-07, 43-21-07, 43-25-15, 43-28-07, 43-32-15, and 43-34-06, all of the North Dakota Century Code, relating to the deposit and disbursement of the moneys received by all occupational and professional boards, associations, and commissions.

Which has been read.

Senator Nething moved that Senate Bill No. 2120 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2121. A Bill for an Act to amend and reenact sections 48-02-02 and 48-02-03 of the North Dakota Century Code, relating to the prerequisite to building or repair of 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Hernett	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2125. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to income qualifications of a head of a family under the homestead credit law.

Which has been read.

Senator Butler moved that Senate Bill No. 2125 be amended as follows:

On page 1, line 17, of the engrossed bill, delete the triple parentheses after the second word "benefits" and before the "comma"

On page 2, line 15, of the engrossed bill, delete the first word "the" and insert in lieu thereof the following: ". The"

Which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2125 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended on page 98 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Hernett Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2134. A Bill for an Act to repeal section 4 of chapter 45 of the 1969 Session Laws of the state of North Dakota, relating to the state industrial school; 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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Hernett Lowe

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 16-04-17 of the North Dakota Century Code, to provide that precincts shall be arranged on voting machines according to the total votes cast in the previous general election for governor,

and to provide for the placement of names on ballots and voting machines in races having more than three candidates.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Hernett Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2147. A Bill for an Act to amend and reenact sections 14-05-17 and 14-06-06 of the North Dakota Century Code, relating to instituting divorce or separation actions in counties where there are family 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, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sorlie
Barth	Holand	Page	Swedlund
Berube	Kautzmann	Pyle	Thane
Chesrown	Larson, G.	Rait	Thoreson
Christensen	Larson, L.	Redlin	Unruh
Coughlin	Lips	Sanstead	Van Horn
Erdman	Litten	Schultz	Wenstrom
Freed	Longmire		

Those voting in the negative were:

Butler	Jones	Nasset	Roen
Doherty	Just	Nothing	Strinden
Forkner	Morgan	Ringsak	Stroup
Goldberg	Mutch	Robinson	Wilhite
Jacobson			

Absent and not voting:

Hernett Lowe

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4011. A Concurrent Resolution urging Congress and the United States Forest Service to relinquish control of the lands surrounding the burning coal vein area in western North Dakota and directing the North Dakota Park Service to seek control of this area.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4011 be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2062. A Bill for an Act to create and enact subsection 16 of section 50-06-06 of the North Dakota Century Code, and to amend and reenact sections 12-46-02, 12-46-03, 12-46-04, 12-46-05, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-10.1, 12-46-11, 12-46-12, 12-46-13, 12-46-16, 12-46-17, 12-46-18, 12-46-21, 12-46-22, 12-46-23, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-06, 12-52-07, 54-23-01, and 54-23-22 of the North Dakota Century Code, transferring control of the North Dakota industrial school to the public welfare board.

Which has been read.

The President announced that the Senate would be at ease for a brief meeting of the rules committee, and that the Senate would reconvene at the Call of the Chair.

The Senate reconvened at the Call of the Chair, the President presiding.

Lt. Governor: Members of the Senate. Last Session when a similar Bill was before this Body, with the same presiding officer, a majority vote was called for for the passage of the Bill. The Chair expected to do the same on this Bill. However, it was pointed out to the Chair that this was a different Bill. Specifically, this Bill includes Section 54-23-01, which was not included in the Bill last Session. This Section is listed on the Memorandum - Sections of the North Dakota Century Code which Require a Two-Thirds Vote For Amendment or Repeal as requiring two-thirds vote. This Memorandum was prepared by the Staff of the Legislative Council. At the meeting of the Rules Committee there was no dissension, that this Section was in the Bill we have before the Senate, and the Bill will require a two-thirds vote for passage.

ROLL CALL

The question being on the final passage of Senate Bill No. 2062, the roll was called and there were ayes, 14; nays, 33; absent and not voting, 2.

Those voting in the affirmative were:

Christensen	Just	Longmire	Sanstead
Erdman	Larson, L.	Morgan	Sorlie
Gronhovd	Lips	Rait	Van Horn
Holand	Litten		

Those voting in the negative were:

Anderson	Goldberg	Nothing	Strinden
Barth	Jacobson	Page	Stroup
Berube	Jones	Pyle	Swedlund
Butler	Kautzmann	Redlin	Thane
Chesrown	Larson, G.	Ringsak	Thoreson
Coughlin	Melland	Robinson	Unruh
Doherty	Mutch	Roen	Wenstrom
Forkner	Nasset	Schultz	Wilhite
Freed			

Absent and not voting:

Hernett	Lowe
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So the Bill was declared lost.

Senator Wilhite moved that the Senate recess until 1:30 P.M., January 15, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

NINTH DAY AFTER RECESS AND TENTH DAY

Bismarck, January 15, 1971

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

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2043
Senate Bill No. 2050
Senate Bill No. 2066
Senate Bill No. 2081
Senate Bill No. 2082
Senate Bill No. 2083
Senate Bill No. 2088
Senate Bill No. 2097
Senate Bill No. 2107
Senate Bill No. 2135
Senate Bill No. 2137
Senate Bill No. 2187

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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 15, 1971

Mr. Speaker: I have the honor to return:

House Concurrent Resolution 3012

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

FIRST READING OF SENATE BILLS

Senators Sanstead and Freed introduced:

Senate Bill No. 2203. A Bill for an Act to amend and reenact section 11-15-09 of the North Dakota Century Code, relating to sheriff's allowances when plaintiff bids in property at sale.

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

Senator Holand introduced:

Senate Bill No. 2204. A Bill for an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of exceptional children.

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

The Committee on Education introduced:

Senate Bill No. 2205. A Bill for an Act to amend and reenact sec-

tion 4-19-01 of the North Dakota Century Code, relating to the state forester.

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

Senators Kautzmann, Coughlin, Swedlund, Doherty, Berube and Freed introduced:

Senate Bill No. 2206. A Bill for an Act to amend and reenact subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to payments to adoptive families for children with special needs.

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

Senator Unruh introduced:

Senate Bill No. 2207. A Bill for an Act to amend and reenact section 57-23-08 of the North Dakota Century Code, relating to property tax abatements and to repeal section 57-23-10 of the North Dakota Century Code, relating to appeals from decision of the board of county commissioners abating, refunding or compromising property taxes.

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

Senator Erdman introduced:

Senate Bill No. 2208. A Bill for an Act to amend and reenact section 57-50-02 of the North Dakota Century Code, relating to the form of claim for refund of motor fuel tax.

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

Senator Kautzmann introduced:

Senate Bill No. 2209. A Bill for an Act to authorize the North Dakota director of institutions to grant to northwestern bell telephone company an easement over certain tracts of state land.

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

Senators Thoreson, Morgan and Thane introduced:

Senate Bill No. 2210. A Bill for an Act to create and enact sections 4-09-10.1, 4-09-10.2, and 4-09-10.3 of the North Dakota Century Code, providing for a certified seed grading board.

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

Senator Holand introduced:

Senate Bill No. 2211. A Bill for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

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

Senator Thoreson and Butler introduced:

Senate Bill No. 2212. A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 of the North Dakota Century Code, relating to the definition of a "retail sale" for sales tax purposes.

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

Senators Nasset, Jacobson and Freed introduced:

Senate Bill No. 2213. A Bill for an Act to amend and reenact subsection 2 of section 40-51.2-07 of the North Dakota Century Code, relating to annexation of territory to cities and protests thereto.

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

Senators Nasset, Jacobson and Freed introduced:

Senate Bill No. 2214. A Bill for an Act to amend and reenact section 40-23-22 of the North Dakota Century Code, relating to payment of special assessments on state property.

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

Senators Chesrown, Nething and Freed introduced:

Senate Bill No. 2215. 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.

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

Senators Chesrown, Holand and Nething introduced:

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 16-20-08 of the North Dakota Century Code, relating to the influencing of legislation by a corporation.

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

The Committee on Appropriations introduced:

Senate Bill No. 2217. A Bill for an Act to create and provide for the creation of a state land maintenance fund, and to amend and reenact sections 15-01-05, 15-03-02 and 15-03-03 of the North Dakota Century Code, relating to the payment of salaries and expenses of the office of commissioner of university and school lands from such fund.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Stroup, Nasset, Freed, Thane and Roen introduced:

Senate Concurrent Resolution No. 4016. A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the debt limits of political subdivisions.

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

Senators Doherty, Jones and Berube introduced:

Senate Concurrent Resolution No. 4017. A Concurrent Resolution directing an interim study by the Legislative Council of the services provided by the State and its political subdivisions to Indian citizens in the areas of health, education, welfare, and other programs to determine the extent of such services, and the efficiency of the manner in which they are provided.

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

FIRST READING OF A SENATE RESOLUTION

Senator Longmire introduced:

Senate Resolution No. 4. A Resolution commending Dr. George A. Abbott for his service to the State of North Dakota and for his record of civic accomplishments through the Kiwanis Club.

Was read the first time.

Senator Longmire moved that the rules be suspended, that Senate Resolution No. 4 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.

PAGE 1

SENATE RESOLUTION No. 4

Introduced by Senator Longmire

1 A resolution commending Dr. George A. Abbott for his service
2 to the State of North Dakota and for his record of civic
3 accomplishments through the Kiwanis Club.

4
5 WHEREAS, Dr. George A. Abbott, Professor Emeritus of
6 Chemistry at the University of North Dakota, has spent a
7 lifetime in service to North Dakota and its citizens through
8 his work at the University; and

9 WHEREAS, he served variously as a teacher and department
10 chairman at the University of North Dakota from 1910 to his
11 retirement in 1952, and in recognition of this the University
12 named its chemistry building Abbott Hall in his honor; and

13 WHEREAS, his contributions and accomplishments, both
14 of a civic nature and professionally, have been myriad and
15 deeply appreciated; and

16 WHEREAS, at the age of 96, he is the oldest Kiwanian
17 in North Dakota and is one of two surviving charter members
18 of the Grand Forks Kiwanis Club; and

19 WHEREAS, his lifetime of service to Kiwanis has earned
20 him the richly deserved title of "Mr. Kiwanis" both in North
21 Dakota and throughout the international domain of Kiwanis;

21a and
22 WHEREAS, the Grand Forks Kiwanis Club is sponsoring a
23 special "Dr. George Abbott Night" on January 25, 1971;

24 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
24a OF THE

PAGE 2

1 STATE OF NORTH DAKOTA:

2 That it join with Dr. Abbott's host of friends and
3 admirers in extending to him sincere congratulations and
4 best wishes for his many years of unselfish giving of himself
5 for the benefit of others; and

6 BE IT FURTHER RESOLVED, that the Secretary of the
6a Senate

7 forward an enrolled copy of this resolution to Dr. George A.
8 Abbott.

SECOND READING OF SENATE RESOLUTION

Senate Resolution No. 4. A Resolution commending Dr. George A. Abbott for his service to the State of North Dakota and for his record of civic accomplishments through the Kiwanis Club.

Was read the second time.

Senator Wilhite moved that Senate Resolution No. 4 be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1049. A Bill for an Act to create and enact section 57-38-40.1 of the North Dakota Century Code, to provide for a reserve for income tax refunds.

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

House Bill No. 1056. A Bill for an Act to amend and reenact section 26-27-13 of the North Dakota Century Code, to remove the tax exemption on property owned by nonprofit medical service corporations.

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

House Bill No. 1061. A Bill for an Act to provide for new appointments to the board of examiners for nursing home administrators, and to amend and reenact subsection 2 of section 43-34-01, and sec-

tions 43-34-02 and 43-34-11 of the North Dakota Century Code, relating to the board of examiners for nursing home administrators, and to amend and reenact section 43-34-05 of the North Dakota Century Code, relating to license fees of nursing home administrators.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs

House Bill No. 1082. A Bill for an Act to amend and reenact sections 26-23-12, 26-23-13, and 26-23-16 of the North Dakota Century Code, relating to the bonding fund board.

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

House Bill No. 1083. A Bill for an Act to repeal sections 12-60-02, 12-60-03, and 12-60-04 of the North Dakota Century Code, relating to the board of managers of the bureau of criminal identification and apprehension.

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

House Bill No. 1100. A Bill for an Act to amend and reenact section 20-05-02 of the North Dakota Century Code, to provide for party hunting.

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

House Bill No. 1103. A Bill for an Act to amend and reenact subsection 4 of section 57-37-29 of the North Dakota Century Code, relating to the transfer of securities to a certain trust company acting as an executor or administrator of an estate.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1112. A Bill for an Act relating to an attorney general's determination of the legal sufficiency of certain investments authorized to be made by the state investment board.

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

House Bill No. 1114. A Bill for an Act to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to the responsibility of the department of banking and financial institutions for auditing the Bank of North Dakota.

Which was read the first time and referred to the Committee on Industry, Business and Labor

House Bill No. 1137. A Bill for an Act to amend and reenact section 16-13-07 of the North Dakota Century Code, relating to sending pollbooks to the United States district court.

Which was read the first time and referred to the Committee on Judiciary.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3005. A concurrent resolution for the amendment or sections 150, 170, 172, and 173 of the Constitution of the state of North Dakota, relating to county government, and providing for home rule for counties.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2075 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2126 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 Political Subdivisions to whom was referred Senate Bill No. 2139 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2145 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 Senate Concurrent Resolution 4010 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. 1040 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. 1067 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. 1075 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. 1095 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 Forkner moved that the amendments to Senate Bill No. 2072 as recommended by the Committee on Transportation and printed on pages 124 and 125 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2087 as recommended by the Committee on Social Welfare and Veterans' Affairs and printed on page 125 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2100 as recommended by the Committee on Political Subdivisions and printed on page 125 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernetz moved that the reading of the amendments to Senate Bill No. 2106 be dispensed with, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2106 as recommended by the Committee on Political Subdivisions and printed on pages 125 and 126 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. 2038

Senate Bill No. 2049

Senate Bill No. 2058

Senate Bill No. 2059

Senate Bill No. 2068

Senate Bill No. 2124

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

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

MOTIONS

Senator Longmire moved that the Journal and Senate Bills and Resolutions be mailed to the UND law school, which motion prevailed.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2038, 2049, 2058, 2059, 2068, 2120, 2124, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TENTH DAY

Bismarck, January 15, 1971

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

Prayer by Chaplain E. C. Schumacher, Evangelical Free Church, Bismarck.

"Almighty and Eternal God, Thou Who art the Source of our life, the Source of all wisdom, and the Source of all power; we come before Thee today to acknowledge our weakness and our dependence upon Thee. We ask that Thy Spirit might guide us in our deliberations, that we may enact wise laws for the good of the people of North Dakota and for the glory of Thy Holy Name. Deliver us from shortsightedness, from pettiness, from confusion, and from misunderstanding. May this be a day of progress in the matters that are before us.

"O God, we are not worthy of the least of Thy blessings, but we ask these favors and Thy continued blessing, in the name of our Lord and Saviour, Jesus Christ. Amen."

Roll call: All Senators present except Senators Butler, Holand and 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 Eighth Day After Recess and Ninth Day and finds the same correct.

SENATOR LOWE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2140. A Bill for an Act to amend and reenact section 40-21-07 of the North Dakota Century Code, relating to the number of signatures necessary on a nominating petition for a candidate for municipal office.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Schultz
Barth	Jones	Mutch	Sorlie
Berube	Just	Nasset	Strinden
Chesrown	Kautzmann	Nething	Stroup
Christensen	Larson, G.	Page	Swedlund
Doherty	Larson, L.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Forkner	Litten	Redlin	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Lowe	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Coughlin	Holand	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2038. A Bill for an Act to amend and reenact sections 6-01-17 and 6-06-08 of the North Dakota Century Code, relating to fees for examination of banks and credit unions by the department of banking and financial institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 109 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Jacobson	Morgan	Sorlie
Berube	Jones	Mutch	Strinden
Chesrown	Just	Nasset	Stroup
Christensen	Kautzmann	Nething	Swedlund
Coughlin	Larson, G.	Page	Thane
Doherty	Larson, L.	Pyle	Thoreson
Erdman	Lips	Rait	Unruh
Forkner	Litten	Redlin	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Lowe	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Schultz

Absent and not voting:

Butler	Holand	Ringsak
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So the bill passed and the title was agreed to.

Senate Bill No. 2049. A Bill for an Act to amend and reenact sections 57-35-06 and 57-35.1-02 of the North Dakota Century Code, relating to the taxation of banks, trust companies, and building and loan associations, and to repeal subsection 19 of section 57-39.2-04 of the North Dakota Century Code, to remove the exemption from the sales tax for banks.

Which has been read.

Senator Thoreson moved that Senate Bill No. 2049 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2058. A Bill for an Act to create and enact sections 50-06-03.1 and 50-06-05.1 of the North Dakota Century Code, relating to terms of office of the members of the public welfare board and the powers and duties of such board; to amend and reenact sections 50-06-02, 50-06-03, 50-06-04, 50-06-09, and 50-06-14 of the North Dakota Century Code, relating to the appointment of members of the public welfare board, qualifications for the executive director, and financing of public welfare programs; and to repeal section 50-06-06 of the North Dakota Century Code, relating to powers and duties of the public welfare board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 110 of the Senate Journal, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Low	Sanstead	Wilhite

Those voting in the negative were:

Larson, L. Mutch

Absent and not voting:

Butler Holand Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2059. A Bill for an Act to amend and reenact sections 50-01-07, 50-01-08, and 50-01-09 of the North Dakota Century Code, relating to the appointment of county welfare board members, their terms of office and compensation, and their duties, and providing for the time of appointment of board members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 110 of the Senate Journal, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nething	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Van Horn

Forkner	Lips	Redlin	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire	Roen	

Those voting in the negative were:

Freed	Mutch	Strinden	Thane
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Absent and not voting:

Anderson	Holand	Ringsak	Unruh
Butler	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2068. A Bill for an Act to create and enact section 54-21-25 of the North Dakota Century Code, providing the authorization for the director of institutions to contract with other governmental agencies for the custody and treatment of persons lawfully committed to his control.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 110 and 111 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Lowe	Ringsak	Unruh
Holand			

So the bill passed and the title was agreed to.

Senate Bill No. 2120. A Bill for an Act to create and enact sections 43-33-20 and 54-44-12; to amend and reenact sections 27-11-17, 27-11-23, 27-12-04, 27-12-06, 43-01-04, 43-04-07, subsections 6 and 8 of section 43-12-07, sections 43-13-07, 43-15-05, 43-19.1-09, 43-23-04, 43-26-05, and subsection 4 of section 43-27-04; and to repeal sections 43-02-07, 43-03-07, 43-04-08, subsection 2 of section 43-05-07, sections 43-06-06, 43-09-08, 43-10-09, 43-11-09, 43-15-11, 43-17-15, 43-18-07, 43-21-07, 43-25-15, 43-28-07, 43-32-15, and 43-34-06, all of the North Dakota Century Code, relating to the deposit and disbursement of the moneys received by all occupational and professional boards, associations, and commissions.

Was read the second time.

Senator Hernett moved that Senate Bill No. 2120 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-21-01 of the North Dakota Century Code, to provide that precincts in which voting machines are used shall also make available to electors paper ballots in the event machines become inoperable for a reasonable length of time.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on page 111 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Absent and not voting:			
Butler	Lowe	Ringsak	Unruh
Holand			

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2039

Senate Bill No. 2040

Senate Bill No. 2041

Senate Bill No. 2065

Senate Bill No. 2069

Senate Bill No. 2091

Senate Bill No. 2121

Senate Bill No. 2125

Senate Bill No. 2134

Senate Bill No. 2138

Senate Bill No. 2147

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

Bismarck, January 15, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1053

House Bill No. 1054

House Bill No. 1057

House Bill No. 1072

House Bill No. 1073

House Bill No. 1078

House Bill No. 1086

House Bill No. 1094

House Bill No. 1109

House Bill No. 1135

House Bill No. 1136

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

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary



TENTH DAY AFTER RECESS, ELEVENTH DAY AND
TWELFTH DAY

Bismarck, January 18, 1971

The Senate convened at the call of the chair, 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. 2072

Senate Bill No. 2087

Senate Bill No. 2100

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2106

And find the same correctly Re-engrossed.

SENATOR STRINDEN, Chairman

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2021 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2022 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the figure "724,788.00" and insert in lieu thereof the figure "744,788.00"

On page 1, line 19 delete the figure "25,000.00" and insert in lieu thereof the figure "45,000.00"

On page 1, line 20 delete the figure "724,788.00" and insert in lieu thereof the figure "744,788.00"

On page 1, line 21 delete the figure "340,684.00" and insert in lieu thereof the figure "360,684.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: It allows an increase in equipment to expand the film library, and a corresponding in-

crease in income to cover the cost without a burden to the general fund.

SENATOR SORLIE, Chairman

Senator Coughlin 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. 2090 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 be indefinitely postponed.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Finance and Taxation 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 2 line 9 following the word "treasurer" insert **"and the department of accounts and purchases,"**

On page 2 line 21 after the word "Within" insert triple parentheses before and after the word "sixty" and insert in lieu thereof **"fifteen"**

On page 3 line 13 following the word "treasurer" insert **"insert the departments of accounts and purchases,"**

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. 2127 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2142 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2153 has had the same under consideration and recommends that the same be amended as follows:

On page 2 delete all of lines 17 through 27

On page 2 line 28 after the word "SECTION" delete the numeral "3" and insert in lieu thereof "2"

Renumber the pages and lines accordingly.

And when so amended recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2155 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2156 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 after the word "than" delete "ten" and insert in lieu thereof "five"

Page 1 delete all of lines 22 through 24

Page 2 delete all of lines 1 through 4

Page 2 line 5 delete the letter "c" and insert in lieu thereof "b"

Page 2 line 11 delete the letter "d" and insert in lieu thereof "c"

Page 7 line 1 after the word "would" delete "compaly" and insert in lieu thereof "comply"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2157 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2161 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2166 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2168 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 24 delete the triple parentheses before and after "1961" and delete the numerals "1971"

Page 2 line 1 following the comma insert the following "and interest on all judgments recovered in the courts of this state after July 1, 1961 and on or before July 1, 1971 shall remain at the rate of four per cent per annum,"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2170 has had the same under consideration and recommends that the same do pass and be referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed and Senate Bill No. 2170 was re-referred to the Committee on Appropriations.

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 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. 1051 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.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2072, 2087, 2100, 2106, 2126, 2139, 2145, Senate Concurrent Resolution No. 4010, and House Bills Nos. 1040, 1067, 1075 and 1095, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

ELEVENTH DAY

Bismarck, January 18, 1971

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

Prayer by Chaplain Walter J. Schott, Church of the Good Shepherd United Methodist, Mandan.

"Our Heavenly Father, We give Thee thanks for the opportunity to pause and look to Thee in prayer. May at the beginning of this, another new business day, Thy Holy Spirit impart new strength and wisdom to these Thy servants. We are indeed grateful for their dedication to a task and calling that hopefully and prayerfully will effect the entire population of this State for that which is good, noble and right. May Thy Spirit truly direct in this and all sessions to follow, is my prayer through Jesus Christ our Lord. Amen."

Roll call: All Senators present except Senators Lowe and Ringsak.

A quorum was declared by the President.

FIRST READING OF SENATE BILLS

Senators Van Horn, Redlin and Jacobson introduced:

Senate Bill No. 2218. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to the fee charged for furnishing an abstract of a driver's record or accident report, and providing that a copy of each abstract requested also be sent to the driver.

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

Senators Stroup and Freed introduced:

Senate Bill No. 2219. A Bill for an Act to amend and reenact

section 28-05-08 of the North Dakota Century Code, relating to the cancellation of lis pendens by the entry of a final judgment.

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

Senators Swedlund and Sorlie introduced:

Senate Bill No. 2220. A Bill for an Act to amend and reenact section 54-23.1-07 of the North Dakota Century Code, providing for increased fees to counties for law enforcement system.

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

Senator Lowe introduced:

Senate Bill No. 2221. A Bill for an Act to require certain persons to report the names of blind persons to the school for the blind and the names of deaf persons to the school for the deaf.

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

Senators Sanstead, Pyle, Unruh, Doherty and Litten introduced:

Senate Bill No. 2222. A Bill for an Act making an appropriation to the public welfare board to provide assistance for handicapped persons while attending licensed sheltered workshops.

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

Senators Longmire, Freed and Chesrown introduced:

Senate Bill No. 2223. A Bill for an Act to create and enact section 31-01-07.1 of the North Dakota Century Code relating to the release of hospital medical records on patient approval.

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

Senator Chesrown introduced:

Senate Bill No. 2224. A Bill for an Act to amend and reenact section 35-22-01 of the North Dakota Century Code, to authorize foreclosure of state-owned real estate mortgages by advertisement and to permit short-term redemption from such foreclosures.

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

Senators Chesrown, Nething and Freed introduced:

Senate Bill No. 2225. A Bill for an Act to repeal Chapter 39-15 of the North Dakota Century Code relating to the guest law.

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

Senators Sanstead and Chesrown introduced:

Senate Bill No. 2226. A Bill for an Act to amend and reenact section 12-59-02 of the North Dakota Century Code, relating to meetings, quorum and compensation of the parole board.

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

Senators Doherty, Goldberg and Robinson introduced:

Senate Bill No. 2227. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, requiring contracts for miscellaneous types of printing to be let to printing shops.

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

Senators Hernet and Sanstead introduced:

Senate Bill No. 2228. A Bill for an Act to create and enact subdivisions h and i of subsection 11 of section 52-01-01, subdivisions f, g, h, i, j, k of subsection 13 of section 52-01-01, paragraphs (10) and

(11) of subdivision i of subsection 15 of section 52-01-01, subsections 28, 29, and 30 of section 52-01-11, section 52-04-18, section 52-04-19, section 52-04-20, and subsection 11 of section 52-06-02 of the North Dakota Century Code, relating to unemployment compensation definitions and benefits, and to amend and reenact subsection 4 of section 52-01-01, subdivisions a, b, c, e, f, g of subsection 11 of section 52-01-01, subdivision a of subsection 13 of section 52-01-01, subdivision a of subsection 15 of section 52-01-01, paragraphs (1) and (5) of subdivision i of subsection 15 of section 52-01-01, section 52-04-07, subdivision a of subsection 3 of section 52-06-01 and subsection 6 of section 52-06-02 of the North Dakota Century Code, subdivision e of subsection 13 of section 52-01-01 and section 52-05-03 of the 1969 Supplement to the North Dakota Century Code, relating to unemployment compensation definitions, accounts, coverage and benefits, and to repeal subdivision c of subsection 15 of section 52-01-01 and subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation definitions.

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

Senator Holand introduced:

Senate Bill No. 2229. A Bill for an Act to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to scholarships awarded by the state highway department.

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

Senators Freed, Nething, Ringsak and Sanstead introduced:

Senate Bill No. 2230. A Bill for an Act to create and enact Chapter 29-10.1 of the North Dakota Century Code, relating to the Grand Jury, its termination, powers, duties, functions, and activities; providing for criminal contempt of court; and to repeal Chapter 29-10, Sections 29-09-08, 29-09-09, 29-09-10, 29-09-11, Subdivisions c, d, and g of Subsection 2 of Section 29-14-04 of the North Dakota Century Code.

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

Senators Hernet and Sanstead introduced:

Senate Bill No. 2231. A Bill for an Act to create and enact chapter 52-07.1 of the North Dakota Century Code to provide a program for the payment of extended unemployment compensation benefits to workers who during periods of high unemployment in the State, or in the nation, have exhausted their rights to regular benefits under the North Dakota Unemployment Compensation Law, or under Federal law as administered by the North Dakota employment security bureau; to provide conditions of entitlement to extended benefits; to provide for the administration and carrying out of the program; and to provide an effective date.

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

Senators Sanstead, Christensen, Doherty and Lips introduced:

Senate Bill No. 2232. A Bill for an Act to authorize the state department of accounts and purchases to withhold funds due a political subdivision if the subdivision is delinquent in repaying overpayments made under federal natural disaster laws.

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

Senators L. Larson, Barth and Berube introduced:

Senate Bill No. 2233. A Bill for an Act to repeal section 34-01-14 of the North Dakota Century Code, relating to conditions of work with relation to union membership.

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

Senators Morgan and Nasset introduced:

Senate Bill No. 2234. A Bill for an Act to amend and reenact section 4-30-47 of the 1969 Supplement to the North Dakota Century Code, relating to official butterfat tests, other tests and the fees therefor.

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

Senator Wenstrom introduced:

Senate Bill No. 2235. A Bill for an Act to amend and reenact section 9-10-06 of the North Dakota Century Code relating to responsibility for wrongful acts.

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

Senators Just, Berube, Longmire and Redlin introduced:

Senate Bill No. 2236. A Bill for an Act to amend and reenact section 24-08-03 of the North Dakota Century Code, relating to rebuilding or repairing bridges.

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

Senators Rait and Erdman introduced:

Senate Bill No. 2237. A Bill for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, relating to prohibiting insurance companies from denying an insured the right to employ a medical, osteopathic, or chiropractic doctor, or enter a hospital of his choice.

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

Senator Longmire introduced:

Senate Bill No. 2238. A Bill for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to clarification as to young men christian associations and young women christian associations being institutions of public charity and thereby exempt from taxation.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1053. A Bill for an Act to create and enact new subsections to sections 57-39.2-02, 57-39.2-03, and 57-39.2-03.1, and to create and enact a new subdivision to subsection 9 of section 57-40.2-01 of the North Dakota Century Code, relating to the taxation of food purchased from college and university cafeterias and dining rooms.

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 subsection 16 of section 57-02-08 of the North Dakota Century Code, to provide that property owned by nonprofit corporations organized to promote athletic and educational needs and uses at any state educational institution shall be exempt from taxation only if used exclusively for athletic or educational purposes.

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

House Bill No. 1057. A Bill for an Act to amend and reenact subsection 10 of section 57-02-01 of the North Dakota Century Code, relating to the definition of a farm.

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

House Bill No. 1072. A Bill for an Act to create and enact sections 47-19-14.1, 47-19-14.2, 47-19-14.3, 47-19-14.4, 47-19-14.5, 47-19-14.6, 47-19-14.7, and 47-19-14.8 of the North Dakota Century Code, to provide for uniform recognition of notarial acts done outside the state; to amend and reenact section 47-19-26 of the North Dakota Century Code, relating to forms of certificates of acknowledgment; and to repeal sections 47-19-15, 47-19-16, 47-19-17, 47-19-17.1, 47-19-17.2 and 47-19-31 of the North Dakota Century Code, relating to recognition of foreign acknowledgments and acknowledgments made outside this state but within the United States.

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

House Bill No. 1073. A Bill for an Act to create and enact chapter 28-06.2 of the North Dakota Century Code, relating to the method of service of civil process upon the United States, an officer, employee, or agency thereof, when civil suit is brought in a state court.

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

House Bill No. 1078. A Bill for an Act to amend and reenact section 11-10-20 of the North Dakota Century Code, relating to the central filing of documents kept by certain county officials when directed by resolution of the board of county commissioners.

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

House Bill No. 1086. A Bill for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the membership of the state investment board.

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

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

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

House Bill No. 1109. A Bill for an Act to amend and reenact section 11-19A-11 of the North Dakota Century Code relating to autopsies by the medical county coroner.

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

House Bill No. 1135. 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, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

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

House Bill No. 1136. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to membership on the emergency commission.

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

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

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

TWELFTH DAY

Bismarck, January 18, 1971

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

Prayer by Chaplain Thomas Sands, Church of God, Bismarck.

"Eternal God, Father of all mankind, as a servant of Christ, I come boldly into Thy presence today. I come not on my own behalf, but in behalf of this North Dakota Senate.

"Dear God, we recognize today the magnitude of responsibility that rest upon the shoulders of these chosen leaders of the Sovereign State of North Dakota. They have come together on this particular occasion to conduct the business that duly lies before them. Dear Lord, I earnestly pray that You will increase their wisdom and understanding that all that they do this day may lead this great State on to greater prosperity and stability. In their hands rest the future of all the citizens of this State. The decisions made here today will effect each of our lives, therefore, we pray Thy special blessing upon this assembled Senate today.

"Dear Father, we recognize that each one here is an individual person with different backgrounds and opinions. Grant that they may work together as a united team to accomplish what is best in each Legislative matter before them for the Glory of God and the benefit of this great country.

"All these favors and blessings we do ask in the Name of Jesus Christ, the Lord and Master of all men. Amen."

Roll call: All Senators present except Senators Lowe and 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 ninth day after recess and tenth day and finds the same correct.

SENATOR BUTLER, Vice Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2049. A Bill for an Act to amend and reenact sections 57-35-06 and 57-35.1-02 of the North Dakota Century Code, relating to the taxation of banks, trust companies, and building and loan associations, and to repeal subsection 19 of section 57-39.2-04 of the North Dakota Century Code, to remove the exemption from the sales tax for banks.

Which has been read.

Senator Butler moved that Senate Bill No. 2049 be amended as follows:

On page 2, line 4, after the first word "taxes" insert ", including motor vehicle excise taxes,"

Which motion prevailed.

Senator Butler moved that the rules be suspended and that Senate Bill No. 2049 be deemed properly reengrossed and placed on second reading as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 109 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Morgan	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Willhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 2072. A Bill for an Act to amend and reenact subsections 1 and 2 of section 2-03-01, and sections 2-03-04, 2-03-05, 2-03-06, 2-03-08, 2-03-09, 2-03-10, and 2-03-14 of the North Dakota Century Code, relating to the lawfulness of flight over land and water, the method of operation of aircraft, and liability for damages caused by the operation of aircraft or in accidents involving aircraft; and providing a penalty.

Which has been read.

Senator Thane moved that Senate Bill No. 2072 be re-referred to the Committee on Transportation.

Senator Thane: "Mr. President. I am a licensed pilot with considerable flying experience and I am in full sympathy with the intent of this bill. However, I believe serious problems could arise if this bill becomes law. You must bear in mind the reluctance connected with citizens arrest and the very real possibility of law suits arising from false arrests."

The question being on the motion of Senator Thane to re-refer Senate Bill No. 2072 to the Committee on Transportation, which motion prevailed.

Senate Bill No. 2087. A Bill for an Act to provide that the state department of health shall be responsible for rabies control; and to repeal chapter 23-22 of the North Dakota Century Code, relating to the rabies control committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 125 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Willhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Ringsak

So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside and the President Pro Tem presided.

Senate Bill No. 2100. A Bill for an Act to authorize a levy by counties and cities for programs and activities for older persons, to provide elections for authorizing or removing the levy, and to require contracts with the governing bodies of such counties and cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 125 of the Senate Journal, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite

Those voting in the negative were:

Butler Mutch

Absent and not voting:

Lowe Ringsak Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2106. A Bill for an Act to create and enact section 57-15-24.1 of the North Dakota Century Code, authorizing a county levy of one-half mill for an alcoholism prevention program, and providing for elections to impose or remove the levy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 125 and 126 of the Senate Journal, the roll was called and there were ayes, 32; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Sanstead
Berube	Hernett	Longmire	Sorlie
Chesrown	Holand	Melland	Strinden
Christensen	Jacobson	Nasset	Swedlund
Coughlin	Jones	Nothing	Unruh
Doherty	Kautzmann	Rait	Van Horn
Erdman	Larson, G.	Redlin	Wenstrom
Goldberg	Lips	Roen	Wilhite

Those voting in the negative were:

Barth	Just	Page	Schultz
Butler	Larson, L.	Pyle	Thane
Forkner	Morgan	Robinson	Thoreson
Freed	Mutch		

Absent and not voting:

Lowe Ringsak Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2126. A Bill for an Act to create and enact seven additional subsections to section 19-18-02, paragraph 8 of subdivision

b of subsection 20 of section 19-18-02, and section 19-18-06.1 of the North Dakota Century Code, and to amend and reenact subsections 1, 2, and 11 of section 19-18-02, sections 19-18-03 and 19-18-04, subsection 2 of section 19-18-05, and section 19-18-11 of the North Dakota Century Code, relating to the regulation of the distribution, sale, and labeling of economic poisons, and cooperation with the federal government.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe	Ringsak	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2139. A Bill for an Act to create and enact section 11-07-03.1 of the North Dakota Century Code, and to amend and reenact sections 11-07-03 and 11-11-02 of the North Dakota Century Code, to provide an additional method of redistricting counties and electing county commissioners.

Which has been read.

Senator Longmire moved that Senate Bill No. 2139 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senate Bill No. 2145. A Bill for an Act to amend and reenact subsection 6 of section 20-01-01 of the North Dakota Century Code, relating to definitions of game birds to include mourning doves.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 33; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Jacobson	Nething	Stroup
Christensen	Jones	Sorlie	Swedlund
Coughlin	Melland	Strinden	Thane
Holand	Morgan		

Those voting in the negative were:

Anderson	Gronhovd	Longmire	Roen
Berube	Hernett	Mutch	Sanstead
Butler	Just	Nasset	Schultz
Chesrown	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg			

Absent and not voting:
Lowe Ringsak

So the bill was lost.

Senator Forkner moved that the vote by which Senate Bill No. 2145 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SECOND READING OF A
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4010. 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.

Which has been read.

Senator Morgan moved that Senate Concurrent Resolution No. 4010 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 18, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2038
Senate Bill No. 2058
Senate Bill No. 2059
Senate Bill No. 2068
Senate Bill No. 2124
Senate Bill No. 2140

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 18, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1045
House Bill No. 1071
House Bill No. 1084
House Bill No. 1093
House Bill No. 1102
House Bill No. 1105
House Bill No. 1108
House Bill No. 1116
House Bill No. 1121

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

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 18, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2104

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1040. A Bill for an Act to amend and reenact section 36-09-14 of the North Dakota Century Code, relating to the issuance of brand books by the commissioner of agriculture.

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, 4; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sorlie
Barth	Hernett	Melland	Strinden
Butler	Jacobson	Morgan	Stroup
Chesrown	Jones	Mutch	Swedlund
Christensen	Just	Nasset	Thane
Coughlin	Kautzmann	Nothing	Thoreson
Doherty	Larson, G.	Page	Unruh
Forkner	Larson, L.	Robinson	Wenstrom
Freed	Lips	Roen	Wilhite
Goldberg	Litten	Sanstead	

Those voting in the negative were:

Berube	Erdman	Rait	Van Horn
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Absent and not voting:

Holand	Pyle	Ringsak	Schultz
Lowe	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1067. A Bill for an Act to create and enact sections 44-08-18, 54-06-15, and 54-21-17.1 of the North Dakota Century Code, relating to keys issued to the state capitol building, and offices therein; providing for retention of a state official's or employee's final wage or salary check upon failure to return an issued key; providing for payment of a fee in lieu of return of a key; providing the procedures for enforcement; 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, 38; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sorlie
Barth	Gronhovd	Morgan	Strinden
Butler	Hernett	Mutch	Stroup
Chesrown	Jacobson	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Robinson	Unruh
Erdman	Lips	Sanstead	Wenstrom
Forkner	Litten	Schultz	Wilhite
Freed	Longmire		

Those voting in the negative were:

Jones	Kautzmann
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Absent and not voting:

Berube	Nasset	Redlin	Roen
Holand	Pyle	Ringsak	Van Horn
Lowe			

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

House Bill No. 1075. A Bill for an Act to amend and reenact sections 4-09-10, 4-09-11, and 4-09-14 of the North Dakota Century Code, relating to the labeling of hermetically sealed seed containers, and to the time limit within which such seed containers must be retested.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sorlie
Barth	Gronhovd	Melland	Strinden
Butler	Hernett	Morgan	Stroup
Chesrown	Jacobson	Mutch	Swedlund
Christensen	Jones	Nething	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Robinson	Wenstrom
Forkner	Lips	Sanstead	Wilhite
Freed	Litten	Schultz	

Absent and not voting:

Berube	Lowe	Redlin	Roen
Holand	Nasset	Ringsak	Van Horn
Just	Pyle		

So the bill passed and the title was agreed to.

House Bill No. 1095. A Bill for an Act to amend and reenact section 63-01-01 of the North Dakota Century Code, to include marijuana within the definition of noxious weeds.

Which has been read.

Senator Morgan moved that House Bill No. 1095 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Wilhite moved that the Senate recess until 1:30 p.m., January 19, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



**TWELFTH DAY AFTER RECESS
AND THIRTEENTH DAY**

Bismarck, January 19, 1971

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. 2035, has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 delete the figure "702,609" and insert in lieu thereof the figure "701,609.00"

On page 1, line 18 delete the figure "351,444.00" and insert in lieu thereof the figure "352,444.00"

On page 1, line 20 delete the figure "11,700.00" and insert in lieu thereof the figure "9,700.00"

On page 1, line 23 delete the figure "702,609.00" and insert in lieu thereof the figure "701,609.00"

On page 2, line 1 delete the figure "588,579.00" and insert in lieu thereof the figure "587,579.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: To permit use of private, unmarked vehicle rather than a National Guard vehicle in situations where a marked vehicle might cause tensions to flare up.

SENATOR SORLIE, Chairman

Senator Coughlin 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. 2060, has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill delete lines 23 and 24

On page 2 of the engrossed bill delete lines 1 through 3

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2064, has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2117 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, delete the triple parentheses after the word "vehicle"

On page 1, line 14, delete the triple parentheses after the word "sale"

On page 1, line 20, after the underscored word "section" delete the underscored words: "shall include a house trailer or mobile home", and insert in lieu thereof the underscored word "includes"

On page 1, delete lines 21 and 22 and insert the following underscored words in lieu thereof: "any vehicle as defined in title 39 for which a certificate of title is required under the statutes of this state."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2120 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 of the title delete "sections 43-33-20 and" and insert in lieu thereof "section"

Page 8 delete all of lines 10 through 15

Renumber the sections, pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2141 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion lost and Senate Bill No. 2141 was placed on the calendar.

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 do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2148 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 4 of the bill after the word "in" delete the word "a"

On page 2 line 5 of the bill after the word "benefit" delete the word "fund" and insert in lieu thereof the word "funds"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 HERNETT, Chairman

Senator Hernettt 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:

Page 1 line 11 delete the triple parentheses before the word "Real"

Page 2 line 6 insert triple parentheses before the letter "e"

Page 2 line 7 insert triple parentheses after the word "it"

Page 2 line 7 delete the triple parentheses after the period

Page 2 delete all of lines 8 through 20

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2158 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2159 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2169 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2177 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2181 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

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

And Senate Bill No. 2181 was re-referred to the Committee on Appropriations.

Mr. President: The majority of your Committee on Judiciary to whom was referred Senate Bill No. 2199 has had the same under consideration and recommends that the same do pass.

For the Majority:
 Senator Chesrown
 Senator Barth
 Senator Gronhovd
 Senator Page

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted.

Mr. President: The minority of your Committee on Judiciary to whom was referred Senate Bill No. 2199 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Minority:
 Senator Thane
 Senator Freed

Senator Freed moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Freed, which motion lost.

The question then being on the motion of Senator Chesrown which motion prevailed, and Senate Bill No. 2199 was placed on the calendar.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution 4008 has had the same under consideration and recommends that the same be amended as follows:

On page 1, delete line 2 and insert in lieu thereof the words:

"all state agencies, departments, and institutions including those under the control"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

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

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2021, 2127, 2155, 2157, 2161, 2167, and House Bills Nos. 1050 and 1051, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTEENTH DAY

Bismarck, January 19, 1971

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

Prayer by Chaplain Gerald Ruelle, St. Alexius Chaplain, Bismarck.

"O God of Wisdom, Counsel and Fortitude — always sharing as You do of Yourself — grant to these elected officials the vision, the strength and the generosity needed to render to their constituency faithful stewardship.

"Attentive to the promptings of Your Wisdom may they give generously of their time, their insight and their enthusiasm. And remaining loyal toward sound and objective principles, may they make honest and effective decisions for the welfare of Your people.

"And as they try to realize and carry out Your designs for the benefit of the citizens of this great State, may they not be depressed nor discouraged by the pressures of work or criticism or misunderstanding; nor waste themselves in pettiness and resentment, but accept the difficult task of governing and become effective signs of Your presence in the world. Amen."

Roll call: All Senators present except Senators L. Larson, Lowe 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 Tenth Day After Recess, Eleventh Day and Twelfth Day and recommends that the same be corrected as follows:

On page 156, line 3, delete the figure "47-1914.2" and insert in lieu thereof the figure "47-19-14.2,"

On page 158, line 35 delete the word "Appropriations" and insert in lieu thereof the word "Transportation"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, N. D., January 19, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2187

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 2022 as recommended by the Committee on Appropriations, and printed on pages 149 and 150 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2111 as recommended by the Committee on Finance and Taxation, and printed on page 150 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2153 as recommended by the Committee on Industry, Business and Labor, and printed on page 150 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2156 as recommended by the Committee on Industry, Business and Labor, and printed on page 151 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2168 as recommended by the Committee on Judiciary, and printed on page 151 of the Senate Journal, be adopted, which motion prevailed.

REPORT OF A PROCEDURAL COMMITTEE

Mr. President: Your Committee on Mileage and Per Diem has completed the accounting for the mileage and per diem of the members of the Senate and recommends the following:

District No.	Senator	Mileage
1. Williston and Pt. Wm's.....	Frank A. Wenstrom	464
2. Divide & Pt. Wm's	George Rait	480
3. Burke, Renville & Pt. Ward.....	L. D. Christensen	340
4. Mountrail & Pt. Ward.....	Clark Van Horn	270
5. Minot & Pt. Ward.....	C. Morris Anderson	232
	John D. Coughlin	226
	Wayne G. Sanstead	232

6. Bottineau & Pt. McHenry.....	Walter C. Erdman	380
7. Pt. McHenry & Pt. Ward.....	Paul Swedlund	200
8. McLean.....	Dave M. Robinson	144
9. Rolette & Pt. Towner.....	Philip A. Berube	420
10. Cavalier & Pt. Towner.....	Richard E. Forkner	520
11. Pembina.....	Jack Page	570
12. Pierce & Pt. Benson.....	William J. Thoreson	362
13. Eddy, Foster & Pt. Benson.....	Edward W. Doherty	274
14. Sheridan and Wells.....	Clarence G. Schultz	230
15. Ramsey.....	H. Kent Jones	420
16. Grafton & Pt. Walsh.....	Elton Ringsak	588
17. Nelson & Pt. Walsh.....	Lester G. Larson	480
18. Grand Forks.....	George Longmire	540
	Kenneth Lowe	540
	George Unruh	540
19. Rural Grand Forks.....	Duane Mutch	500
20. Traill & Pt. Cass.....	Oscar J. Sorlie	480
21. Fargo.....	Francis J. Butler	400
	Richard W. Goldberg	400
	Donald C. Holand	400
	C. Warner Litten	400
22. Rural Cass.....	Ernest G. Pyle	360
23. Griggs, Steele, Pt. Barnes.....	Arthur Gronhovd	364
24. Valley City, Pt. Barnes.....	Theron L. Strinden	300
25. Wahpeton, Pt. Richland.....	Russell T. Thane	478
26. Sargent & Pt. Richland.....	Kenneth Morgan	430
27. Ransom & Pt. LaMoure.....	Myron Just	300
28. Dickey & Pt. LaMoure.....	Earl Redlin	334
29. Stutsman.....	Robert B. Melland	200
	David E. Nething	200
30. Logan & McIntosh.....	Gail H. Hernet	240
31. Emmons and Kidder.....	Robert Chesrown	130
32. Burleigh.....	Guy Larson	None
	Evan Lips	None
	I. J. Wilhite	None
33. Mercer, Oliver, Pt. Morton.....	Robert L. Stroup	150
34. Mandan — Pt. Morton.....	Emil E. Kautzmann	None
35. Grant, Sioux, Pt. Morton.....	Francis Barth	88
36. McKenzie and Dunn.....	J. Garvin Jacobson	404
37. Dickinson & W. Pt. Stark.....	Howard A. Freed	200
38. Hettinger, Pt. Adams, Pt. Stark.....	Robert M. Nasset	250
39. Billings, Bowman, Slope, Golden Valley, Pt. Adams.....	Leland H. Roen	372

SENATOR MUTCH, Chairman

Senator Mutch moved that the report be printed in the journal and laid over one legislative day, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Doherty, Thoreson and Jones introduced:

Senate Bill No. 2239. A Bill for an Act to create and enact section 2-05-15.1 of the North Dakota Century Code, relating to bonding requirements of certain air transportation entities.

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

Senators Sanstead and Coughlin introduced:

Senate Bill No. 2240. A Bill for an Act to amend and reenact section 11-15-08 of the North Dakota Century Code, relating to sheriff's commissions.

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

Senators Freed, Unruh and Sanstead introduced:

Senate Bill No. 2241. A Bill for an Act to amend and reenact subsection 21 of section 11-15-07 of the North Dakota Century Code, relating to sheriffs' fees.

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

Senators Anderson, Lips, Sanstead, Goldberg and Coughlin introduced:

Senate Bill No. 2242. A Bill for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to the employment of persons under twenty-one years of age in restaurants where alcoholic beverages are sold.

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

Senators Just and Anderson introduced:

Senate Bill No. 2243. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claims for refund of motor fuel tax.

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

Senators Chesrown, Melland, L. Larson and Van Horn introduced:

Senate Bill No. 2244. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code, relating to the apportionment and distribution of the proceeds of a cooperative.

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

Senators Jones and Page introduced:

Senate Bill No. 2245. A Bill for an Act to amend and reenact sections 25-07-02 and 25-07-06 of the North Dakota Century Code, relating to the instruction at the school for the deaf; and to repeal section 25-07-03 of the North Dakota Century Code, relating to the duties of the matron at the school for the deaf.

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

Senators Lips and Sanstead introduced:

Senate Bill No. 2246. A Bill for an Act to amend and reenact section 57-15-12 of the North Dakota Century Code, relating to an additional tax levy without an election not to exceed one mill to be used solely for matching bureau of outdoor recreation funds.

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

Senators Goldberg and Butler introduced:

Senate Bill No. 2247. 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, relating to sales and use tax exemptions for certain food products.

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

Senators Goldberg and Litten introduced:

Senate Bill No. 2248. A Bill for an Act to create and enact section 15-55-05.1 of the North Dakota Century Code, relating to

the issuance of interim bonds for revenue producing projects at the state institutions of higher learning.

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

Senators Chesrown, Freed and Holand introduced:

Senate Bill No. 2249. A Bill for an Act to amend and reenact sections 27-11-22 and 27-12-02 of the 1969 Supplement to the North Dakota Century Code, relating to annual licenses to practice law and membership of the state bar association.

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

Senators Chesrown and Holand introduced:

Senate Bill No. 2250. A Bill for an Act to amend and reenact section 27-05-17 of the North Dakota Century Code, relating to general provisions concerning court terms, and to repeal subsection 4 of section 28-04-07 of the 1969 Supplement to the North Dakota Century Code, relating to change of venue.

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

Senators Chesrown, Freed and Holand introduced:

Senate Bill No. 2251. A Bill for an Act to define vacancies in the district court and the method of filling such vacancies, provide for removal or censure of district court judges, and to amend and reenact sections 16-05-02, 16-08-02, and subsection 2 of section 44-02-02 of the North Dakota Century Code.

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

Senators Chesrown, Freed and Holand introduced:

Senate Bill No. 2252. A Bill for an Act to amend and reenact section 28-18-09 of the North Dakota Century Code, and to repeal section 28-27-32 of the North Dakota Century Code, relating to appeals to the North Dakota supreme court.

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

Senators Chesrown, Freed and Holand introduced:

Senate Bill No. 2253. A Bill for an Act to amend and reenact section 27-05-03.2 of the North Dakota Century Code, relating to retirement compensation of supreme and district court judges.

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

Senator Strinden introduced:

Senate Bill No. 2254. A Bill for an Act to amend and reenact sections 35-13-02, 35-13-03, and 35-13-04 of the North Dakota Century Code, relating to the priority of a repairman's lien and the time in which it must be filed.

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

Senators Barth and Robinson introduced:

Senate Bill No. 2255. A Bill for an Act to amend and reenact section 57-20-07 of the North Dakota Century Code, to provide for giving notice of amount of real estate taxes dues.

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

Senator Stroup introduced:

Senate Bill No. 2256. A Bill for an Act to amend and reenact section 6-03-28 of the North Dakota Century Code, relating to value and transfer of shares and shareholder's obligation.

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

Senator Jacobson introduced:

Senate Bill No. 2257. 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.

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

Senator L. Larson introduced:

Senate Bill No. 2258. A Bill for an Act to amend and reenact sections 65-04-04 and 65-07-03 of the 1969 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.

Senators Kautzmann and Melland introduced:

Senate Bill No. 2259. A Bill for an Act to amend and reenact sections 40-46-02 and 40-46-26 of the North Dakota Century Code, relating to tax levies for city employees' pension funds and to pay city's share of federal social security plans for employees.

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

Senators Nething and Unruh introduced:

Senate Bill No. 2260. A Bill for an Act to amend and reenact subsection 1 of section 57-37-04 of the North Dakota Century Code, relating to the gross estates of decedents for estate tax purposes.

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

Senators Lips and Stroup introduced:

Senate Bill No. 2261. A Bill for an Act to create and enact Chapter 40-35.1 of the North Dakota Century Code, authorizing the issuance of Reserve Revenue Bonds, and prescribing procedures with respect thereto and the security for payment thereof.

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

Senators Longmire and Unruh introduced:

Senate Bill No. 2262. A Bill for an Act to provide for the issuing of revenue bonds for the construction of a rehabilitation hospital at the university of North Dakota, and appropriating the moneys for such construction.

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

Senators Longmire and Unruh introduced:

Senate Bill No. 2263. A Bill for an Act to provide for pre-school day services for the purpose of improving training and socialization of mentally deficient children, and providing an appropriation.

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

Senators Longmire and Unruh introduced:

Senate Bill No. 2264. A Bill for an Act to amend and reenact sections 2 and 4 of chapter 204 of the 1969 Session Laws of North Dakota, relating to buildings and facilities at the university of North Dakota, Grand Forks, North Dakota, and providing an appropriation.

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

Senator Longmire introduced:

Senate Bill No. 2265. A Bill for an Act to amend and reenact section 29-02-04 of the North Dakota Century Code, relating to the prevention of public offenses by officers of justice; and to repeal sections 29-02-06, 29-02-07, 29-02-08, 29-02-09, 29-02-10, 29-02-11, 29-02-12, 29-02-13, 29-02-14, 29-02-15, 29-02-16, 29-02-17, 29-02-18, 29-02-19, 29-02-20, 29-02-21, and 29-02-22 of the North Dakota Century Code, relating to the peace bond procedure following complaint that a person is threatening bodily harm or harm to property.

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

Senator Goldberg introduced:

Senate Bill No. 2266. A Bill for an Act to repeal chapter 6-09.1 of the North Dakota Century Code, relating to the advisory board to the bank of North Dakota.

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

Senators Goldberg, Nasset, Robinson and Jacobson introduced:

Senate Bill No. 2267. A Bill for an Act to amend and reenact subsection 11 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions of certain feed sales.

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

Senators Morgan and Gronhovd introduced:

Senate Concurrent Resolution No. 4018. A Concurrent Resolution expressing opposition to a proposed flood control project on the lower reach of the Sheyenne River.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1045. A Bill for an Act to create and enact sections 15-19-08, 15-38-04.1, and 15-47-02.1, and chapters 15-20.1, 15-34.1, 15-34.2, 15-40.1, 15-40.2, and 15-53.1 of the North Dakota Century Code, relating to high school correspondence work, school holidays, discontinuance of schools, vocational education and vocational rehabilitation, compulsory attendance, transportation, state school aid, transfer of students and nonresident tuition, reorganization, annexation, and involuntary dissolution; to amend and reenact sections 12-10-06, 15-22-09, 15-28-01, and 15-28-02, subsection 1, 2, 3, and 14 of section 15-29-08, sections 15-41-06, 15-47-21, 15-47-27, 15-47-33, and 15-49-02, subsection 3 of section 57-15-14, sections 57-15-24, 57-16-04, 57-55-03, 57-55-04, and 16-01-15 of the North Dakota Century Code, relating to personal interest in contracts by public officers, duties of county superintendents, school board elections, powers and duties of school boards, equalization of assets and liabilities among school districts, time for renewal of teachers' contracts, high school course requirements, length of school term, personal interest in school district contracts, tax levy limitations in school districts, county mill levy for schools, mobile home taxation, and voting on certain questions; and to repeal sections 15-22-21, 15-22-22, 15-38-04, 15-41-18, 15-41-19, 15-47-19, and 15-47-20, and chapters 15-20, 15-27, 15-34, 15-40 and 15-53 of the North Dakota Century Code, relating to vocational education and vocational rehabilitation, organization and dissolution of public school districts, compulsory attendance, transportation, state school aid, reorganization, annexation, dissolution of school districts, notice of hearing on dissolution, school holidays, admission of nonresident high school students and tuition fees,

equalization of indebtedness by arbitration, and levy by board of arbitration.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1071. A Bill for an Act to amend and reenact section 29-29-21 of the North Dakota Century Code, relating to the temporary stopping and searching of persons by a police officer without making a formal arrest.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1084. A Bill for an Act to amend and reenact section 19-07-02 of the North Dakota Century Code, relating to the rule-making power of the state laboratories department; and to repeal section 19-07-03 of the North Dakota Century Code, relating to the egg advisory board.

Which was read the first time and referred to the Committee on Agriculture.

House Bill No. 1093. A Bill for an Act to provide for a uniform group insurance program for state employees, for its administration, and for a state contribution; to amend and reenact section 54-52-04 of the North Dakota Century Code, relating to powers and duties of the state employees' retirement board; and to repeal chapter 52-12 of the North Dakota Century Code, relating to state employees' medical and life insurance plans.

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 subdivision h of subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the computation of the adjusted gross estate for purposes of determining the exemption of a surviving spouse for estate tax purposes, and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1105. A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-10, subsection 2 of section 57-39.2-17, and section 57-40.2-09 of the North Dakota Century Code, to provide that proceedings for the collection of sales and use taxes must be brought within three years after the due date of such taxes.

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

House Bill No. 1108. A Bill for an Act to amend and reenact subsection 3 of section 14-03-17 of the North Dakota Century Code, relating to physician's certificate for marriage license application.

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

House Bill No. 1116. A Bill for an Act to amend and reenact section 44-04-08 of the North Dakota Century Code, relating to the reports of state institutions, boards, departments, and offices.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1121. A Bill for an Act to create and enact sections 43-28-12.1 and 43-28-12.2 of the North Dakota Century Code, relating to licensing qualifications of dentists; and to amend and reenact subsection 1 of section 43-28-01, sections 43-28-05, 43-28-07, 43-28-11, 43-28-12, 43-28-13, 43-28-15, 43-28-16, and 43-28-24 of the North Dakota Century Code, relating to the definition of the practice of dentistry, the board of dental examiners, examinations, licensing, licenses, and fees for the practice of dentistry.

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. 2021. A Bill for an Act making an appropriation to the department of public instruction for the purpose of paying salaries and other expense of the director of surplus property.

Which has been read.

Senator Melland moved that Senate Bill No. 2021 be re-referred to the Committee on Appropriations, which motion prevailed.

Senate Bill No. 2127. A Bill for an Act to amend and reenact sections 15-01-02, 15-03-04, 15-03-15, and 15-03-18 of the North Dakota Century Code, relating to the investment of various permanent funds 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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L.	Lowe	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 26-03-12 of the North Dakota Century Code, relating to the transfer of policies of life and health 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Larson, L.	Lowe	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2157. A Bill for an Act to amend and reenact subsection 3 of section 26-03-36 of the North Dakota Century Code, relating to provisions prohibited in a life insurance policy.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L. Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2161. A Bill for an Act to amend and reenact section 40-18-18 of the North Dakota Century Code relating to the fees of jurors in municipal court 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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L. Lowe Roen

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

Senate Bill No. 2167. A Bill for an Act to amend and reenact section 14-05-19 of the North Dakota Century Code relating to transcription of testimony in default divorce 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, 46; nays 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson

Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L.	Lowe	Roen
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So the bill passed and the title was agreed to.

House Bill No. 1050. A Bill for an Act to amend and reenact section 11-10.1-06 of the North Dakota Century Code, relating to the duties of county directors of tax equalization in obtaining agricultural statistics; to repeal sections 4-01-01, 4-01-02, 4-01-03, 4-01-06, 4-01-07, 4-01-10, 4-01-11, 4-01-12, 4-01-13, and 4-01-14 of the North Dakota Century Code, relating to the collection of agricultural statistics by assessors, the furnishing of such statistics by county auditors, and the duties of the commissioner of agriculture in his capacity as state statistician; 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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L.	Lowe	Roen
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 1051. A Bill for an Act to repeal subsection 3 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from the sales tax of agricultural products when sold in exchange for like agricultural products produced by the purchaser and is for the purchaser and his family.

Which has been read.

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, 3.

ROLL CALL**Those voting in the affirmative were:**

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L. Lowe Roen

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2049

Senate Bill No. 2087

Senate Bill No. 2100

Senate Bill No. 2106

Senate Bill No. 2126

Senate Concurrent Resolution No. 4010

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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1040

House Bill No. 1067

House Bill No. 1075

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess until 1:30 P.M., January 20, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



**THIRTEENTH DAY AFTER RECESS AND
FOURTEENTH DAY**

Bismarck, January 20, 1971

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. 2022

Senate Bill No. 2111

Senate Bill No. 2153

Senate Bill No. 2156

Senate Bill No. 2168

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2005 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 after the word "government" insert a period and delete the following: ", specifying the amount and time"

On page 1, delete all of lines 3, 4, 5, 6, and 7

On page 1, line 18 after the word "specified" insert the following: "such sum as set forth"

On page 2, line 5 delete the figure "624,840.00" and insert in lieu thereof the figure "450,000.00"

On page 2, line 9 delete the figure "661,640.00" and insert in lieu thereof the figure "486,800.00"

On page 2, line 12 delete the figure "36,981.00" and insert in lieu thereof the figure "32,644.00"

On page 2, line 16 delete the figure "76,381.00" and insert in lieu thereof the figure "72,044.00"

On page 2, line 19 delete the figure "1,008,000.00" and insert in lieu thereof the figure "782,212.00"

On page 2, line 21 delete the figure "125,000.00" and insert in lieu thereof the figure "97,104.00"

On page 2, line 22 delete the figure "1,183,000.00" and insert in lieu thereof the figure "929,316.00"

On page 2, line 23 delete the figure "1,921,021.00" and insert in lieu thereof the figure "1,488,160.00"

On page 2, delete lines 24, 25, 26, 27, 28, 29, and 30

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 bring increases in line with increases in other areas of state government at a similar level of compensation .

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations 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 1, line 13 delete the figure "5,406,256.00" and insert in lieu thereof the figure "5,816,256.00"

On page 1, line 13 delete the figure "4,686,841.00" and insert in lieu thereof the figure "5,096,841.00"

On page 1, line 20 delete the figure "486,683.00" and insert in lieu thereof the figure "566,683.00"

On page 1, line 21 delete the figure "60,000.00" and insert in lieu thereof the figure "85,000.00"

On page 1, line 22 delete the figure "10,000.00" and insert in lieu thereof the figure "15,000.00"

On page 1, line 24 delete the figure "3,279,360.00" and insert in lieu thereof the figure "3,579,360.00"

On page 2, line 1 delete the figure "5,406,256.00" and insert in lieu thereof the figure "5,816,256.00"

On page 2, line 2 delete the figure "4,686,841.00" and insert in lieu thereof the figure "5,096,841.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to transfer funding of vocational funds in the state hospital budget to the division of vocational rehabilitation to comply with federal regulations and to reduce the appropriation to a level expected to be available from federal sources.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2021 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the figure "177,732.00" and insert in lieu thereof the figure "187,732.00"

On page 1, line 21 delete the figure "1,000.00" and insert in lieu thereof the figure "11,000.00"

On page 1, line 22 delete the figure "177,732.00" and insert in lieu thereof the figure "187,732.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to allow additional contingency funds for emergency situations available on application to and approval of the emergency commission.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2025 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

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 SORLIE, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2149 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. 2154 has had the same under consideration and recommends that the same be amended as follows:

On page 1 in line 2 delete the words "provide for" and insert in lieu thereof the word "permit"

On page 1 in line 14 delete the word "All" and insert in lieu thereof the words "Except as provided in subsection 6 of this section, all"

On page 1 in line 15 delete the triple parentheses and the word "each"

On page 1 in lines 17, 18, 20 and 23 delete the triple parentheses

On page 2 in lines 1 and 4 delete the triple parentheses

On page 2 in line 5 after the word "ALL" insert the word "taxable"

On page 2 in lines 20 and 32 delete the triple parentheses and in line 32 also delete the numeral "3"

On page 3 in lines 11 and 19 delete the triple parentheses

On page 3 after line 19 insert the following new subsection:

"6. Notwithstanding the other provisions of this section, the governing body of any city or township may by resolution provide that all real property within the city or township shall be listed and assessed annually with reference to its value on April first of each year. The assessments of real property assessed annually shall be equalized and corrected annually in the manner and subject to the same requirements as are provided for equalizing the assessments of real property that is listed and assessed every odd-numbered year."

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 Appropriations to whom was referred Senate Bill No. 2170 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2171 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. 2185 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 19 after the first word "of" delete the word "seven" and insert in lieu thereof "five" and after the word "taxes" delete the comma and insert in lieu thereof a period and delete the remainder of the line

Page 1 delete all of lines 20 and 21

Re-number 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 State and Federal Government to whom was referred Senate Bill No. 2195 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2203 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2209 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2213 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2214 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 2 following the period add the following

"A city may, however, levy an assessment against state-owned property without prior legislative approval if the state agency or department having control of the property agrees to such assessment and if the total amount of such assessment does not exceed twenty thousand dollars."

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was

referred Senate Bill No. 2216 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 4004 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 1045 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 Finance and Taxation to whom was referred House Bill No. 1049 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. 1056 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. 1068 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. 1074 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1082 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1083 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1085 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1112 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 3006 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 2035 as recommended by the Committee on Appropriations, and printed on page 165 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2060 as recommended by the Committee on State and Federal Government, and printed on pages 165 and 166 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2117 as recommended by the Committee on Industry, Business and Labor, and printed on page 166 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2120 as recommended by the Committee on Industry, Business and Labor, and printed on page 166 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2148 as recommended by the Committee on State and Federal Government, and printed on page 166 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2151 as recommended by the Committee on Industry, Business and Labor and printed on page 167 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution No. 4008 as recommended by the Committee on State and Federal Government, and printed on page 168 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Robinson and Ringsak introduced:

Senate Bill No. 2268. A Bill for an Act to provide a name for the law enforcement training center and to establish a board to administer the center.

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

Senators Wilhite and Christensen introduced:

Senate Bill No. 2269. A Bill for an Act to amend and reenact section 38-08-09.7 of the North Dakota Century Code, relating to the liability for expenses in unitized oil and gas fields.

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

Senator Chesrown introduced:

Senate Bill No. 2270. A Bill for an Act to amend and reenact section 10-23-01 of the North Dakota Century Code, relating to allowing the destruction of the annual reports of corporations after they have been on file for six years.

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

Senators Anderson, Coughlin and Sanstead introduced:

Senate Bill No. 2271. A Bill for an Act to amend and reenact section 40-45-06 of the North Dakota Century Code, relating to the investment of surplus funds of the policemen's pension fund.

Was read the first time and referred to the committee on Political Subdivisions:

Senators Anderson, Coughlin and Sanstead introduced:

Senate Bill No. 2272. A Bill for an Act to amend and reenact section 40-45-09 of the North Dakota Century Code, relating to policemen's pensions and who may be retired.

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

Senators Butler, Coughlin and Nething introduced:

Senate Bill No. 2273. A Bill for an Act prohibiting the use and furnishing of trading stamps or other similar devices and schemes or substitutes therefor, with the sale of goods, wares, and merchandise; and to repeal chapter 51-06, relating to trading stamps and devices; and providing a penalty.

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

Senators Thane, Pyle and Ringsak introduced:

Senate Bill No. 2274. A Bill for an Act to amend and reenact sections 27-07-20, 27-07-23, 27-07-24, subsection 1 of section 27-07-25, and section 27-08-12 of the North Dakota Century Code, relating to the appointment, powers, duties, and compensation of deputy county judges of county courts and county courts with increased jurisdiction.

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

Senator Litten introduced:

Senate Bill No. 2275. A Bill for an Act to create a state trust to hold unpaid guaranteed student loans belonging to the state of North Dakota; to authorize preparation, sale, and issuance of special coupon bonds of the state of North Dakota against such United States government guaranteed student loans so held; and to make such bonds eligible for investment of the funds of banks, savings and loan associations, and public trust funds of this state, and making an appropriation.

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

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2141, 2146, 2150, 2177, and 2199, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTEENTH DAY

Bismarck, January 20, 1971

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

Prayer by Chaplain Verle Reinicke, Faith Lutheran, Bismarck.

Mighty and gracious Lord,

We thank you for the day you have given us. May we celebrate the life to be found in it.

We pray for these men as they do the work with which they are charged. Give to them a sense of humor about life and their task so that in what they do they not take that task so seriously that life becomes something to be boxed in and manipulated and empty. Rather, give them a sense of awe and mystery about their task and life, an open endedness, that when they are finished the quality of life for the people whom they serve on these high plains may have a newness once again, a newness that is to be found in you.

Amen.

Roll call: All Senators present except Senators G. Larson, Lowe, Roen and Wenstrom.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twelfth Day After Recess and Thirteenth Day and finds the same correct.

SENATOR BUTLER, Vice Chairman

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

FIRST READING OF SENATE BILLS

Senators Ringsak and Morgan introduced:

Senate Bill No. 2276. A Bill for an Act to provide an appropriation for the construction of a food service building at the Grafton state school.

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

Senator Ringsak introduced:

Senate Bill No. 2277. A Bill for an Act to provide that no person shall be placed in legal jeopardy for acts of self-defense or to protect his property or in aid of another, and to provide reimbursement of certain defendants by the state.

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

Senators Wenstrom, Jones, Ringsak, Sanstead and Van Horn introduced:

Senate Bill No. 2278. A Bill for an Act to accept on behalf of the state of North Dakota the conditions, purposes, and terms of Public Law 89-665 of the Eighty-ninth Congress, an Act to establish a program for the preservation of additional historic properties throughout the nation, and to designate the state historical society to act on behalf of North Dakota.

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

Senators Kautzmann, Nething, Chesrown, Unruh and Barth introduced:

Senate Bill No. 2279. A Bill for an Act to amend and reenact subsection 7 of section 25-03-11 of the North Dakota Century Code, relating to judicial procedures in hospitals upon order of mental health board.

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

Senators Longmire, Hernet and Goldberg introduced:

Senate Bill No. 2280. 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, and declaring an emergency.

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

Senators Christensen and Pyle introduced:

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 61-16-46 of the North Dakota Century Code, relating to the cost of constructing and maintaining openings for drains constructed by districts through railroads and highways.

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

Senators Doherty and Morgan introduced:

Senate Bill No. 2282. A Bill for an Act to amend and reenact subsections 3 and 6 of section 54-52-01 and section 54-52-02 of the North Dakota Century Code, relating to definitions and formulation of plans under the state employees' retirement system.

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

Senator Unruh introduced:

Senate Bill No. 2283. A Bill for an Act creating a regional medical education board, and providing an appropriation.

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

Senators Litten and Longmire introduced:

Senate Bill No. 2284. A Bill for an Act to amend and reenact subsection 1 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

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

Senator Wenstrom introduced:

Senate Bill No. 2285. A Bill for an Act to amend and reenact section 15-39-14, subsection 4 of section 15-39-27, subsections 1 and 5 of section 15-39-28, and section 15-39-42, and to repeal section 15-39-28.1 of the North Dakota Century Code, relating to teachers' insurance and retirement fund assessments and annuities.

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

Senator Freed introduced:

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 40-51.2-04 of the North Dakota Century Code, relating to excluding and disconnecting land within a city's limits.

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

Senator Litten introduced:

Senate Bill No. 2287. A Bill for an Act to amend and reenact section 14-03-13 of the North Dakota Century Code, to provide that the standard serological test for syphilis required for filing of application for marriage license may be performed by any certified pathologist within this state.

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

Senator Chesrown introduced:

Senate Bill No. 2288. A Bill for an Act to provide that every county shall have at least one deputy sheriff or office deputy sheriff.

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

Senator Chesrown introduced:

Senate Bill No. 2289. A Bill for an Act relating to the mandatory disposition of detainees for criminal charges pending against persons imprisoned in this state and constituting the Uniform Mandatory Disposition of Detainers Act.

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

Senators Chesrown and Longmire introduced:

Senate Bill No. 2290. A Bill for an Act to amend and reenact section 40-08-07 of the North Dakota Century Code, relating to compensation of aldermen in council cities.

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

Senators Rait and Lips introduced:

Senate Bill No. 2291. A Bill for an Act to amend and reenact section 57-02-34 of the North Dakota Century Code to change the time for the assessor to make the assessment.

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

Senator Lips introduced:

Senate Bill No. 2292. A Bill for an Act to amend and reenact sections 54-38-01, 54-38-02, 54-38-05, 54-38-06, 54-38-07 and 54-38-09 relating to the creation of a division of alcoholism and drug abuse within the State Department of Health and repealing sections 54-38-03, 54-38-04 and 54-38-08 of the North Dakota Century Code, relating to the state commission on alcoholism.

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

Senator Kautzmann introduced:

Senate Bill No. 2293. A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of 40-51.2-07 and section 40-51.2-16 of the North Dakota Century Code, relating to effective date of an annexation.

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

Senator Freed introduced:

Senate Bill No. 2294. A Bill for an Act to create and enact subsection 22 of section 57-39.2-04 and subsection 10 of section 57-40.2-04 of the North Dakota Century Code, relating to exemption from sales and use tax.

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

Senator Unruh introduced:

Senate Bill No. 2295. A Bill for an Act to amend and reenact sections 27-08-21, 29-28-02, 29-28-07, 40-18-11 and 40-18-19 of the North Dakota Century Code, relating to judicial procedure, judicial records, and providing for appeals from the municipal court in ordinance violation cases.

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

Senators Doherty and Butler introduced:

Senate Bill No. 2296. A Bill for an Act to amend and reenact section 40-23-10 of the North Dakota Century Code, relating to special assessment hearing notices.

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

Senators Barth and Just introduced:

Senate Bill No. 2297. A Bill for an Act to amend and reenact section 57-24-02, and to repeal section 57-24-06 of the North Dakota

Century Code, relating to the posting of delinquent real estate taxes.

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

Senator Redlin introduced:

Senate Bill No. 2298. A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to the issuance of hunting, trapping and fishing licenses and the fee to be received by the county auditor for such services.

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

Senators Stroup and Pyle introduced:

Senate Bill No. 2299. A Bill for an Act to amend and reenact subsection 2 of section 51-14-01 of the North Dakota Century Code, relating to definition of retail seller or seller.

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

Senators Sanstead, Just and Page introduced:

Senate Bill No. 2300. A Bill for an Act to create and enact a new subsection to section 15-40.1-08 of the North Dakota Century Code as contained in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to payments for kindergarten pupils.

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

Senator Chesrown introduced:

Senate Bill No. 2301. A Bill for an Act to amend and reenact section 49-03-02 of the North Dakota Century Code, relating to notice and hearings in certain utility franchise proceedings, and declaring an emergency.

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

Senator Freed introduced:

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsection 4 of section 29-29-21 of the North Dakota Century Code relating to the temporary questioning and searching of persons in public places suspected of possessing narcotic and other drugs.

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

Senator Freed introduced:

Senate Bill No. 2303. A Bill for an Act to create and enact section 12-60-13.1 of the North Dakota Century Code, relating to the furnishing of crime statistics by certain city and county officials to the superintendent of the state bureau of criminal identification and apprehension.

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

Senators Sanstead and Chesrown introduced:

Senate Bill No. 2304. A Bill for an Act to amend and reenact subsections 1, 2, 3 and 4 of section 44-08-04 and subsection 1 of section 54-06-09 of the North Dakota Century Code, relating to travel expenses.

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

Senator Chesrown introduced:

Senate Bill No. 2305. A Bill for an Act providing for the adoption of an interstate agreement on detainers and for the implementation thereof.

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

Senator Sanstead introduced:

Senate Bill No. 2306. A Bill for an Act to amend and reenact subsection 7 of section 21-03-06 and sections 21-03-07, 21-03-09, 21-03-15, 21-03-18, 21-03-19, and 21-03-28 of the North Dakota Century Code, relating to municipal bonds, and modifying procedures with respect thereto.

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

Senators Longmire, Melland, Kautzmann, Lips and Litten introduced:

Senate Bill No. 2307. A Bill for an Act requiring a certificate of need for construction or expansion of hospitals and related facilities including services, defining the procedure for certification of need and the requirements thereof, providing for a public hearing, prohibiting licensing, and authorizing injunctions.

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

Senator Freed introduced:

Senate Bill No. 2308. A Bill for an Act to create and enact subsection 10 of section 12-60-07 of the North Dakota Century Code relating to investigation powers of state bureau of criminal identification and apprehension with respect to state owned property.

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

Senators Sanstead and Coughlin introduced:

Senate Bill No. 2309. 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 exemption of textbooks from sales tax.

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

Senator Sanstead introduced:

Senate Bill No. 2310. A Bill for an Act to amend and reenact section 52-01-04 of the 1969 Supplement to the North Dakota Century Code, sections 52-01-07, 52-02-15, 52-02-16, and 52-04-08 of the North Dakota Century Code, relating to penalty for disclosure of information or use of list of names obtained from the North Dakota employment security bureau, a short title for chapters 52-01 through 52-07.1, reciprocal arrangements for unemployment compensation, acquisition of real property for the use and benefit of the North Dakota employment security bureau, and succession to predecessors rights, accounts, contributions, benefit experience and ratings under the North Dakota Unemployment Compensation Law.

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

Senator Freed introduced:

Senate Bill No. 2311. A Bill for an Act to create and enact subsection 4 of section 29-29-02 of the North Dakota Century Code, relating to grounds for the issuance of a search warrant.

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

Senators Ringsak, Anderson and Freed introduced:

Senate Bill No. 2312. A Bill for an Act to provide for notice of claim and limitation of recovery for damages arising from illegal sale of alcoholic beverages.

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

Senators Anderson and Sanstead introduced:

Senate Bill No. 2313. A Bill for an Act to amend and reenact section 40-20-05 of the North Dakota Century Code, relating to the powers of a chief of police.

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

Senators Anderson and Sanstead introduced:

Senate Bill No. 2314. A Bill for an Act to amend and reenact subsection 1 of section 40-45-13 of the North Dakota Century Code, relating to payments of police pension benefits to police widows.

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

Senator Litten introduced:

Senate Bill No. 2315. A Bill for an Act to repeal section 8 of chapter 397 of the 1967 Session Laws of North Dakota, prohibiting the funding of the council on the arts and humanities from the state's general fund.

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

Senator Litten introduced:

Senate Bill No. 2316. A Bill for an Act to amend and reenact subsection 4 of section 34-06-06 of the North Dakota Century Code, relating to the hours of employment of female workers during emergency periods.

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

The Committee on Appropriations introduced:

Senate Bill No. 2317. 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.

Senators Sorlie and Lips introduced:

Senate Bill No. 2318. A Bill for an Act authorizing the removal or sale of a public building when it is obsolete or a fire hazard or is otherwise unsafe and is of no future use to the state where it is located, and setting out the procedures to be followed.

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

The Committee on Appropriations introduced:

Senate Bill No. 2319. A Bill for an Act to transfer certain moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of this state.

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

Senators Ringsak and Page introduced:

Senate Bill No. 2320. A Bill for an Act to provide a method of random selection of jurors, prescribing the qualifications, duties and compensation of jurors, and constituting the Uniform Jury Selection and Service Act; and to repeal chapter 27-09 of the North Dakota Century Code.

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

Senator Thoreson introduced:

Senate Bill No. 2321. A Bill for an Act to amend and reenact section 1 of chapter 157 of the 1967 Session Laws of North Dakota, relating to the transfer of funds to the college building fund.

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

Senator Freed introduced:

Senate Bill No. 2322. A Bill for an Act to amend and reenact section 12-60-01 of the North Dakota Century Code relating to changing the name of the North Dakota state bureau of criminal identification and apprehension.

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

Senator Forkner introduced:

Senate Bill No. 2323. A Bill for an Act relating to motor vehicle registration refunds, and making an appropriation.

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

Senator Freed introduced:

Senate Bill No. 2324. A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, as contained in section 23 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to tax levy limitations in school districts.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2127

Senate Bill No. 2155

Senate Bill No. 2157

Senate Bill No. 2161

Senate Bill No. 2167

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 20, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1050

House Bill No. 1051

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1008

House Bill No. 1017

House Bill No. 1110

House Bill No. 1143

House Bill No. 1151

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

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2022. A Bill for an Act making an appropriation for salaries and expenses of the division of supervised correspondence study.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 149 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Hernett	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Van Horn
Freed	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Anderson	Holand	Lowe	Wenstrom
Goldberg	Larson, L.	Roen	

So the bill passed and the title was agreed to.

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the dates for distribution of personal property tax replacement moneys to counties; and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 150 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wilhite
Freed	Melland		

Absent and not voting:

Goldberg	Larson, L.	Roen	Wenstrom
Holand	Lowe	Sanstead	

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

Senate Bill No. 2141. A Bill for an Act acknowledging the rights and defining the limitations of legislative office, establishing a code of legislative conduct, and establishing a joint committee on legislative conduct.

Which has been read.

Senator Coughlin moved that Senate Bill No. 2141 be re-referred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 2146. A Bill for an Act to amend and reenact section 18-09-02 of the North Dakota Century Code, relating to rulemaking power of the state fire marshal.

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, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Robinson
Barth	Gronhovd	Melland	Sanstead
Berube	Hernett	Morgan	Schultz
Butler	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wilhite

Absent and not voting:

Larson, L.	Roen	Stroup	Wenstrom
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2150. A Bill for an Act to amend and reenact sections 23-15-01, 23-15-02, 23-15-04, and 62-04-05 of the North Dakota Century Code, relating to fireworks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 35; absent and not voting, 4.

Those voting in the affirmative were:

Butler	Holand	Melland	Sanstead
Christensen	Kautzmann	Nothing	Unruh
Goldberg	Litten		

Those voting in the negative were:

Anderson	Gronhovd	Mutch	Sorlie
Barth	Hernett	Nasset	Strinden
Berube	Jacobson	Page	Stroup
Chesrown	Jones	Pyle	Swedlund
Coughlin	Just	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wilhite
Freed	Morgan	Schultz	

Absent and not voting:

Larson, L.	Lowe	Roen	Wenstrom
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So the bill was declared lost.

Senator Forkner moved that the vote by which Senate Bill No. 2150 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2153. A Bill for an Act to authorize domestic life insurance companies to invest in subsidiaries.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 150 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden

Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wilhite
Gronhovd	Melland	Sanstead	
Absent and not voting:			
Doherty	Larson, L.	Roen	Wenstrom
Goldberg	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2156. A Bill for an Act to protect shareholders of North Dakota corporations by requiring public announcement and fair, full and effective disclosure to shareholders in regard to take-over bids and to declare an emergency.

Was read the second time.

Senator Lips moved that Senate Bill No. 2156 be amended as follows:

On page 6, line 24 of the engrossed bill, after the word horizontal delete "or"

On page 7, line 24, delete the first word "to" and insert in lieu thereof "or"

Which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2156 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2156, as amended on page 151 of the Senate Journal and from the floor, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Forkner	Litten	Ringsak	Wilhite
Freed	Longmire	Robinson	

Absent and not voting:

Goldberg	Lowe	Sanstead	Wenstrom
Larson, L.	Roen		

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

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 28-20-34 and 28-26-13 of the North Dakota Century Code relating to interest on judgments and verdicts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 151 of the Senate Journal, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wilhite
Freed	Melland	Sanstead	

Those voting in the negative were:

Just

Absent and not voting:

Goldberg	Lowe	Roen	Wenstrom
Larson, L.			

So the bill passed and the title was agreed to.

Senate Bill No. 2177. A Bill for an Act authorizing the State Historical Society of North Dakota to sell a tract of land in Billings County, North Dakota, 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, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Robinson
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Van Horn

Absent and not voting:

Forkner	Lowe	Thoreson	Wenstrom
Larson, L.	Roen		

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

Senate Bill No. 2199. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 17; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Erdman	Lips	Rait
Barth	Forkner	Litten	Ringsak
Berube	Gronhovd	Longmire	Sanstead
Butler	Holand	Melland	Swedlund
Chesrown	Just	Nothing	Unruh
Christensen	Kautzmann	Page	Wilhite
Coughlin	Larson, G.	Pyle	

Those voting in the negative were:

Doherty	Morgan	Robinson	Stroup
Freed	Mutch	Schultz	Thane
Hernett	Nasset	Sorlie	Thoreson
Jacobson	Redlin	Strinden	Van Horn
Jones			

Absent and not voting:

Goldberg	Lowe	Roen	Wenstrom
Larson, L.			

So the bill passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

Senator Mutch moved that the report of the Committee on Mileage and Per Diem as printed on pages 169 and 170 of the Senate Journal, be adopted.

ROLL CALL

The question being on the motion of Senator Mutch, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Liffen	Ringsak	Van Horn
Freed	Longmire	Robinson	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Barth	Larson, L.	Roen	Wenstrom
Goldberg	Lowe		

So the motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1144

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

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess until 1:15 p.m. January 21, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTEENTH DAY AFTER RECESS
AND FIFTEENTH DAY

Bismarck, January 21, 1971

The Senate convened at 1:15 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. 2035
Senate Bill No. 2117
Senate Bill No. 2120
Senate Bill No. 2148
Senate Bill No. 2151
Senate Concurrent Resolution No. 4008

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2060
And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

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

FIRST READING OF HOUSE BILLS

House Bill No. 1008. A Bill for an Act making an appropriation to the livestock sanitary board to pay the operating and maintenance expenses.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the teachers' insurance and retirement fund.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1110. A Bill for an Act to create and enact sections 43-20-12 and 43-20-12.1 of the North Dakota Century Code, relating to the delegation of duties to dental hygienists and to continuing education requirements for dental hygienists; to amend and reenact sections 43-20-02 and 43-20-03 of the North Dakota Century Code, relating to acceptance of a national test in lieu of graduation from hygienist school and practice by dental hygienists.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1143. A Bill for an Act to create and enact section 36-15-08.1 of the North Dakota Century Code, relating to payment of indemnity for brucellosis.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1144. A Bill for an Act to amend and reenact sections 54-03-10, 54-03-20, 54-03-20.1, and 54-35-10 of the North Dakota Century Code, relating to compensation and mileage reimbursement for members and officers of the legislative assembly, and declaring an emergency.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1151. A Bill for an Act to amend and reenact section 20-01-07 of the North Dakota Century Code, relating to prohibiting the operators of aircraft or motor vehicles from killing, chasing or harassing any wild game, and providing a penalty.

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

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2005, 2020, 2021, 2154, 2185, and 2214 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2005 as recommended by the Committee on Appropriations and printed on pages 181 and 182 of the Senate Journal, be adopted.

Senator Litten moved that Senate Bill No. 2005 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2020 as recommended by the Committee on Appropriations and printed on page 182 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2021 as recommended by the Committee on Appropriations and printed on page 182 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2154 as recommended by the Committee on Finance and Taxation and printed on page 183 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2185 as recommended by the Committee on Finance and Taxation and printed on page 184 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2214 as recommended by the Committee on State and Federal Government and printed on page 184 of the Senate Journal, be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2139 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 20 insert triple parentheses before and after "each" and insert in lieu thereof "every"

Page 1 line 21 after "cities" insert the following "in every district"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2173 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2184 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2190 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 Political Subdivisions to whom was referred Senate Bill No. 2200 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1100 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.

FIRST READING OF SENATE BILLS

Senator Wenstrom introduced:

Senate Bill No. 2325. A Bill for an Act to amend and reenact section 39-24-08 of the North Dakota Century Code, relating to the regulation of snowmobiles.

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

Senators Forkner and Page introduced:

Senate Bill No. 2326. A Bill for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code relating to motor vehicle registration.

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

Senators Forkner and Page introduced:

Senate Bill No. 2327. A Bill for an Act to amend and reenact section 39-04-16 of the North Dakota Century Code, relating to penalties for late registration of motor vehicles.

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

Senators Forkner and Page introduced:

Senate Bill No. 2328. A Bill for an Act to amend and reenact section 39-04-17, of the 1969 supplement to the North Dakota Century Code, relating to Notary Certificates.

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

Senators Forkner and Page introduced:

Senate Bill No. 2329. A Bill for an Act to amend and reenact section 39-22-05 of the North Dakota Century Code, relating to motor vehicle dealer's bonds.

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

Senators Forkner and Page introduced:

Senate Bill No. 2330. A Bill for an Act to amend and reenact section 39-04A-05 of the North Dakota Century Code, relating to delinquent registration fees.

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

Senators Anderson, Longmire and Ringsak introduced:

Senate Bill No. 2331. A Bill for an Act to provide for administrative supervision by the supreme court over all courts and to implement the superintending control of the supreme court provided under section 86 of the Constitution of the state of North Dakota.

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

Senators Longmire and Unruh introduced:

Senate Bill No. 2332. A Bill for an Act to amend and reenact sections 15-47-26 and 15-47-27 of the North Dakota Century Code, relating to the time for renewal of teachers' contracts and defining the term "teacher".

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

Senators Sanstead and Jones introduced:

Senate Bill No. 2333. A Bill for an Act to amend and reenact section 15-47-38 of the North Dakota Century Code, providing for procedure for fair dismissal of teachers.

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

Senator Stroup, Nething and Pyle introduced:

Senate Bill No. 2334. A Bill for an Act to amend and reenact section 13-04-01 of the North Dakota Century Code, relating to installment bank loan charges.

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

Senators Chesrown and Longmire introduced:

Senate Bill No. 2335. A Bill for an Act to amend and reenact section 40-09-06 of the North Dakota Century Code, relating to salaries of city commissioners.

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

Senator Kautzmann introduced:

Senate Bill No. 2336. A Bill for an Act to amend and reenact section 12-46-05 of the North Dakota Century Code, relating to the oath requirement by the employees of the state industrial school.

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

Senators Kautzmann, Longmire, Litten, Melland and Lips introduced:

Senate Bill No. 2337. A Bill for an Act to amend and reenact sections 23-01-03, 23-16-01, 50-18-01, 50-18-02, 50-18-03, 50-18-05, 50-18-06, 50-18-07, 50-21-02, 50-21-03, and 50-21-04 of the North Dakota Century Code, relating to powers and duties of the health council, licensure of hospitals, standards for licensure of boarding homes for the aged and infirm and the definition thereof, regulations by the health department, records to be kept by boarding homes for the aged and infirm, and the revolving loan fund for the construction of nursing homes, boarding homes for the aged and infirm, or combination nursing homes and boarding homes for the aged and infirm.

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

Senators Coughlin, Sorlie, Goldberg, Anderson and Wilhite introduced:

Senate Bill No. 2338. A Bill for an Act to empower County Commissioners to levy special assessments in rural subdivisions.

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

Senators Goldberg and Thoreson introduced:

Senate Bill No. 2339. A Bill for an Act to amend and reenact section 60-02-11 of the North Dakota Century Code, relating to contents of scale tickets.

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

Senators Melland and Nething introduced:

Senate Bill No. 2340. A Bill for an Act to amend and reenact section 54-44-04.1 of the North Dakota Century Code, authorizing the director of the department of accounts and purchases to withhold or deduct amounts from state employees' compensation for authorized contributions to nonprofit charitable corporations.

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

Senators Melland, Nething, Goldberg and Litten introduced:

Senate Bill No. 2341. A Bill for an Act to amend and reenact sections 16-05-01 and 16-05-04 of the North Dakota Century Code, relating to the place of filing of certificates of nomination, and the duties of the county auditor regarding the certification of nominations.

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

Senators Melland, Strinden and Page introduced:

Senate Bill No. 2342. A Bill for an Act to amend and reenact section 51-07-01 of the North Dakota Century Code, relating to the recovery of the price of articles upon the discontinuance of contract between retailer and wholesaler, manufacturer or distributor.

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

Senator Stroup introduced:

Senate Bill No. 2343. A Bill for an Act making an appropriation to the North Dakota state water commission for the purposes of conducting a feasibility study of diverting Missouri River waters into western North Dakota.

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

Senator Holand introduced:

Senate Bill No. 2344. A Bill for an Act to provide for the filing of a photographic or photostatic copy of an instrument required to be recorded by a county official.

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

Senators Thane and Barth introduced:

Senate Bill No. 2345. A Bill for an Act to amend and reenact section 60-03-02 of the North Dakota Century Code, providing for a fee for a grain or hay buyer.

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

Senators Holand and Litten introduced:

Senate Bill No. 2346. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land and improvements, and appropriating the sale proceeds to the state board of higher education for acquiring other land.

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

Senators Sanstead and G. Larson introduced:

Senate Bill No. 2347. A Bill for an Act to create and enact section 15-39-14.1 of the North Dakota Century Code, relating to optional assessments for nonpublic schools and nonpublic school teachers; and to amend and reenact subsection 1 of section 15-39-01, and sections 15-39-10, 15-39-14, 15-39-15, 15-39-16, 15-39-17, 15-39-18, 15-39-20, 15-39-21, 15-39-22, 15-39-27, 15-39-28, 15-39-30, 15-39-35, 15-39-37.1, and 15-39-40, relating to definitions, membership, assessments, retention of assessments from salaries, statements of assessments to county superintendents of schools, transmission of moneys to state treasurer, preservation of assessment reports, eligibility, retirement annuities, and application and discontinuance of annuities pertaining to the teachers' insurance and retirement fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 2348. A Bill for an Act to provide for an appropriation out of the state lands maintenance fund in the state treasury for salaries and expenses of the commissioner of university and school lands.

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

Senator Freed introduced:

Senate Bill No. 2349. A Bill for an Act to amend and reenact sections 27-19-01 and 27-19-04 of the North Dakota Century Code, relating to compulsory jurisdiction of all Indians in this state involving civil actions, and to repeal sections 27-19-02, 27-19-03, 27-19-05, 27-19-06, 27-19-11, 27-19-12, and 27-19-13 of the North Dakota Century Code, relating to acceptance of Indian jurisdiction.

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

Senators Melland and Litten introduced:

Senate Bill No. 2350. A Bill for an Act to create and enact section 37-17-07.1 of the North Dakota Century Code, relating to the establishment of regional areas for civil defense within this state, and to amend and reenact subsections 1 and 3 of section 37-17-01, and sections 37-17-02, 37-17-05, 37-17-08, 37-17-09, and 37-17-12 of the North Dakota Century Code, relating to the powers, duties, and financing of civil defense organizations.

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

Senator Lips introduced:

Senate Bill No. 2351. A Bill for an Act making an appropriation for the purpose of defraying the expenses of operating and maintaining the judicial council.

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

Senators Sanstead and Coughlin introduced:

Senate Bill No. 2352. A Bill for an Act relating to the restoration of certain property damaged in flood control and providing for the imposition of special assessments for costs incurred.

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

Senators Butler, Thoreson, Page and Ringsak introduced:

Senate Bill No. 2353. 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 sales tax exemptions.

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

Senators Stroup and Lips introduced:

Senate Bill No. 2354. A Bill for an Act to amend and reenact section 40-35-02, 40-35-09, and 40-36-13 of the North Dakota Century Code, relating to municipal revenue bonds.

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

Senators Nething and Freed introduced:

Senate Bill No. 2355. A Bill for an Act to amend and reenact section 28-32-08 of the North Dakota Century Code, relating to specifications of any issues to be furnished by agency.

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

Senators Lips and Sanstead introduced:

Senate Bill No. 2356. A Bill for an Act to amend and reenact section 40-22-20 of the North Dakota Century Code, relating to bond or check to accompany bids; and to repeal section 40-22-21 of the North Dakota Century Code, relating to amount of bidder's bond.

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

Senators Lips and Sanstead introduced:

Senate Bill No. 2357. A Bill for an Act to amend and reenact subsection 4 of section 48-02-04 of the North Dakota Century Code, relating to contents of advertisement for bids on public buildings.

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

Senators Lips and Sanstead introduced:

Senate Bill No. 2358. A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, relating to bond or check to accompany bids before county commissioners.

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

Senators Forkner and Butler introduced:

Senate Bill No. 2359. A Bill for an Act to amend and reenact section 40-22-37 of the North Dakota Century Code, relating to progress payments on public contracts, retainage, failure to pay and rate of interest.

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

Senators Forkner and Butler introduced:

Senate Bill No. 2360. A Bill for an Act to amend and reenact section 48-02-07 and 48-02-08 of the North Dakota Century Code, relating to allowance and payment of estimates on public building construction, failure to certify and rate of interest.

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

Senators Coughlin and Litten introduced:

Senate Bill No. 2361. A Bill for an Act to create and enact section 57-38-67 of the North Dakota Century Code, relating to an income tax credit for expenditures made to comply with air and water pollution control regulations.

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

Senator Just introduced:

Senate Bill No. 2362. A Bill for an Act to provide for the dissolution of city housing authorities and to amend and reenact subsection 2 of section 23-11-01 and section 23-11-30 of the North Dakota Century Code relating to the definition of a city and the reports of housing authorities.

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

Senators Stroup, Freed and Page introduced:

Senate Bill No. 2363. A Bill for an Act to amend and reenact section 30-14-10 of the North Dakota Century Code, relating to the report and account of guardians regarding the estate of a ward and the times at which such reports must be rendered.

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

Senators Stroup, Jacobson, Christensen and Page introduced:

Senate Bill No. 2364. A Bill for an Act to provide for the resolution of conflicting interests in the production of oil and gas, subsurface minerals, and coal.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2025. A Bill for an Act making an appropriation for paying salaries and other expenses of the state tax commissioner.

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, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sorlie
Berube	Jacobson	Morgan	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swediund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire	Schultz	Wilhite
Gronhovd			

Those voting in the negative were:

Mutch	Ringsak	Robinson	Roen
Absent and not voting:			
Anderson	Goldberg	Holand	Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2026. A Bill for an Act making an appropriation for salaries and expenses of the state library 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, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Butler	Just	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Holand			

Those voting in the negative were:

Forkner

Absent and not voting:

Anderson Goldberg Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2035. A Bill for an Act making an appropriation for the purposes of defraying the expenses of the maintenance and operation of the North Dakota national guard and the adjutant general.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 165 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:

Anderson Goldberg Lowe

So the bill passed and the title was agreed to.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2060, 2117, 2120, 2148, 2149, 2151, 2170, 2195, 2203, 2213, 2216, Senate Concurrent Resolutions Nos. 4004, 4008, House Bills Nos. 1045, 1049, 1056, 1068, 1074, 1082, 1083, 1112 and House Concurrent Resolution No. 3006, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTEENTH DAY

Bismarck, January 21, 1971

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

Prayer by Chaplain Alwin Reimnitz, Zion Lutheran, Mandan.

"Gracious God, Heavenly Father, you have revealed in your Word, that rule and authority in government are in keeping with your Divine order. Keep us always mindful, we pray you, of the sacred trust which you have committed to our care by using us to carry out your plans.

"Give us wisdom and understanding that we may perform the duties of our office for the good of our fellow citizens. Grant us grace that we may never use our office to enrich ourselves or to serve selfish interests.

"At this time we come to Thee in behalf of our colleague Morrie Anderson, comfort him with your presence and if it be Your will grant him a speedy recovery so that he may return. Place your healing hand upon him.

"Hear our prayer and lead us in the path or righteousness in which you would have us walk, for the good of our State and for your names sake.

"In Jesus' name. Amen."

Roll call: All Senators present except Senators Anderson, Goldberg and Lowe.

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 fourteenth day and recommends that the same be corrected as follows:

On page 199, in line 3 from the bottom delete the figure "1:30" and insert in lieu thereof the figure "1:15"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

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

FIRST READING OF SENATE BILLS

Senators Longmire, Lips and Sanstead introduced:

Senate Bill No. 2365. A Bill for an Act to amend and reenact sections 40-22-24 of the North Dakota Century Code, relating to filing, sealing, endorsing, opening and considering bids.

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

Senator Lips introduced:

Senate Bill No. 2366. A Bill for an Act to amend and reenact section 57-16-04 as contained in section 25 of House Bill No. 1045, and the repeal of section 57-16-05 of the North Dakota Century Code, relating to school districts to authorize excess levies.

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

The Committee on Appropriations introduced:

Senate Bill No. 2367. 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 Kautzmann introduced:

Senate Bill No. 2368. A Bill for an Act to create and enact section 6-03-37.1 of the North Dakota Century Code, relating to loans by banks of their excess reserves.

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

Senator Kautzmann introduced:

Senate Bill No. 2369. A Bill for an Act to amend and reenact sections 40-57-02 and 40-57-07 of the North Dakota Century Code, relating to municipal industrial development.

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

Senators Nething and Freed introduced:

Senate Bill No. 2370. A Bill for an Act to repeal sections 29-06-08 and 29-06-16 of the North Dakota Century Code relating to arrests at night by a peace officer.

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

Senators Coughlin, Berube, Freed, Butler and Kautzmann introduced:

Senate Bill No. 2371. A Bill for an Act to provide for the purchase of secular educational services for students enrolled in non-public schools, legislative intent, application for payments, reports, fractional payments, definitions, and for an appropriation.

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

Senator Roen introduced:

Senate Bill No. 2372. A Bill for an Act to create and enact section 40-20-08 of the North Dakota Century Code, to provide minimum standards and salaries for police officers.

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

Senators Butler and Unruh introduced:

Senate Bill No. 2373. A Bill for an Act to amend and reenact sections 57-23-03 of the North Dakota Century Code, relating to the abatement of an invalid, inequitable or unjust assessment; 57-23-03 of the North Dakota Century Code, relating to abatement or refund of taxes; 57-23-05 of the North Dakota Century Code, relating to applications for abatement and refund of taxes; 57-23-06 of the North Dakota Century Code, relating to hearings on applications for abatement and refund of taxes; 57-23-07 of the North Dakota Century Code, relating to the compromise of a real estate tax; 57-23-08 of the North Dakota Century Code, relating to the effective date of abatement actions; 57-23-09 of the North Dakota Century Code, relating to the procedure for refund of taxes, and 57-23-10 of the North Dakota Century Code, relating to appeals from abatement actions.

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

Senator Mutch introduced:

Senate Bill No. 2374. 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 Morgan introduced:

Senate Bill No. 2375. A Bill for an Act to create and enact a nurseries and nursery stock chapter of the North Dakota Century Code, to repeal chapter 4-20 of the North Dakota Century Code, relating to nurseries and nursery stock, and providing a penalty

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

**FIRST READING OF
SENATE CONCURRENT RESOLUTIONS**

Senators Van Horn and G. Larson introduced:

Senate Concurrent Resolution No. 4019. A Concurrent Resolution urging the appropriate federal agencies to undertake a feasibility study relative to the development and improvement of the Missouri River for the purpose of utilizing that waterway for barge traffic and other navigational purposes.

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

Senators Morgan and Thane introduced:

Senate Concurrent Resolution No. 4020. A Concurrent Resolution urging the Minnesota Legislature to pass the necessary enabling legislation to allow the construction, in cooperation with this State, of a north bypass bridge over the Red River in the vicinity of Breckenridge, Minnesota and Wahpeton, North Dakota.

Was read the first time.

Senator Morgan moved that the rules be suspended, that Senate Concurrent Resolution No. 4020 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.

PAGE 1

SENATE CONCURRENT RESOLUTION No. 4020

Introduced by Senators Morgan and Thane

1 A concurrent resolution urging the Minnesota Legislature to
2 pass the necessary enabling legislation to allow the construc-
3 tion, in cooperation with this State, of a north bypass bridge
4 over the Red River in the vicinity of Breckenridge, Minnesota,
5 and Wahpeton, North Dakota.
6

7 WHEREAS, a bridge across the Red River has been proposed
8 by the North Dakota State Highway Department which would
9 bypass the cities of Breckenridge and Wahpeton to the north
10 and span the river in the vicinity of Minnesota Highway No. 210
11 and the Otter Tail Power Company plant; and

12 WHEREAS, construction of such a bridge would facilitate
13 the eventual connection of Interstate Highway No. 94 and
14 Interstate Highway No. 29, and such connection would greatly
15 benefit the economies of midwestern Minnesota and south-
15a eastern

16 North Dakota; and

17 WHEREAS, the Richland County Commissioners have passed
18 a resolution urging the joint construction of such a bridge; and

19 WHEREAS, the Board of Directors of the Southern Red River
20 Valley Sugar Beet Corporation, consisting of members from
21 both States, has also unanimously passed a motion favoring
22 construction of such a bridge;

23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
23a OF THE

24 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING

PAGE 2

1 THEREIN:

2 That the Minnesota Legislature is hereby urged to pass
3 the necessary enabling legislation to allow the Minnesota
4 State Highway Department to join in the construction of a
5 bypass bridge to the north of the cities of Breckenridge,
6 Minnesota, and Wahpeton, North Dakota, in the vicinity of
7 Minnesota Highway No. 210; and

8 BE IT FURTHER RESOLVED, that copies of this resolution
 9 be forwarded by the Secretary of State to the Governor of
 10 the State of Minnesota, the presiding officer of the
 11 Minnesota Senate, the presiding officer of the Minnesota
 12 House of Representatives, and the Chief Executive Officer
 13 of the Minnesota State Highway Department.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4020. A Concurrent Resolution urging the Minnesota Legislature to pass the necessary enabling legislation to allow the construction, in cooperation with this State, of a north bypass bridge over the Red River in the vicinity of Breckenridge, Minnesota and Wahpeton, North Dakota.

Senator Wilhite moved that Senate Concurrent Resolution No. 4020 be laid over one legislative day, which motion prevailed.

MOTIONS

Senator Longmire moved that Senate Bill No. 2307 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that Senate Bill No. 2307 be re-referred to the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2060. A Bill for an Act to create and enact section 50-01-25 of the North Dakota Century Code; to amend and reenact section 50-01-01 of the North Dakota Century Code, concerning the transfer of property to become eligible for welfare aid and defining fraud in obtaining such aid; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 165 and 166 of the Senate Journal, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Sanstead	Wenstrom
Gronhovd	Melland	Schultz	Wilhite
Hernett	Morgan		

Those voting in the negative were:

Roen

Absent and not voting:

Anderson	Goldberg	Lowe	Mutch
Barth	Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 2117. 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 and to define "motor vehicle" for purposes of security interests.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 166 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite

Absent and not voting:

Anderson	Holand	Lowe	Mutch
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2120. A Bill for an Act to create and enact section 54-44-12; to amend and reenact sections 27-11-17, 27-11-23, 27-12-04, 27-12-06, 43-01-04, 43-04-07, subsections 6 and 8 of section 43-12-07, sections 43-13-07, 43-15-05, 43-19-1-09, 43-23-04, 43-26-05, and subsection 4 of section 43-27-04; and to repeal sections 43-02-07, 43-03-07, 43-04-08, subsection 2 of section 43-05-07, sections 43-06-06, 43-09-08, 43-10-09, 43-11-09, 43-15-11, 43-17-15, 43-18-07, 43-21-07, 43-25-15, 43-28-07, 43-32-15, and 43-34-06, all of the North Dakota Century Code, relating to the deposit and disbursement of the moneys received by all occupational and professional boards, associations, and commissions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 166 of the Senate Journal, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Absent and not voting:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Butler	Jones	Nothing	Sorlie
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland		

Those voting in the negative were:

Freed	Strinden	Wilhite
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Those voting in the affirmative were:

Anderson	Goldberg	Lowe	Mutch
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So the bill passed and the title was agreed to.

Senate Bill No. 2148. A Bill for an Act to create and enact subsection 4 of section 54-52-02.1 of the North Dakota Century Code, relating to the authority for city, county, and school district employees to join the public employees' retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 166 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite

Absent and not voting:

Anderson	Holand	Lowe	Mutch
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2149. A Bill for an Act to amend and reenact subsection 23 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation as pertains to parking structures.

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, 5.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Butler	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Page	Strinden	Thane
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Absent and not voting:

Anderson	Holand	Lowe	Mutch
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2151. A Bill for an Act to amend and reenact subsection 13 of section 26-08-11 of the North Dakota Century Code, relating to authorized investment of funds of insurance companies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 167 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thoreson

Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Gronhovd	Longmire	Roen	
Absent and not voting:			
Anderson	Lowe	Thane	Unruh
Goldberg	Mutch		

So the bill passed and the title was agreed to.

Senate Bill No. 2170. A Bill for an Act to provide funds for the surplus property division of the state department of public instruction to obtain property declared surplus by the United States Government, making 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	Wilhite
Absent and not voting:			
Anderson	Goldberg	Lowe	Mutch
Christensen			

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

Senate Bill No. 2195. A Bill for an Act to amend and reenact section 26-23-09 of the North Dakota Century Code, relating to limiting the state bonding fund to only surety or fidelity bonds.

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, 7.

Those voting in the affirmative were:

Barth	Holand	Nasset	Schultz
Berube	Jones	Nothing	Sorlie
Butler	Just	Page	Strinden
Chesrown	Kautzmann	Pyle	Stroup
Coughlin	Larson, G.	Rait	Swedlund
Doherty	Larson, L.	Redlin	Thane
Erdman	Lips	Ringsak	Thoreson
Forkner	Litten	Robinson	Unruh
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:

Anderson	Goldberg	Lowe	Van Horn
Christensen	Jacobson	Mutch	

So the bill passed and the title was agreed to.

Senate Bill No. 2203. A Bill for an Act to amend and reenact section 11-15-09 of the North Dakota Century Code, relating to sheriff's allowances when plaintiff bids in property at sale.

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, 6.

Those voting in the affirmative were:

Barth	Holand	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Butler	Just	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan	Schultz	

Absent and not voting:

Anderson	Goldberg	Lowe	Mutch
Christensen	Jacobson		

So the bill passed and the title was agreed to.

MOTION

Senator Wilhite 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.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2022
Senate Bill No. 2111
Senate Bill No. 2146
Senate Bill No. 2153
Senate Bill No. 2156
Senate Bill No. 2168
Senate Bill No. 2177
Senate Bill No. 2199

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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1085

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 21, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2113

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 21, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1060

House Bill No. 1122
 House Bill No. 1124
 House Bill No. 1149
 House Bill No. 1164
 House Bill No. 1166
 House Bill No. 1172
 House Bill No. 1183
 House Bill No. 1204

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

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2209. A Bill for an Act to authorize the North Dakota director of institutions to grant to northwestern bell telephone company an easement over certain tracts of state 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Barth	Holand	Morgan	Schultz
Butler	Jacobson	Nothing	Sorlie
Chesrown	Jones	Page	Strinden
Christensen	Kautzmann	Pyle	Stroup
Doherty	Larson, G.	Redlin	Swedlund
Erdman	Lips	Ringsak	Thane
Forkner	Litten	Robinson	Thoreson
Freed	Longmire	Roen	Unruh
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Anderson	Goldberg	Lowe	Rait
Berube	Just	Mutch	Van Horn
Coughlin	Larson, L.	Nasset	Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2213. A Bill for an Act to amend and reenact subsection 2 of section 40-51.2-07 of the North Dakota Century Code, relating to annexation of territory to cities and protests thereto.

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, 6.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	Wilhite
Holand	Morgan	Schultz	

Absent and not voting:

Anderson	Forkner	Lowe	Mutch
Berube	Goldberg		

So the bill passed and the title was agreed to.

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 16-20-08 of the North Dakota Century Code, relating to the influencing of legislation by a corporation.

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, 5; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Stroup
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Ringsak	Unruh
Gronhovd	Litten	Robinson	Wenstrom
Hernett	Longmire	Roen	

Those voting in the negative were:

Butler	Redlin	Strinden	Wilhite
Coughlin			

Absent and not voting:

Anderson	Lowe	Mutch	Van Horn
Goldberg			

So the bill passed and the title was agreed to.

**SECOND READING OF
SENATE CONCURRENT RESOLUTIONS**

Senate Concurrent Resolution No. 4004. A Concurrent Resolution of the amendment of section 25 of the Constitution of the State of North Dakota, relating to the protection of the people's rights of initiative and referendum from fraud; to provide the Secretary of State with a thirty-five day period in which to pass upon the sufficiency of initiative and referendum petitions; to authorize a district court review of the sufficiency of petitions; to provide that initiative and referendum petitions shall be circulated by qualified electors; and relating to the time during which measures approved by referendum or initiative can only be amended or repealed by an extraordinary majority of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Butler	Jones	Nothing	Sorlie
Chesrown	Just	Page	Strinden
Christensen	Kautzmann	Pyle	Stroup
Coughlin	Larson, G.	Rait	Swedlund
Erdman	Larson, L.	Redlin	Thane
Forkner	Lips	Ringsak	Thoreson
Freed	Litten	Robinson	Unruh
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland		

Those voting in the negative were:

Doherty	Wilhite
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Absent and not voting:

Anderson Lowe Mutch Van Horn
Goldberg

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4008. A Concurrent Resolution relating to personnel policies for all state agencies, departments, and institutions including those under control of the Board of Higher Education in regard to additional employment by public employees.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4008 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1045. A Bill for an Act to create and enact sections 15-19-08, 15-38-04.1, and 15-47-02.1, and chapters 15-20.1, 15-34.1, 15-34.2, 15-40.1, 15-40.2, and 15-53.1 of the North Dakota Century Code, relating to high school correspondence work, school holidays, discontinuance of schools, vocational education and vocational rehabilitation, compulsory attendance, transportation, state school aid, transfer of students and nonresident tuition, reorganization, annexation, and involuntary dissolution; to amend and reenact sections 12-10-06, 15-22-09, 15-28-01, and 15-28-02, subsection 1, 2, 3, and 14 of section 15-29-08, sections 15-41-06, 15-47-21, 15-47-27, 15-47-33, and 15-49-02, subsection 3 of section 57-15-14, sections 57-15-24, 57-16-04, 57-55-03, 57-55-04, and 16-01-15 of the North Dakota Century Code, relating to personal interest in contracts by public officers, duties of county superintendents, school board elections, powers and duties of school boards, equalization of assets and liabilities among school districts, time for renewal of teachers' contracts, high school course requirements, length of school term, personal interest in school district contracts, tax levy limitations in school districts, county mill levy for schools, mobile home taxation, and voting on certain questions; and to repeal sections 15-22-21, 15-22-22, 15-38-04, 15-41-18, 15-41-19, 15-47-19, and 15-47-20, and chapters 15-20, 15-27, 15-34, 15-40 and 15-53 of the North Dakota Century Code, relating to vocational education and vocational rehabilitation, organization and dissolution of public school districts, compulsory attendance, transportation, state school aid, reorganization, annexation, dissolution of school districts, notice of hearing on dissolution, school holidays, admission of nonresident high school students and tuition fees, equalization of indebtedness by arbitration, and levy by board of arbitration.

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, 5.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite

Absent and not voting:

Anderson Lowe Mutch Van Horn
Goldberg

So the bill passed and the title was agreed to.

House Bill No. 1049. A Bill for an Act to create and enact section 57-38-40.1 of the North Dakota Century Code, to provide for a reserve for income tax refunds.

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, 7.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Nasset	Schultz
Butler	Jones	Nothing	Sorlie
Chesrown	Just	Page	Strinden
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Wenstrom
Forkner	Litten	Robinson	Wilhite
Freed	Longmire	Roen	
Gronhovd			

Those voting in the negative were:

Morgan Stroup

Absent and not voting:

Anderson	Holand	Mutch	Van Horn
Goldberg	Lowe	Thoreson	

So the bill passed and the title was agreed to.

House Bill No. 1056. A Bill for an Act to amend and reenact section 26-27-13 of the North Dakota Century Code, to remove the tax exemption on property owned by nonprofit medical 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, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson	Holand	Mutch	Van Horn
Goldberg	Lowe		

So the bill passed and the title was agreed to.

House Bill No. 1068. A Bill for an Act to amend and reenact section 46-02-10 of the North Dakota Century Code, relating to the printing and binding of public documents, and providing deadlines for delivery.

Which has been read.

Senator Doherty moved that House Bill No. 1068 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

House Bill No. 1074. A Bill for an Act to amend and reenact subsection 4 of section 62-01-14 of the North Dakota Century Code, relating to distribution of records of pistols sold.

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, 6.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson	Holand	Mutch	Van Horn
Goldberg	Lowe		

So the bill passed and the title was agreed to.

House Bill No. 1082. A Bill for an Act to amend and reenact sections 26-23-12, 26-23-13, and 26-23-16 of the North Dakota Century Code, relating to the bonding fund 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Butler	Jones	Nothing	Sorlie
Chesrown	Just	Page	Strinden
Christensen	Kautzmann	Pyle	Stroup
Coughlin	Larson, G.	Rait	Swedlund
Doherty	Larson, L.	Redlin	Thane
Erdman	Lips	Ringsak	Thoreson
Forkner	Litten	Robinson	Unruh
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland		

Absent and not voting:

Anderson	Holand	Mutch	Wilhite
Goldberg	Lowe	Van Horn	

So the bill passed and the title was agreed to.

House Bill No. 1033. A Bill for an Act to repeal sections 12-60-02, 12-60-03, and 12-60-04 of the North Dakota Century Code, relating to the board of managers of the bureau of criminal identification and apprehension.

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, 6.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie

Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	
Absent and not voting:			
Anderson	Holand	Mutch	Van Horn
Goldberg	Lowe		

So the bill passed and the title was agreed to.

House Bill No. 1112. A Bill for an Act relating to an attorney general's determination of the legal sufficiency of certain investments authorized to be made 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Sorlie
Butler	Just	Page	Strinden
Chesrown	Kautzmann	Pyle	Stroup
Coughlin	Larson, G.	Rait	Swedlund
Doherty	Larson, L.	Redlin	Thane
Erdman	Lips	Ringsak	Thoreson
Forkner	Litten	Robinson	Unruh
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:

Anderson	Goldberg	Lowe	Van Horn
Christensen	Holand	Mutch	

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3006. A concurrent resolution urging the United States Congress to reinstate the investment credit.

Which has been read.

Senator Longmire moved that House Concurrent Resolution No. 3006 be adopted, which motion prevailed.

Senator Wilhite moved that the Senate recess until 1:00 p.m., January 22, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTEENTH DAY AFTER RECESS AND SIXTEENTH DAY

Bismarck, January 22, 1971

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. 2020
 Senate Bill No. 2021
 Senate Bill No. 2154
 Senate Bill No. 2185
 Senate Bill No. 2214

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

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

MOTION

Senator Wilhite moved that Senate Concurrent Resolution No. 4020 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4020. A Concurrent Resolution urging the Minnesota Legislature to pass the necessary enabling legislation to allow the construction, in cooperation with this State, of a north bypass bridge over the Red River in the vicinity of Breckenridge, Minnesota and Wahpeton, North Dakota.

Was read the second time.

Senator Morgan moved that Senate Concurrent Resolution No. 4020 be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Redlin moved that the amendments to Senate Bill No. 2139 as recommended by the Committee on Political Subdivisions, and printed on pages 202 and 203 of the Senate Journal, be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

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, line 18 delete the figure "200,000.00" and insert in lieu thereof the figure "150,000.00"

On page 2, line 19 delete the figure "200,000.00" and insert in lieu thereof the figure "150,000.00"

On page 2, delete lines 20 through 28

On page 3, line 3 delete the figure "59,991.00" and insert in lieu thereof the figure "35,905.00"

On page 3, line 4 delete the figure "9,000.00" and insert in lieu thereof the figure "6,720.00"

On page 3, line 5 delete the figure "1,000.00" and insert in lieu thereof the figure "600.00"

On page 3, delete line 6

On page 3, line 7 delete the figure "71,668.00" and insert in lieu thereof the figure "43,225.00"

On page 3, line 8 delete the figure "2,835,133.00" and insert in lieu thereof the figure "2,436,486.00"

Renumber the lines and subdivisions accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment to Federal Student Loan Program is to maintain the same level of activity by using returning earnings to supplement the general fund appropriation.

The intent of amending out the appropriation to the State Land Commissioner is to establish a separate fund and appropriate operational funds from the State Land Maintenance fund.

The intent of amendments to the North Dakota Indian Affairs Commission is to not allow for new positions requested or for equipment, supplies or extra services for new positions.

SENATOR SORLIE, Chairman

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

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 be amended as follows:

On page 1, line 13 delete the figure "1,151,171.00" and insert in lieu thereof the figure "1,163,171.00"

On page 1, line 18 delete the figure "834,540.00" and insert in lieu thereof the figure "846,540.00"

On page 1, line 21 delete the figure "62,054.00" and insert in lieu thereof the figure "66,054.00"

On page 1, line 23 delete the figure "38,000.00" and insert in lieu thereof the figure "36,000.00"

On page 1, line 24 delete the figure "45,000.00" and insert in lieu thereof the figure "43,000.00"

On page 2, line 2 delete the figure "1,151,171.00" and insert in lieu thereof the figure "1,163,171.00"

On page 2, line 4 delete the figure "851,195.00" and insert in lieu thereof the figure "863,195.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment in the salary item is to allow adequate funds to maintain superior quality in the instructional staff. The additional amount allowed for equipment will provide a bus to replace the 1954 model now being used. The reduction in the amounts allowed for the electrical system and the plumbing are more realistic and will offset the increase for equipment.

SENATOR SORLIE, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2143 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 17 insert triple parentheses before "The"

Page 2 line 26 insert triple parentheses after the period and insert the following **"The maximum speed limit on controlled-access interstate highways shall be seventy-five miles an hour for passenger vehicles and sixty-five miles an hour for trucks. The highway commissioner may designate and post such highways for a lower maximum when warranted by conditions."**

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2163 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. 2164 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. 2176 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 15 insert triple parentheses before and after "two" and insert in lieu thereof **"three"** and insert triple parentheses before "the" and after "dual" and insert in lieu thereof **"a triple"**

Page 1 line 19 after the comma delete the remainder of the line
Page 1 delete all of lines 20 through 24

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2183 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 Senate Bill No. 2183 is re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2234 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. 1069 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 Transportation to whom was referred House Bill No. 1090 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

FIRST READING OF SENATE BILLS

Senators Nething and Holand introduced:

Senate Bill No. 2376. A Bill for an Act to amend and reenact section 16-13-16 of the North Dakota Century Code, relating to compensation for members of the county canvassing board.

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

Senator Sanstead introduced:

Senate Bill No. 2377. A Bill for an Act to create and enact section 23-16-06.1 of the North Dakota Century Code, relating to the restriction of medical and surgical procedures by hospitals.

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

Senators Stroup, Rait and Swedlund introduced:

Senate Bill No. 2378. A Bill for an Act to amend and reenact sections 38-14-05 and 38-14-07 of the North Dakota Century Code, relating to duties of an operator and bonding of an operator under the Strip Mining Reclamation Act.

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

Senator Doherty introduced:

Senate Bill No. 2379. A Bill for an Act to amend and reenact section 57-32-05 of the North Dakota Century Code, relating to the collection of property taxes from car line, express, and air transportation companies.

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

Senator Doherty introduced:

Senate Bill No. 2380. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code, relating to definition of a telephone company.

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

Senator Holand introduced:

Senate Bill No. 2381. A Bill for an Act creating a narcotics law enforcement division of the office of the attorney general, and making an appropriation.

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

Senator Freed introduced:

Senate Bill No. 2382. A Bill for an Act to amend and reenact section 43-13-20 of the North Dakota Century Code, relating to the renewal of a certificate of registration to practice optometry, to the requirement of continuing optometric education, and to the payment of a license fee.

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

Senator Chesrown introduced:

Senate Bill No. 2383. A Bill for an Act to provide for the change of a district court judge upon written demand of a party and prescribing the procedure therefor; and to repeal chapter 28-13 and sections 29-15-13, 29-15-14, 19-15-15, 29-15-16, 29-15-17, 29-15-19,

and 29-15-20 of the North Dakota Century Code, relating to affidavits of prejudice are hereby repealed.

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

Senators Ringsak and Robinson introduced:

Senate Bill No. 2384. A Bill for an Act to amend and reenact section 19-03-02 of the North Dakota Century Code, relating to the illegal possession or furnishing of narcotic drugs; and providing penalties.

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

Senators Melland, Nething, Butler, Litten, and Lips introduced:

Senate Bill No. 2385. A Bill for an Act relating to income tax credits.

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

Senators Morgan and Just introduced:

Senate Bill No. 2386. A Bill for an Act to amend and reenact section 57-15-06.3 of the North Dakota Century Code relating to farm to market roads.

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

Senator Sanstead introduced:

Senate Bill No. 2387. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to second or subsequent convictions for driving while under the influence of intoxicating liquor.

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

Senator Nething introduced:

Senate Bill No. 2388. A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-37-24 of the North Dakota Century Code, relating to the collection, distribution, and refund of estate taxes.

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

Senator Redlin introduced:

Senate Bill No. 2389. A Bill for an Act to amend and reenact sections 40-22-09, 40-22-10, 40-22-11, 40-12-15, 40-22-18, 40-22-19 and 40-22-36, North Dakota Century Code, relating to improvement districts in municipalities, and changing procedures with respect thereto.

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

Senators Longmire and Chesrown introduced:

Senate Bill No. 2390. A Bill for an Act to amend and reenact subsection 4 of section 27-20-02, section 27-20-09, and subsection 1 of section 27-20-56 of the North Dakota Century Code, relating to the definition of an unruly child, transfers of cases to the juvenile court, and disclosure of name of child on appeal.

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

Senators Wilhite and Wenstrom introduced:

Senate Bill No. 2391. A Bill for an Act to create and enact section 38-08-09.17 of the North Dakota Century Code, to provide for the unitized management, operation, and development of two or more pools or parts thereof separated vertically in one field; defining the term "unit source of supply."

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

Senators Melland and Nething introduced:

Senate Bill No. 2392. A Bill for an Act to provide that railroads which discontinue all service to the public be required to remove the track and other railroad equipment and that the railroad track bed be reclaimed to be in conformity with the surrounding area.

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

Senator Mutch introduced:

Senate Bill No. 2393. A Bill for an Act to repeal sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code relating to the legislative compensation commission.

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

Senator Barth introduced:

Senate Bill No. 2394. A Bill for an Act to provide for the creation of a hospital under the state department of health for the care and treatment of arthritics, and to make an appropriation.

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

Senator Melland introduced:

Senate Bill No. 2395. A Bill for an Act to amend and reenact subsection 1 of section 46-02-04 of the North Dakota Century Code, relating to the printing of legislative documents; and declaring an emergency.

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

Senators Just and Thane introduced:

Senate Bill No. 2396. A Bill for an Act to establish a commission for the purpose of studying methods of improving communications between the citizens of North Dakota and government in general, but especially in regard to democratic elective and legislative processes, and making an appropriation.

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

Senators Just and Nasset introduced:

Senate Bill No. 2397. A Bill for an Act to provide for a compact on the qualification of educational personnel, and providing an effective date.

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

Senators Just and Gronhovd introduced:

Senate Bill No. 2398. A Bill for an Act to create and enact subsection 15 of section 11-11-14 of the North Dakota Century Code; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to the powers and duties of boards of county commissioners regarding garbage collection and operation of sanitary landfills or other places of disposal.

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

Senators Just and Sanstead introduced:

Senate Bill No. 2399. A Bill for an Act to provide for the disclosure and reporting of moneys expended on lobbying activities, and providing a penalty.

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

Senator Lips introduced:

Senate Bill No. 2400. A Bill for an Act to create and enact section 42-02-14.1 of the North Dakota Century Code, relating to an annual license fee for certified public accountants; to create and enact subsection 5 of section 43-02-08 relating to the powers of the board of accountancy; to amend and reenact sections 43-02-11, 43-02-12, 43-02-13, 43-02-14, 43-02-15 and subsections 2 and 3 of section 43-02-17 of the North Dakota Century Code relating to examination, revocation of certificates, fees for examination for certificates for certified public accountants, use of the title "certified public accountant," and penalties.

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

Senator Jones introduced:

Senate Bill No. 2401. A Bill for an Act to provide for the sale of city lot managed and controlled by the school for the deaf and dumb.

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

Senators Freed and Nething introduced:

Senate Bill No. 2402. A Bill for an Act to amend and reenact subsection 4 of section 39-06-40.1 of the 1969 Supplement to the North Dakota Century Code, relating to the reproduction of driver's licenses.

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

Senators Page and Strinden introduced:

Senate Bill No. 2403. A Bill for an Act to amend and reenact section 39-22-09 of the 1969 Supplement to the North Dakota Century Code, relating to the reporting of used motor vehicle inventories.

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

Senator Christensen introduced:

Senate Bill No. 2404. A Bill for an Act to amend and reenact Section 18-04-02 and 18-04-05, relating to fire department reports and distribution of insurance premiums, and to repeal Section 18-04-06 of the North Dakota Century Code.

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

Senators Anderson and Just introduced:

Senate Bill No. 2405. A Bill for an Act to amend and reenact subsection 1 of section 57-37-29 of the North Dakota Century Code, relating to depositories and retention, transfer and release of decedent's assets for estate tax purposes.

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

Senators Wenstrom and Hernettt introduced:

Senate Bill No. 2406. A Bill for an Act to create and enact section 6-03-13.5 of the North Dakota Century Code, relating to a national bank conversion to state bank.

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

Senators Longmire, Nething, Roen and G. Larson introduced:

Senate Bill No. 2407. A Bill for an Act to provide for distribution of premium tax on motor vehicle insurance companies to cities for police training, law enforcement activities, or the purchase of equipment related thereto.

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

Senators Forkner and Berube introduced:

Senate Bill No. 2408. A Bill for an appropriation for the use of the state toxicologist.

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

Senators Doherty and Unruh introduced:

Senate Bill No. 2409. A Bill for an Act to amend and reenact section 38-09-15 of the North Dakota Century Code, relating to the leasing of state property.

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

Senator Lips introduced:

Senate Bill No. 2410. A Bill for an Act relating to real estate syndicate securities; creating a new body of law and providing for the administration thereof; and to amend and reenact subsection 1 of section 43-23-06 of the North Dakota Century Code relating to the definition of the term "real estate" as used in Chapter 43-23 or the North Dakota Century Code.

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

Senator Jones introduced:

Senate Bill No. 2411. A Bill for an Act to create and enact subsection 7 of section 57-39.2-14 of the North Dakota Century Code relating to the fee for a sales tax permit and requiring the permit to be issued annually.

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

Senator Lips introduced:

Senate Bill No. 2412. A Bill for an Act to create and enact a new subdivision of subsection 1 of section 43-33-09, a new subsection of section 43-33-10, two new subdivisions of subsection 4 of section 43-33-12, and a new subsection of section 43-33-12 of the North Dakota Century Code, relating to the scope of the hearing aid dealers examination, duties of the licensing department, and grounds for suspension of licenses; and to amend and reenact subsection 6 of section 43-33-01, section 43-33-04, section 43-33-07, subsection 2 of section 43-33-08, subdivision e of subsection 4 of section 43-33-12, and subsection 2 of section 43-33-15 of the North Dakota Century Code, relating to definitions, persons and practices not affected, educational qualifications of applicants, frequency of examinations, temporary trainee supervision, and qualifications of members of the board of hearing aid dealers and fitters.

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

Senator Butler introduced:

Senate Bill No. 2413. 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 tax on individuals, estates and trusts for the privilege of doing business in this state; to provide an effective date; and to declare an emergency.

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

Senator Butler introduced:

Senate Bill No. 2414. A Bill for an Act to amend and reenact sections 11-10.1-01 of the North Dakota Century Code, relating to county director of tax equalization; 11-10.1-05 of the North

Dakota Century Code, relating to powers and duties of the county director of tax equalization; to create and enact a new section to chapter 11-10.1 of the North Dakota Century Code, relating to authorization of a mill levy for use to defray the costs of the office of the county director of tax equalization; amend and reenact sections 58-05-02 of the North Dakota Century Code, relating to officers of a township; 58-05-05 of the North Dakota Century Code, relating to bonds of officers of a township and 58-05-07 of the North Dakota Century Code, relating to the oath of township officers and to repeal sections 57-12-01.1 of the North Dakota Century Code, relating to spot checks on real and personal property by county boards of equalization; 58-09-01, 58-09-02 and 58-09-03 of the North Dakota Century Code, relating to township boards of equalization.

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

Senator Chesrown introduced:

Senate Bill No. 2415. A Bill for an Act to amend and reenact subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to an alternate method of valuing the gross estate of a decedent for estate tax purposes, and providing for an effective date.

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

Senator Jones introduced:

Senate Bill No. 2416. A Bill for an Act to amend and reenact section 1 of chapter 409 of the 1969 Session Laws of North Dakota, relating to the sale of land belonging to the school for the deaf and dumb.

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

Senator Butler introduced:

Senate Bill No. 2417. A Bill for an Act to provide for the collection of delinquent sales, use, income and business and corporation privilege taxes from taxpayers not residing in this state; providing for tax commissioner to contract with collection and credit agencies; providing for a bond, and providing for payment of fees.

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

Senator Butler introduced:

Senate Bill No. 2418. A Bill for an Act to amend and reenact subsection 1 of section 57-38-38 of the North Dakota Century Code, relating to the time for auditing corporate income tax returns.

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

Senator Butler introduced:

Senate Bill No. 2419. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to income tax definitions 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. 2420. A Bill for an Act to amend and reenact subsection 1 of section 57-38-40 of the North Dakota Century Code, relating to income tax revisions.

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

Senator Strinden introduced:

Senate Bill No. 2421. A Bill for an Act authorizing the purchase of obligations issued by the United States Postal Service.

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

Senator Jones introduced:

Senate Bill No. 2422. A Bill for an Act to amend and reenact subsection 4 of section 43-18-01 of the North Dakota Century Code, relating to the definition of plumbing.

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

Senator Melland and Litten introduced:

Senate Bill No. 2423. A Bill for an Act to provide aid to private college students, for standards, definitions, and procedures for certification.

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

Senator Unruh introduced:

Senate Bill No. 2424. A Bill for an Act to amend and reenact section 52-02-07 of the North Dakota Century Code, relating to employment security bureau advisory councils.

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

Senator Christensen introduced:

Senate Bill No. 2425. A Bill for an Act allowing state agencies to reimburse permanent, full time employees for household relocation expenses upon transfer to a new permanent duty assignment.

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

Senator Christensen introduced:

Senate Bill No. 2426 A Bill for an Act to amend and reenact section 54-49-01 of the North Dakota Century Code, relating to the name of the Natural Resources Council.

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

Senator Christensen introduced:

Senate Bill No. 2427. A Bill for an Act to repeal section 61-02-74 of the North Dakota Century Code, relating to the disposition of certain moneys received by the State Water Commission.

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

Senators Page and Forkner introduced:

Senate Bill No. 2428. A Bill for an Act to amend and reenact section 23-18-03 of the North Dakota Century Code, relating to a county mill levy authorization for county hospital associations.

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

Senator Longmire introduced:

Senate Bill No. 2429. A Bill for an Act to amend and reenact Subsection 5 of Section 15-61-02 and Section 15-61-04 of the North Dakota Century Code, relating to authority of the director of surplus property and disposition of charges made for surplus property and making an appropriation.

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

Senators Butler and Forkner introduced:

Senate Bill No. 2430. A Bill for an Act to provide for an administrative procedure for fixing airport, landing fee rates charged scheduled and non-scheduled airlines, landing at North Dakota airports.

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

Senator Melland introduced:

Senate Bill No. 2431. A Bill for an Act to amend and reenact section 16-06-06 of the North Dakota Century Code, relating to filling a vacancy in the position of a party's nominated candidate for office, and prohibiting a candidate defeated in a primary election from being a candidate for any other office in the general election.

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

Senator Melland introduced:

Senate Bill No. 2432. A Bill for an Act to amend and reenact section 16-20-19 of the North Dakota Century Code, relating to soliciting of votes of absent voters.

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

Senator Melland introduced:

Senate Bill No. 2433. A Bill for an Act to amend and reenact section 16-10-17 of the North Dakota Century Code, relating to compensation for election inspectors attending pre-election meeting with the state's attorney.

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

Senator Melland introduced:

Senate Bill No. 2434. A Bill for an Act to amend and reenact section 16-10-14 of the North Dakota Century Code, relating to the duties of a clerk of an election in keeping a poll list.

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

Senator Melland introduced:

Senate Bill No. 2435. A Bill for an Act to provide for distribution of election law information prior to elections by the attorney general and county auditors to election officials.

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

Senator Melland introduced:

Senate Bill No. 2436. A Bill for an Act to amend and reenact section 16-12-15 of the North Dakota Century Code, relating to the depositing of unstamped and uninitialed ballots in a ballot box.

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

Senator Melland introduced:

Senate Bill No. 2437. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to delivery of absent voters' ballots and notification of date when ballot must be returned to be canvassed.

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

Senator Melland introduced:

Senate Bill No. 2438. A Bill for an Act to amend and reenact section 16-18-07 of the North Dakota Century Code, relating to the manner of delivery of an application blank for an absentee voter ballot.

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

Senator Melland introduced:

Senate Bill No. 2439. A Bill for an Act to amend and reenact section 16-18-14 of the North Dakota Century Code, relating to the canvassing of mailed absent voters' ballots received late.

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

Senator Melland introduced:

Senate Bill No. 2440. A Bill for an Act to amend and reenact subsection 2 of section 6-03-13.2 of the North Dakota Century Code, relating to drive-in banking facilities.

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

Senator Melland introduced:

Senate Bill No. 2441. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges and the method of payment.

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

Senator Melland introduced:

Senate Bill No. 2442. A Bill for an Act to amend and reenact section 15-18-07 of the North Dakota Century Code, relating to state aid for junior colleges.

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

Senator Kautzmann introduced:

Senate Bill No. 2443. A Bill for an Act authorizing the board of institutions to lease certain property now owned by the state and under the control of the state industrial school.

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

Senators Melland and Strinden introduced:

Senate Bill No. 2444. A Bill for an Act to amend and reenact section 28-26-04 of the North Dakota Century Code, relating to provisions for attorneys' fees in certain written evidences of debt.

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

Senator Holand introduced:

Senate Bill No. 2445. A Bill for an Act to amend and reenact section 15-47-31 of the North Dakota Century Code, and to amend and reenact subsection 18 of section 15-29-08 of the North Dakota Century Code authorizing grade or high schools and the board of any public school district to contract with insurance companies for medical and hospital benefits.

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

Senator Wenstrom introduced:

Senate Bill No. 2446. A Bill for an Act to amend and reenact section 32-19.1-01 the North Dakota Century Code, relating to acreage for use of short term redemption mortgage.

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

Senator Longmire introduced:

Senate Bill No. 2447. A Bill for an Act to amend and reenact section 15-10-18 of the North Dakota Century Code relating to tuition of non-residents at institutions of higher education.

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

Senators Longmire and Chesrown introduced:

Senate Bill No. 2448. A Bill for an Act to state the circumstances in which a court should exercise jurisdiction which has been granted it by the defendant's consent, or should refrain from exercising existing jurisdiction because of an agreement by the parties that suit should be brought in another state.

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

Senators Longmire and Chesrown introduced:

Senate Bill No. 2449. A Bill for an Act to amend and reenact sections 47-11-01 and 47-11-02 of the North Dakota Century Code, relating to the transfer of personal property by sale or exchange and interests in trusts, and to repeal sections 47-11-03, 47-11-04, and 47-11-05 of the North Dakota Century Code.

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

Senator Longmire introduced:

Senate Bill No. 2450. A Bill for an Act to require grants of easements for right of ways to contain proper descriptions and requiring descriptions of prior grants to place of record.

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

Senator Holand introduced:

Senate Bill No. 2451. A Bill for an Act to amend and reenact subsection 2. of section 54-10-01, section 54-10-13 and section 54-10-14 of the North Dakota Century Code, relating to charges and actual costs for audits performed by state auditor.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2020. A Bill for an Act making an appropriation for salaries and expenses of the division of vocational rehabilitation for rehabilitating disabled persons.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 182 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2021. A Bill for an Act making an appropriation to the department of public instruction for the purpose of paying salaries and other expense of the director of surplus property.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 182 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2154. A Bill for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code, to provide for an annual assessment of real property.

Was read the second time

Senator Litten moved that Senate Bill No. 2154 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senate Bill No. 2173. A Bill for an Act to amend and reenact sections 23-17.1-01, 23-17.1-02, 23-17.1-03, 23-17.1-04, 23-17.1-05, 23-17.1-06, and 23-17.1-07 of the North Dakota Century Code, relating to the licensing of addiction hospitals 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Butler	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Anderson Coughlin Lowe Wenstrom

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

Senate Bill No. 2184. A Bill for an Act to amend and reenact section 61-24-04 of the North Dakota Century Code, providing that the board of directors of the Garrison Diversion Conservancy District receive the same compensation as legislative council members.

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, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Butler	Just	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Holand			

Those voting in the negative were:

Freed

Absent and not voting:

Anderson Coughlin Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2185. A Bill for an Act to amend chapter 57-55 of the 1969 Supplement to the North Dakota Century Code by creating and enacting thereto a new section to provide a discount for payment of taxes on mobile homes or trailer houses and their contents; and to amend and reenact section 57-55-11 of the 1969 Supplement to the North Dakota Century Code, relating to collection of taxes on mobile homes or trailer houses.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 184 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Anderson Lowe Swedlund

So the bill passed and the title was agreed to.

Senate Bill No. 2200. A Bill for an Act to amend and reenact sections 40-14-01, 40-14-02, 40-14-04, 40-15-01, 40-15-02, 40-15-05, and 40-18-03 of the North Dakota Century Code, relating to the offices of city treasurer and municipal judge and providing that they be appointive offices in all cities; and to repeal sections 40-15-03 and 40-17-14 of the North Dakota Century Code.

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, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Mutch

Absent and not voting:

Anderson Lowe Swedlund

So the bill passed and the title was agreed to.

Senate Bill No. 2214. A Bill for an Act to amend and reenact section 40-23-22 of the North Dakota Century Code, relating to payment of special assessments on state property.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 2214 be re-referred to the Committee on Judiciary, which motion lost.

ROLL CALL

The question being on the final passage of Senate Bill 2214 as amended on page 184 of the Senate Journal, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Gronhovd	Longmire	Schultz
Berube	Hernett	Melland	Sorlie
Butler	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Robinson	Wenstrom
Freed	Lips	Sanstead	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Morgan Ringsak Roen Thane

Absent and not voting:

Anderson Lowe

So the bill passed and the title was agreed to.

MOTION

Senator Ringsak moved that the Senate reconsider the action by which Senate Bill No. 2213 was passed, which motion lost.

The President announced the Senate would be at ease subject to the call of the chair.

The Senate reconvened at the call of the chair, the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 22, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution 4020

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

LEO LEIDHOLM, Secretary

FIRST READING OF SENATE BILLS

Senator Holand Introduced:

Senate Bill No. 2452. A Bill for an Act to amend and reenact section 15-22-02 of the North Dakota Century Code, relating to qualifications of the county superintendent.

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

Senators Holand and Christensen introduced:

Senate Bill No. 2453. A Bill for an Act to create and define the powers and duties of a North Dakota rural development financing authority in the planning and establishment of projects for processing agricultural products, and the issuance of bonds for this purpose secured by mortgage of such projects and the pledge of revenues received under operating, lease or processing agreements or from the levy by counties of special assessments for the benefits provided thereby, or from the increment of taxes derived from the increased value resulting therefrom.

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

Senator Pyle introduced:

Senate Bill No. 2454. A Bill for an Act making a deficiency appropriation for the state seed department and declaring an emergency.

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

Senators Lips and Van Horn introduced:

Senate Bill No. 2455. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota Veterans of the Vietnam conflict; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for tax levies and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

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

Senators Lips and Van Horn introduced:

Senate Bill No. 2456. A Bill for an Act to provide for Vietnam veterans' adjusted compensation, method of payment, duties of adjutant general, exemption from taxation and execution, time limits for filing, for a penalty, and for appropriations; and to create and enact section 37-24-08 of the North Dakota Century Code, relating to deduction of adjusted compensation.

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

Senators Wilhite and Litten introduced:

Senate Bill No. 2457. A Bill for an Act to appropriate and transfer moneys from the general fund to the Vietnam veterans' bonus adjusted compensation fund.

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

Senator Kautzmann introduced:

Senate Bill No. 2458. A Bill for an Act to amend and reenact Section 39-18-03 of the North Dakota Century Code, relating to license fees for travel trailers.

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

Senator Holand introduced:

Senate Bill No. 2459. A Bill for an Act to amend and reenact section 41-09-49 of the North Dakota Century Code, relating to a secured party's right to take possession after default.

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

Senator Holand introduced:

Senate Bill No. 2460. A Bill for an Act to amend and reenact section 15-40.1-16 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, relating to aid for transportation.

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

Senator Kautzmann introduced:

Senate Bill No. 2461. A Bill for an Act to amend and reenact subsection 1 of section 15-39-01 of the North Dakota Century Code, relating to definitions under the teachers' insurance and retirement fund.

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

Senator Chesrown introduced:

Senate Bill No. 2462. A Bill for an Act to amend and reenact section 27-12-04 of the North Dakota Century Code, relating to payment of funds from the state bar fund to the state bar association.

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

Senator Freed introduced:

Senate Bill No. 2463. A Bill for an Act to amend and reenact section 40-45-02 of the North Dakota Century Code, relating to a tax levy for police pension systems.

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

Senator Butler introduced:

Senate Bill No. 2464. A Bill for an Act relating to the levy of special assessments for municipal improvements consisting of parking lots, ramps, garages and other facilities for motor vehicles, and enacting section 40-23-23.

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

Senators Wenstrom and Lips introduced:

Senate Bill No. 2465. 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 construction of water pollution control projects; and to provide an appropriation.

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

Senators Morgan and Thane introduced:

Senate Bill No. 2466. A Bill for an Act to amend and reenact section 58-05-02 of the North Dakota Century Code, relating to township officers and providing an option to not elect a township assessor.

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

Senators Morgan and Barth introduced:

Senate Bill No. 2467. A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to bonds of livestock dealers and agents.

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

Senators Rait, Jacobson, Roen, Thane and Pyle introduced:

Senate Bill No. 2468. 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 for an effective date.

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

Senators Stroup and Page introduced:

Senate Bill No. 2469. A Bill for an Act to provide for the re-ordering of all buried transmission facilities and to give the owner of these facilities a civil cause of action in certain cases where the facilities are damaged.

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

Senators Swedlund and Wenstrom introduced:

Senate Bill No. 2470. A Bill for an Act to make an appropriation for prison industries including construction of a tag and sign plant building.

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

Senators Wenstrom and Swedlund.

Senate Bill No. 2471. A Bill for an Act to make an appropriation for a multipurpose building at the penitentiary.

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

Senator Butler introduced:

Senate Bill No. 2472. A Bill for an Act to change the property tax assessment date; and to amend and reenact subsections 1 and 4 of section 57-02-11 and sections 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-11-02, 51-12-01, 57-12-08, 57-13-07, 57-13-08, and 57-23-02 of the North Dakota Century Code, relating to real property tax assessment and tax assessments on certain destroyed property, to change of time for the assessor to perform duties, to the meeting date of the township board of equalization, to the return of assessors' books, to the meeting date of the city board of equalization, to the meeting date of the county board of equalization, to the assessment abstracts, to the duties of the secretary of the state board of equalization, to the duties of the county director of tax equalization after meeting of the state board of equalization, and to publication dates for equalization meetings; and to repeal subsections 3 and 5 of section 57-02-11 of the North Dakota Century Code, relating to property tax assessments.

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

Senator Barth introduced:

Senate Bill No. 2473. A Bill for an Act to amend and reenact section 39-22-02 of the 1969 Supplement to the North Dakota Century Code, relating to motor vehicle dealer's licenses.

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

Senator Redlin introduced:

Senate Bill No. 2474. A Bill for an Act to provide a program of county and state matching funds for industrial enterprises and

firms, to provide a county levy, to provide procedures for the administration of such program, and to provide an appropriation.

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

Senator Barth introduced:

Senate Bill No. 2475. A Bill for an Act to create and enact subsection 4 of section 15-40.1-08 of the North Dakota Century Code as contained in House Bill 1045 approved by the forty-second legislative assembly, relating to county equalization fund payments for pre-school programs at the state school for the blind and the state school for the deaf.

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

Senator Rait introduced:

Senate Bill No. 2476. 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 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 Longmire introduced:

Senate Bill No. 2477. A Bill for an Act to amend and reenact subsection 3 of section 57-15-12 of the North Dakota Century Code relating to excess levies in park districts.

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

Senators Roen and Lips introduced:

Senate Bill No. 2478. A Bill for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, prohibiting insurance provisions denying an insured the right to employ a physician or a doctor of his choice, or to enter a hospital of his choice.

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

Senators Thane, Page and Ringsak introduced:

Senate Bill No. 2479. A Bill for an Act to provide for no-fault automobile accident personal injury compensation.

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

Senators Hernett and Van Horn introduced:

Senate Bill No. 2480. A Bill for an Act authorizing the construction of legislative facilities through use of the assets of the capitol building fund; providing for the appropriation from such fund; repealing inconsistent appropriations; and declaring an emergency.

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

Senators Nething, Pyle and Melland introduced:

Senate Bill No. 2481. A Bill for an Act to provide for the levy of taxes by counties for the payment of indebtedness of townships to counties.

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

Senator Barth introduced:

Senate Bill No. 2482. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to the hours that public dancing shall be prohibited.

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

Senator Barth introduced:

Senate Bill No. 2483. A Bill for an Act to amend and reenact subsections 3 and 4 of section 23-09-01 of the North Dakota Century Code, relating to the definitions of lodginghouse and boardinghouse.

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

Senators L. Larson and Forkner introduced:

Senate Bill No. 2484. A Bill for an Act to provide for the licensing of ambulance services; to provide a fee therefor; to provide standards for qualifying as licensed 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.

Senator Melland introduced:

Senate Bill No. 2485. A Bill for an Act to provide that the secretary of state shall be ex officio advisor of elections, with duties of overseeing the conduct of elections, and to provide for the establishment of an advisory commission on elections.

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

Senators Litten and Longmire introduced:

Senate Bill No. 2486. A Bill for an Act to create and enact section 15-10-12.1 of the North Dakota Century Code, to provide a procedure for the acceptance of buildings by the board of higher education, and to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to the acceptance of gifts and bequests by the board of higher education.

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

Senator Kautzmann introduced:

Senate Bill No. 2487. A Bill for an Act to amend and reenact section 40-57-10 of the North Dakota Century Code, relating to sale of revenue bonds.

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

Senator Freed introduced:

Senate Bill No. 2488. A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to the granting of powers to state-chartered associations given to federally-chartered savings and loan associations.

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

Senator Christensen introduced:

Senate Bill No. 2489. A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to notice by applicant for a water permit.

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

Senator Christensen introduced:

Senate Bill No. 2490. A Bill for an Act to create and enact chapter 54-55 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 depart-

ment'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 sections 4-22-03, 4-22-05, 4-22-06, 20-02-23, subsection 12 of section 38-14-02, sections 38-14-03, 38-14-04, 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, 38-14-11, 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 repealing section 61-03-14 of the North Dakota Century Code, 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.

Senators Thane, Page, Morgan and Ringsak introduced:

Senate Bill No. 2491. A Bill for an Act to amend and reenact sections 60-03-01 and 60-03-04 of the North Dakota Century Code, relating to the definition of roving grain or hay buyers and the amount of the bond required thereof.

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

Senators Nething and Christensen introduced:

Senate Bill No. 2492. A Bill for an Act to create and enact three new sections to chapter 57-38 of the North Dakota Century Code, relating to the definition of adjusted federal income tax liability of individuals, income tax rates, and to provide for a credit for income taxes paid to another state by a resident; to amend and reenact subsections 20 and 21 of section 57-38-01; subdivision a of subsection 2 and subdivision b of subsection 6 of section 57-38-04; section 57-38-29; subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to definitions, rates of tax, and filing of returns for income tax purposes; to repeal sections 57-38-01.1, 57-38-01.2, 57-38-01.4, 57-38-06.1 and 57-46-01 of the North Dakota Century Code, relating to adjustments, subchapter S corporations, non-residents and military income for income tax purposes; and to provide for an effective date.

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

Senators Nething, Melland and Ringsak introduced:

Senate Bill No. 2493. A Bill for an Act relating to the preparation and publication of agendas for city board and school board meetings, and to amend and reenact section 11-11-05 of the North Dakota Century Code, relating to meetings of the board of county commissioners.

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

Senators Nasset and G. Larson introduced:

Senate Bill No. 2494. A Bill for an Act to amend and reenact section 15-40.1-10 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to payments of county equalization funds to schools and school districts.

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

Senator Freed introduced:

Senate Bill No. 2495. A Bill for an Act to amend and reenact sections 21-04-03, 21-04-05, 21-04-06, 21-04-07, 21-04-08, 21-04-09, 21-04-10, 21-04-12, 21-04-13, 21-04-14, 21-04-15, 21-04-16, 21-04-17, 21-04-18, 21-04-20 and 21-04-21 of the North Dakota Century Code, to include savings and loan associations within class of depositories for public funds.

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

Senator Sanstead introduced:

Senate Bill No. 2496. A Bill for an Act to amend and reenact section 15-47-05 of the 1969 Supplement to the North Dakota Century Code, relating to the qualifications of a school district clerk.

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

Senator Sanstead introduced:

Senate Bill No. 2497. A Bill for an Act to provide for construction, operation, supervision, inspection and licensing of jails; to amend and reenact sections 40-18-12, 33-12-28, 33-12-31 and 29-26-21 of the North Dakota Century Code, relating to sentencing of public offenders and to repeal chapter 12-44, relating to county jails and section 40-05-06 and 40-11-12, relating to penalties for violating city ordinances, and 12-61-03, relating to jail standards, of the North Dakota Century Code.

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

Senator Sanstead introduced:

Senate Bill No. 2498. A Bill for an Act to provide for additional funds for law enforcement services in counties, cities, and townships, and to provide for the establishment and cancellation of a tax levy therefor.

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

Senator Sanstead introduced:

Senate Bill No. 2499. A Bill for an Act to transfer control and management of the state school and state tuberculosis sanatorium from the director of institutions to the state department of health and to amend and reenact section 54-23-01 of the North Dakota Century Code, relating to institutions under control of board of administration and section 25-05-01 relating to the maintenance and the location of the North Dakota state tuberculosis sanatorium.

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

Senator Sanstead introduced:

Senate Bill No. 2500. A Bill for an Act to provide an appropriation for expenses of the education fact finding commission.

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

Senators Swedlund and Melland introduced:

Senate Bill No. 2501. A Bill for an Act providing for the creation of a revolving fund for the repayment of consulting and planning fees for capital improvement projects and structures, and providing for an appropriation.

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

Senator Melland introduced:

Senate Bill No. 2502. A Bill for an Act to amend and reenact section 25-12-03 of the North Dakota Century Code, relating to the control of the south central mental health center.

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

Senator Barth introduced:

Senate Bill No. 2503. A Bill for an Act to amend and reenact section 15-34-11 of the North Dakota Century Code, relating to penalties for violating compulsory school attendance.

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

Senator Barth introduced:

Senate Bill No 2504. A Bill for an Act to amend and reenact sections 15-27-21 and 15-40-17 of the 1969 Supplement to the North Dakota Century Code, relating to appeals of tuition payment decisions by a school district to the county committee and to eliminate appeals to the state board of public school education.

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

Senators Wilhite and Litten introduced:

Senate Bill No. 2505. A Bill for an Act to amend and reenact chapter 157 of the 1967 Session Laws of North Dakota, relating to college building fund appropriations.

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

Senators Wilhite and Litten introduced:

Senate Concurrent Resolution No. 4021. A Senate Concurrent Resolution directing the Director of the Budget to exercise authority provided by law for controlling the level of certain state expenditures in the event that income to the state general fund does not meet projected levels as contained in the Executive Budget or any alterations made in such income estimates by legislative action.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1060. A Bill for an Act to amend and reenact subsections 7 and 9 of section 50-24-03, and to repeal subdivision b of subsection 8 of section 50-24-03 and section 50-24-24 of the North Dakota Century Code, relating to residency for receiving aid for the aged or disabled.

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 39-08-09 of the North Dakota Century Code, relating to the extent of automobile damages required to be considered a reportable accident.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1124. A Bill for an Act to amend and reenact section 40-57.1-01 of the North Dakota Century Code, to provide that farms and ranches shall be eligible for tax exemptions for new industries.

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

House Bill No. 1149. A Bill for an Act to authorize the executor or administrator of an estate to make and enter into a contract with a licensed real estate broker for the sale of real property and pay a commission out of the proceeds of sale.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1164. A Bill for an Act to amend and reenact section 57-38-30.1 of the North Dakota Century Code, relating to corporate tax credit for new industry.

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

House Bill No. 1166. A Bill for an Act to amend and reenact subsection 1 of section 57-38-45 of the North Dakota Century Code, relating to income tax interest and penalties.

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

House Bill No. 1172. A Bill for an Act to amend and reenact sections 16-11-04 and 16-11-10 of the North Dakota Century Code, relating to the number and color of election ballots.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1183. A Bill for an Act to create and enact a new section to chapter 57-23 of the North Dakota Century Code, relating to the abatement and refund of property taxes.

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

House Bill No. 1204. A Bill for an Act relating to the removal of disability of certain minors in making an educational loan, and constituting the Uniform Minor Student Capacity to Borrow Act.

Which was read the first time and referred to the committee on Judiciary.

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

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

SIXTEENTH DAY

Bismarck, January 22, 1971

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Harley Refsal, First Lutheran, Mandan.

"Dear God,

"We thank You that we can meet corporately under your watchful eye today.

By virtue of the many gifts and talents given to us, may we realize that we have an obligation to use these gifts and talents wisely. May the gift of speech be used by us not only for gibberish and idle talk, but let it be a tool for communication. Let the discussion and debate here at the Senate today reflect consideration not only for programs and budgets, but for people. All of us must realize that many present day North Dakotans are crying out for understanding, and we, as representatives of these people, must respond to these cries NOW.

"Grant us concern, understanding, and initiative.

"We ask this in Your name. Amen."

Roll call: All Senators present except Senators Anderson, Chessrown, Jacobson, Lowe and Nasset.

A quorum is declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourteenth Day After Recess and Fifteenth Day and finds the same correct.

SENATOR BUTLER, Vice Chairman

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 22, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1045

House Bill No. 1049

House Bill No. 1056

House Bill No. 1074

House Bill No. 1082

House Bill No. 1083

House Bill No. 1112

House Concurrent Resolution 3006

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTEENTH DAY AFTER RECESS, SEVENTEENTH DAY,
AND EIGHTEENTH DAY

Bismarck, January 25, 1971

The Senate convened at the call of the chair, 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 bill:

Senate Bill No. 2139

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

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

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 25, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2037

Senate Bill No. 2071

Senate Bill No. 2077

Senate Bill No. 2078

Senate Bill No. 2079

Senate Bill No. 2086

Senate Bill No. 2096

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 25, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1009

House Bill No. 1029

House Bill No. 1038

House Bill No. 1079

House Bill No. 1111

House Bill No. 1131

House Bill No. 1156

House Bill No. 1165

House Bill No. 1173

House Bill No. 1174

House Bill No. 1196

House Bill No. 1197

House Bill No. 1198

House Bill No. 1223

House Bill No. 1245

House Concurrent Resolution No. 3001

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

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, January 25, 1971

Mr. President: I have the honor to return:
Senate Bill No. 2112
Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, January 25, 1971

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 2187.

ROY GILBREATH, Chief Clerk

MOTION

Senator Litten moved that Senate Bill No. 2187 be returned to the House as requested, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, January 25, 1971

Mr. Speaker: I have the honor to return:
Senate Bill No. 2187
Which the House has requested.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, January 25, 1971

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 2025
Senate Bill No. 2026
Senate Bill No. 2035
Senate Bill No. 2060
Senate Bill No. 2117
Senate Bill No. 2120
Senate Bill No. 2148
Senate Bill No. 2149
Senate Bill No. 2151
Senate Bill No. 2170
Senate Bill No. 2195
Senate Bill No. 2203
Senate Bill No. 2209
Senate Bill No. 2213
Senate Bill No. 2216
Senate Concurrent Resolution No. 4004
Senate Concurrent Resolution No. 4008

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

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, January 25, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1100
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

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 1, line 14 delete the figure "377,600.00" and insert in lieu thereof the figure "392,600.00"

On page 1, line 19 delete the figure "296,075.00" and insert in lieu thereof the figure "309,075.00"

On page 1, line 20 delete the figure "30,026.00" and insert in lieu thereof the figure "32,026.00"

On page 1, line 23 delete the figure "377,600.00" and insert in lieu thereof the figure "392,600.00"

On page 1, line 24 delete the figure "108,000.00" and insert in lieu thereof the figure "110,000.00"

On page 2, line 1 delete the figure "269,600.00" and insert in lieu thereof the figure "282,600.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to allow an increase in salaries and wages to compensate employees for meals purchased and to maintain a high quality level of instructors. The increase in fees and services is to allow for better maintenance and repainting of the facility. The increase in income is to accommodate payments by staff for meals at the school.

SENATOR SORLIE, Chairman

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

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 SORLIE, Chairman

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

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 SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2023 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2034 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 delete the figure "44,730.00" and insert in lieu thereof the figure "69,220.00"

On page 1, line 14 delete the figure "54,490.00" and insert in lieu thereof the figure "30,000.00"

On page 1, line 23 delete the figure "44,730.00" and insert in lieu thereof the figure "69,220.00"

On page 1, line 24 delete the figure "54,490.00" and insert in lieu thereof the figure "30,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to allow continued operation of the institute at the level recommended by the executive budget, but to encourage related outside interests to support the operation through increases in income to the institute.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2046 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.

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

ROLL CALL

The question being on the motion of Senator Butler the roll was called and there were ayes, 25; nays, 21; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Stroup
Butler	Larson, G.	Pyle	Thane
Coughlin	Lips	Ringsak	Thoreson
Doherty	Litten	Roen	Unruh
Freed	Morgan	Sorlie	Wenstrom
Goldberg	Mutch	Strinden	Wilhite
Jacobson			

Those voting in the negative were:

Barth	Gronhovd	Larson, L.	Rait
Berube	Hernett	Longmire	Redlin
Chesrown	Holand	Melland	Sanstead
Christensen	Just	Nething	Swedlund
Erdman	Kautzmann	Page	Van Horn
Forkner			

Absent and not voting:

Lowe	Robinson	Schultz
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So the motion was declared carried.

Senator Butler moved that the vote by which the committee report on Senate Bill No. 4026 was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2123 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2133 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2152 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2154 has had the same under consideration and recommends that the same be amended as follows:

Page 3 line 22 of the engrossed bill after the word "year" insert the following "the board of county commissioners may be resolution provide that all real property in unorganized townships and in townships that have dissolved the office of township assessor if

authorized by law shall be listed and assessed annually with reference to its value on April first of each year."

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. 2193 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2207 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. 2208 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. 2212 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. 2218 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2220 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2238 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 State and Federal Government to whom was referred Senate Bill No. 2245 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2276 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed, and Senate Bill No. 2276 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2278 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 4013 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 Concurrent Resolution No. 4015 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. 1072 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1073 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

MOTIONS

Senator Forkner moved that Senate Bill No. 2392 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Forkner moved that Senate Bill No. 2392 be re-referred to the Committee on Judiciary, which motion prevailed.

POINT OF INQUIRY

Senator Ringsak inquired whether the action by which Senate Bill No. 2187 was returned to the House, should have been by a two-thirds vote instead of a majority.

The President announced the Senate would be at ease while the Rules Committee met on the inquiry of Senator Ringsak.

The Senate reconvened at the call of the chair, the President presiding.

Senator Wilhite, as Chairman of the Rules Committee, announced that according to Rule 9 of the Joint Rules that the action on Senate Bill No. 2187 required a simple majority to return the bill to the House since there had been no action by the Senate.

Senator Wilhite further announced that the question was academic as he was informed the House has again killed Senate Bill No. 2187.

The President announced that he would so rule in the future.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2139, 2163, 2164, 2234 and House Bills Nos. 1069 and 1090 that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary
SEVENTEENTH DAY

Bismarck, January 25, 1971

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

Prayer by Chaplain Casimer Paluck, Cathedral Roman Catholic, Bismarck.

"O God, Father of us all, through Christ you have taught us all to be concerned with our neighbors' needs. Moved with this concern, we ask You, Lord, to help our Senators to faithfully fulfill their duties toward those whom they represent and toward our State. Give them the strength and courage to accomplish the tasks set before them with facility and in accord with Your Divine Will. We ask this through Christ our Lord. Amen."

Roll call: All Senators present except Senators Goldberg, Lowe and Robinson.

A quorum was declared by the President.

MOTION

Senator Wilhite moved that the President appoint a committee of two to escort the Honorable J. E. Snedker, Speaker, Saskatchewan Legislative Assembly, of Regina, Saskatchewan, to the rostrum for the purpose of addressing this assembly, which motion prevailed.

The President appointed as such Committee, Senators Wilhite and Christensen, and Speaker Snedker was escorted to the rostrum and invited to address the Senate.

Hon. J. E. Snedker: "Mr. President, Honorable Members of the Senate of the State of North Dakota. First, I wish to take this opportunity of expressing my deepest and sincere thanks and appreciation for the wonderful welcome which has been accorded to me since coming to your State and during the time I have been privileged to visit this legislature. I wish to take this opportunity to extend to each and everyone of you and through you, to all the people of the State of North Dakota, the very best greetings of the Legislature of the Province of Saskatchewan and of the people of that Province. It is perfectly proper I should do so because we are neighbors, an invisible line between us. We share so many things in common, so many problems which you face and deal with here we have to face in our own country.

"Just before my Prime Minister left for Malaysia to take part in the Conference of the Commonwealth Prime Ministers, which has recently been concluded, believe you may have read about it in the press, he announced to the Canadian people that we in Canada had licked one of our mutual problems, the problem of inflation, the problem which has concerned us for some considerable period of time. Despite the fact he announced that two weeks ago, he overlooked I licked the problem of inflation two years ago. In 1930 I had the very distinct pleasure of being in the State of Minnesota and won at racing horses in the City of Montevideo, and having a little spare cash in my pocket, went downtown and bought the best wrist watch there was for \$40.00, being a good watch in those days. That watch lasted me until 1968 when I happened to be in Ottawa, the capitol city of Canada, and I went downtown to the jewelry store, took the watch off and gave it to the chap and he said, 'What can I do for you?'

'Like to have you take a look at my watch and tell me what is wrong with it and if it can be fixed.' 'Do you have an appointment?' 'No. Who with?' 'With the technician.' I said, 'I will go somewhere else.' He said, 'I will take the watch.' He took the watch, went behind a door, and in a little while came back and said, 'I am sorry to inform you your watch is beyond repair.' I said, 'I rather thought that is what you would say.' I said to him, 'What am I going to do?' He said, 'I would recommend you buy a new watch.' I said I wanted a watch as good as the one I had. He said, 'If you want to buy a watch as good as that was it will cost you \$200.00.' And with the Ottawa sales tax that would make it \$210.00.' I said, 'No.' I said, 'I want the cheapest watch in the shop.' He said, 'You would not want that, that would be \$4.00, and with the sales tax \$4.20.' I said, 'What is the building across the Street?' He said, 'That is the Confederation of Life Insurance Company building.' 'Is that a solid company?' He said, 'It is as solid as the Rock of Gibraltar.' I said, 'I am not so sure about that. The last time I saw the Rock of Gibraltar it was as full of holes as Swiss Cheese and infested with monkeys and the Spanish were trying to take it away from us.' In any event, I said, 'Is that company apt to go broke?' He said, 'No.' 'What is the sign in the window?' He said, 'Eight per cent interest paid on money.' I said, 'Give me the four dollar watch.' He said, 'You won't be satisfied.' I said, 'I think I will.' I paid him the four dollars and the five per cent, making \$4.20. I saved \$5.60, took the \$200.00 over to the institution across the Street at 8 per cent interest, that was two years ago, and I have had \$32.00 interest, still got the \$200.00, and got some change on the sales tax and some friends and I went down and had a couple of beers. That is how I licked inflation. Now the Prime Minister says we have licked it collectively, individually and nationally as of two weeks ago, and of course I hope he is right.

"I have been particularly impressed with the terrific work load you have here in this particular State in your Legislature, and I wondered when I picked up the newspaper and read the calendar that is going to be brought before you, how you were ever going to digest this legislation in one session. After I watched you, both in the legislature and in committees, I have seen the dispatch with which you work and your efficiency, I think you are going to get through this terrific work load. It really is an extremely large load to expect the legislature to handle. I have been impressed with the large number of students who pass through the legislative halls and watch the congressional system in action. We had 11,000 students in the galleries last year. This has always been a matter of pride and joy to me because these are the children who some day may be filling the seats on the floor, and if they won't be filling them themselves, they will be responsible in seeing that they are filled.

"Five years ago I instituted for these children, these students, a series of lectures on parliamentary procedure. They are smart, they are inquisitive, and they repeatedly ask, 'How are things across the line in the United States of America where they elected 50 different governments, and 49 State Senators are elected?' And I answer this question the best I can giving them answers I got from books, and they as dead and dry as the books from which I got the answers. I thought I would like to try to make these lectures alive and interesting; to make them as interesting as possible, as simple as possible, and just as human as I can.

"I can explain the parliamentary system, and having the pleasure of visiting the legislature here, to view your congressional system here in the United States, I hope to give better lectures to these children in order that they can take their place in our free, self-governing nation, and to be evermore better neighbors of the United States, to be better representatives of our country and dedicated

to the principles of self-government, although we do it differently, one the parliamentary system and one the congressional system.

"I want to express my appreciation, Mr. President, for all the trouble you have taken to allow me to view the work of the congressional system in the State of North Dakota. I wish you every success and the very best luck. Thank you."

Senator Wilhite moved that the remarks of Speaker Snedker be printed in the Journal, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Litten moved that the reading of the amendments to Senate Bills Nos. 2002, 2009, 2143, and 2176 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2002 as recommended by the Committee on Appropriations, and printed on pages 225 and 226 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2009 as recommended by the Committee on Appropriations, and printed on page 226 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to Senate Bill No. 2143 as recommended by the Committee on Transportation, and printed on pages 226 and 227 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to Senate Bill No. 2176 as recommended by the Committee on Transportation, and printed on page 227 of the Senate Journal, be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 25, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2020
Senate Bill No. 2021
Senate Bill No. 2173
Senate Bill No. 2184
Senate Bill No. 2185
Senate Bill No. 2200
Senate Bill No. 2214

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

LEO LEIDHOLM, Secretary

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

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

LEO LEIDHOLM, Secretary

EIGHTEENTH DAY

Bismarck, January 25, 1971

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

Prayer by Chaplain Casimer Paluck, Cathedral Roman Catholic, Bismarck.

"O God, You have fulfilled our founding fathers' faith in Your divine providence by making and keeping us a land rich in the abundance of Your creation. Freedom, justice, and universal Brotherhood and all good things have come to us from Your hand and You have made us stewards of the richness of the earth. Help us to make just laws so that we may be faithful stewards who will share this heritage with all of the living and transmit it to a people still unborn. This we ask through Your Son, Jesus Christ. Amen."

Roll call: All Senators present except Senators Goldberg, Lowe and Robinson.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth Day After Recess and Sixteenth Day and recommends that the same be corrected as follows:

On page 190, line 2 from bottom of page, after Senate Bill No. 2297 delete "A Bill for an Act to amend and reencat section 20-03-21 of the North Dakota Century Code, relating to the issuance of hunting, trapping and fishing licenses and the fee to be received by the county auditor for such services." and insert in lieu thereof the following: "A Bill for an Act to amend and re-enact section 57-24-02, and to repeal section 57-24-06 of the North Dakota Century Code, relating to the posting of delinquent real estate taxes."

On page 228, line 9 from bottom of page, correct spelling of word "requirement".

On page 238, line 7 from bottom of page, correct spelling of word "title".

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

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

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 25, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2080

Senate Bill No. 2084

Senate Concurrent Resolution No. 4009

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 25, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1058

House Bill No. 1099

House Bill No. 1119

House Bill No. 1155

House Bill No. 1159

House Bill No. 1162

House Bill No. 1163

House Bill No. 1195

House Bill No. 1227

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

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 25, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2187

Which the House has failed to reconsider.

ROY GILBREATH, Chief Clerk

MOTION

Senator Ringsak moved that the vote by which Senate Bill No. 2187 was returned to the House be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2139. A Bill for an Act to create and enact section 11-07-03.1 of the North Dakota Century Code, and to amend and reenact sections 11-07-03 and 11-11-02 of the North Dakota Century Code, to provide an additional method of redistricting counties and electing county commissioners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 202 and 203 of the Senate Journal, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Forkner	Litten	Ringsak	Wenstrom
Freed	Longmire	Roen	Wilhite

Those voting in the negative were:

Sanstead

Absent and not voting:

Goldberg	Hernett	Lowe	Robinson
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So the bill passed and the title was agreed to.

Senate Bill No. 2163. A Bill for an Act to amend and reenact section 4-30-29 of the 1969 Supplement to the North Dakota Century Code, relating to rules and regulations concerning grades of milk for Grade "A" and manufacturing purposes.

Which has been read.

Senator Lips moved that Senate Bill No. 2163 be re-referred to the Committee on Agriculture, which motion prevailed.

Senate Bill No. 2164. A Bill for an Act to amend and reenact section 4-30-02 of the 1969 Supplement to the North Dakota Century Code, relating to the license required for persons manufacturing, processing, distributing or dealing in milk or milk products, fees and terms of licensure.

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, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Butler	Just	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Erdman	Goldberg	Lowe	Robinson
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So the bill passed and the title was agreed to.

Senate Bill No. 2234. A Bill for an Act to amend and reenact section 4-30-47 of the 1969 Supplement to the North Dakota Century Code, relating to official butterfat tests, other tests and the fees therefor.

Which has been read.

Senator Pyle moved that Senate Bill No. 2234 be re-referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1069. A Bill for an Act to repeal chapter 61-17 of the North Dakota Century Code, which contains the tri-state water compact and provides for a tri-state waters 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, 42 nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Sorlie
Barth	Jones	Nasset	Strinden
Butler	Just	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Roen	Van Horn
Gronhovd	Longmire	Sanstead	Wenstrom
Hernett	Melland	Schultz	Wilhite
Holand	Morgan		

Absent and not voting:

Berube	Erdman	Lowe	Robinson
Coughlin	Goldberg	Redlin	

So the bill passed and the title was agreed to.

House Bill No. 1090. A Bill for an Act to repeal sections 23-13-09 and 23-13-10 of the North Dakota Century Code, relating to the safety 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Sorlie
Barth	Jones	Nasset	Strinden
Butler	Just	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Roen	Van Horn
Gronhovd	Longmire	Sanstead	Wenstrom
Hernett	Melland	Schultz	Wilhite
Holand	Morgan		

Absent and not voting:

Berube	Erdman	Lowe	Robinson
Coughlin	Goldberg	Redlin	

So the bill passed and the title was agreed to.

Senator Wilhite moved that the Senate recess until 1:15 p.m., January 26, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

**EIGHTEENTH DAY AFTER RECESS AND
NINETEENTH DAY**

Bismarck, January 26, 1971

The Senate convened at 1:15 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. 2002

Senate Bill No. 2009

Senate Bill No. 2143

Senate Bill No. 2176

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

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

MOTIONS

Senator Thoreson moved that Senate Concurrent Resolution No. 4014 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Thoreson requested unanimous consent to withdraw Senate Concurrent Resolution No. 4014, which request was granted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2172 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2196 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 5 after "corporations" insert the following ", and declaring an emergency"

Page 3 after 35 add the following new section

"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."

Re-number pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2224 has had the same

under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 amended as follows:

Page 23 line 7 after the numerals "501" underscore "(a)"

Page 23 line 9 after "(a)" insert a closing parenthesis

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2232 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2235 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2256 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2257 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2258 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2283 has had the same under consideration and recommends that the same do pass and be referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed, and Senate Bill No. 2283 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2318 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 2008 as recommended by the Committee on Appropriations, and printed on page 253 of the Senate Journal, be adopted, which motion prevailed.

Senator Lips moved that the reading of the amendments to Senate Bill No. 2034 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2034 as recommended by the Committee on Appropriations, and printed on page 253 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2154 as recommended by the Committee on Finance and Taxation, and printed on pages 254 and 255 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senator Redlin introduced:

Senate Concurrent Resolution No. 4022. A Concurrent Resolution urging the State Board of Equalization to spread a mill levy to provide matching funds for local industrial development.

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

FIRST READING OF HOUSE BILLS
AND A HOUSE CONCURRENT RESOLUTION

House Bill No. 1009. A Bill for an Act providing an appropriation for paying the expenses of the commissioner of veterans' affairs and the veterans' aid commission.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1029. A Bill for an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1058. A Bill for an Act to create and enact section 50-06-01.1 of the North Dakota Century Code, relating to changing the name of the public welfare board of North Dakota to the social service board of North Dakota.

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 sections 11-11-26, 11-11-30, and 54-44-09 of the North Dakota Century Code, relating to use by political subdivisions of the services of the department of accounts and purchases.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1099. A Bill for an Act to create and enact sections 43-11-20.1, 43-11-20.2, 43-11-20.3, and 43-11-20.4 of the North Dakota Century Code, relating to partial refunds of tuition paid by students cancelling their enrollment in a school of hairdressing and cosmetology, providing the rate of refund, providing the procedure for cancellation of contracts of instruction, prohibiting the negotiation of promissory instruments given in payment of student tuition until after a certain portion of the course of instruction has been completed and requiring a solicitor's permit.

Which was read the first time and referred to the committee on Education.

House Bill No. 1111. A Bill for an Act to permit a physician to examine and treat a minor for psychiatric problems, venereal disease or pregnancy without parental consent.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1119. A Bill for an Act to create and enact section 15-39-17.1; to amend and reenact sections 15-39-03 and 15-39-17; and to repeal sections 15-39-19, 15-39-20, and 15-39-21, all of the North Dakota Century Code, relating to contributions to the teachers' insurance and retirement fund.

Which was read the first time and referred to the committee on Education.

House Bill No. 1131. A Bill for an Act to amend and reenact sections 32-18-02, 32-18-04, and 32-18-05 of the North Dakota Century Code, relating to the period of redemption allowed a defaulting purchaser under a contract for deed or similar instrument.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1155. A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to sheriff's mileage.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1156. A Bill for an Act to create and enact subsection 12 of section 43-15-10 of the North Dakota Century Code, relating to powers of the state board of pharmacy.

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

House Bill No. 1159. A Bill for an Act to amend and reenact section 16-13-03 of the North Dakota Century Code, relating to keeping the county auditor's office open on election nights.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1162. A Bill for an Act to amend and reenact section 40-49-08 of the North Dakota Century Code, relating to reimbursement of the treasurer of a park district.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1163. A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to the registration of farm vehicles.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1165. A Bill for an Act authorizing the state of North Dakota acting by the North Dakota employment security bureau to sell and convey lots twenty-two, twenty-three, and twenty-four in block fifty-two, original plat of the city of Bismarck, Burleigh County, State of North Dakota, according to the plat thereof on file and of record in the office of the register of deeds of said county and state and recorded in book "A" of plats in Burleigh County, North Dakota.

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

House Bill No. 1173. A Bill for an Act to amend and reenact sections 1 and 2 of chapter 408 of the 1969 Session Laws of North Dakota, relating to authorization of the sale and transfer of certain real property owned by the state for the benefit of the state penitentiary.

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

House Bill No. 1174. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claim for refund of motor fuel tax.

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

House Bill No. 1195. A Bill for an Act to amend and reenact section 20-17-04 of the North Dakota Century Code, relating to the number of game birds that a shooting preserve may release.

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

House Bill No. 1196. A Bill for an Act to amend and reenact section 28-21-06 of the North Dakota Century Code, relating to the issue and contents of execution.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1197. A Bill for an Act to amend and reenact section 28-21-07 of the North Dakota Century Code, relating to the time of return of executions.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1198. A Bill for an Act to amend and reenact section 54-46-08 of the North Dakota Century Code, providing for the disposal of records, and to repeal section 46-04-20 of the North Dakota Century Code, relating to the destruction of public records.

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 create and enact section 64-02-05.1 of the North Dakota Century Code, relating to changing the title of the chief inspector of the department of weights and measures.

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

House Bill No. 1227. A Bill for an Act to create and enact section 39-03A-27 of the North Dakota Century Code establishing the legislative intent and relating to effect of amendment of the highway patrolmen's retirement system; to amend and reenact sections 39-03A-09, 39-03A-10, 39-03A-12, 39-03A-14, 39-03A-16, 39-03A-17, 39-03A-21 and 39-03A-21.1 relating to the highway patrolmen's retirement system, payment by contributors, contributions of the state, retirement allowance, optional retirement allowance, disability retirement allowance, severance allowance, payments in case of death and children's benefits and to repeal subsection 7 of section 39-03A-01 relating to the definition of average monthly salary.

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

House Bill No. 1245. A Bill for an Act to amend and reenact section 21-06-03 of the North Dakota Century Code, relating to a defaced or lost obligation and granting the state or political subdivision the right to elect to accept either a surety bond or a written agreement as indemnification before a duplicate obligation is issued.

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

House Concurrent Resolution No. 3001. A concurrent resolution advising the Board of Higher Education to exercise caution in issuing bonds for revenue producing buildings and other campus improvements.

Which was read the first time and referred to the committee on Appropriations.

SECOND READING OF SENATE BILLS

Senate Bill No. 2002. A Bill for an Act to appropriate money for the expenses of the educational departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 225 and 226 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2009. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the school for the deaf at Devils Lake, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 226 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Swedlund
Chesrown,	Jones	Page	Thane
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, G.	Rait	Unruh
Doherty	Larson, L.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Forkner	Longmire	Roen	Wilhite
Freed	Melland	Sanstead	

Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Just	Lowe		

So the bill passed and the title was agreed to.

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

Senator Wilhite moved that after the reading of Senate Bills Nos. 2015, 2016, 2023, 2123, 2143, 2176, 2207, 2208, 2212, 2218, 2219, 2220, 2238, 2245, 2278, and Senate Concurrent Resolutions Nos. 4013

and 4015, and House Bills Nos. 1072 and 1073, that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

NINETEENTH DAY

Bismarck, January 26, 1971

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

Prayer by Chaplain John Nicolai, Trinity Lutheran, Bismarck.

"Aware, Oh Lord, of the responsibilities before these men in the limited amount of time that is theirs, and aware of the inability of man to understand all things and man's incapability of knowing all things, we seek your direction and blessing. May your Spirit guide these legislators in the weighty matters before them. In their relationship one with another, grant them wisdom and understanding as they strive to bring forth what they feel is right. In all their dealings may they act with decency, order and love. We thank You for Your presence and pray for your continued direction in the business that is now at hand.

"In Jesus' name, Amen."

Roll call: All Senators present except Senators Goldberg, Litten, Lowe, Robinson and Stroup.

A quorum was declared by the President.

REVISION AND CORRECTION

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

On page 259, delete all of line 2.

On page 260, line 6 from the bottom, delete the word "pass" and insert in lieu thereof the word "reconsider"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice-Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2015. A Bill for an Act making an appropriation for paying the salaries and other expenses of the milk stabilization 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, 37, nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown,	Jones	Nothing	Sorlie
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd			

Those voting in the negative were:

Butler	Mutch	Strinden	Wilhite
Morgan			

Absent and not voting:

Barth	Holand	Lowe	Stroup
Goldberg	Litten	Robinson	

So the bill passed and the title was agreed to.

Senate Bill No. 2016. A Bill for an Act making an appropriation to pay for the education of children, who are deaf as well as blind, at any school or institution, outside the state of North Dakota, for which there are no facilities in the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Netthing	Swedlund
Chesrown,	Just	Page	Thane
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, G.	Rait	Unruh
Doherty	Larson, L.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Forkner	Longmire	Roen	Wilhite
Freed	Melland	Sanstead	

Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Holand	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2023. A Bill for an Act making an appropriation for the operation of the North Dakota state employees' retirement 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, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Freed	Longmire	Schultz
Barth	Gronhovd	Melland	Sorlie
Berube	Hernett	Morgan	Strinden
Butler	Jacobson	Nasset	Swedlund
Chesrown,	Jones	Netthing	Thane
Christensen	Just	Page	Thoreson
Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Sanstead	Wilhite

Those voting in the negative were:

Mutch	Ringsak
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Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Holand	Lowe	Roen	

So the bill passed and the title was agreed to.

Senate Bill No. 2123. A Bill for an Act providing a declaration of legislative intent relating to the allowance of free meals, lodging, and food supplies to officers and employees of state charitable and penal institutions, and to repeal sections 12-46-08, 12-47-09, and 25-01-09 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Netting	Swedlund
Chesrown,	Just	Page	Thane
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, G.	Rait	Unruh
Doherty	Larson, L.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Forkner	Longmire	Sanstead	Wilhite
Freed	Melland		

Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Holand	Lowe	Roen	

So the bill passed and the title was agreed to.

Senate Bill No. 2143. A Bill for an Act to amend and reenact subsection 6 of section 39-09-02 of the North Dakota Century Code, relating to the maximum speed limits for all vehicles on limited-access highways.

Which has been read.

Senator Forkner moved that Senate Bill No. 2143 be amended as follows:

On page 2, line 22 of the engrossed bill, delete the triple parentheses before and after the word "passenger"

On page 2, line 23, delete the following "all"

On page 2 line 24, delete the triple parentheses before and after the word "passenger"

On page 2, line 25, delete the following "all"

On page 2, also in line 25, delete the triple parentheses before the comma.

On page 2, line 28, delete the triple parentheses before the period.

Senator Butler moved that the amendments to Senate Bill No. 2143 be laid on the table, which motion lost

The question being on the motion of Senator Forkner, which motion prevailed.

Senator Forkner moved that the rules be suspended, that Senate Bill No. 2143 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 226 and 227 of the Senate Journal, and from the floor, the roll was called and there were ayes, 18; nays, 25; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Forkner	Morgan	Ringsak
Berube	Gronhovd	Mutch	Schultz
Christensen	Just	Page	Swedlund
Coughlin	Lips	Redlin	Wenstrom
Erdman	Melland		

Those voting in the negative were:

Barth	Jones	Netting	Strinden
Butler	Kautzmann	Pyle	Thane
Chesrown,	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Roen	Unruh
Freed	Longmire	Sanstead	Van Horn
Hernett	Nasset	Sorlie	Wilhite
Jacobson			

Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Holand	Lowe		

So the bill was declared lost.

Senator Nething moved that the vote by which Senate Bill No. 2143 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2176. A Bill for an Act to amend and reenact subsection 6 of section 39-12-04 of the North Dakota Century Code, relating to width, height, and length limitations on vehicles — exceptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 227 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Swedlund
Chesrown,	Just	Page	Thane
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, G.	Rait	Unruh
Doherty	Larson, L.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Forkner	Longmire	Roen	Wilhite
Freed	Melland	Sanstead	

Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Holand	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2207. A Bill for an Act to amend and reenact section 57-23-08 of the North Dakota Century Code, relating to property tax abatements and to repeal section 57-23-10 of the North Dakota Century Code, relating to appeals from decision of the board of county commissioners abating, refunding or compromising 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2208. A Bill for an Act to amend and reenact section 57-50-02 of the North Dakota Century Code, relating to the form of claim for refund of motor fuel tax.

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, 5; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Berube	Holand	Mutch	Swedlund
Butler	Jacobson	Nasset	Thane
Chesrown,	Jones	Nething	Thoreson
Christensen	Just	Page	Unruh
Coughlin	Kautzmann	Rait	Van Horn
Doherty	Larson, G.	Redlin	Wenstrom
Erdman	Larson, L.	Ringsak	Wilhite
Freed	Lips	Sanstead	

Those voting in the negative were:

Forkner	Pyle	Roen	Strinden
Morgan			

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2212. A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 of the North Dakota Century Code, relating to the definition of a "retail sale" for sales 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2218. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to the fee charged for furnishing an abstract of a driver's record or accident report, and providing that a copy of each abstract requested also be sent to the driver.

Which has been read

Senator Melland moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Strinden
Barth	Hernett	Mutch	Swedlund
Berube	Holand	Nething	Thane
Butler	Jacobson	Pyle	Thoreson
Christensen	Jones	Rait	Unruh
Coughlin	Just	Redlin	Van Horn
Doherty	Larson, L.	Ringsak	Wenstrom
Erdman	Longmire	Roen	Wilhite
Forkner	Melland	Sanstead	

Those voting in the negative were:

Chesrown,	Larson, G.	Nasset	Schultz
Freed	Lips	Page	Sorlie
Kautzmann			

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 26, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2139

Senate Bill No. 2164

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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 26, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1069

House Bill No. 1090

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

RECOGNITION

Senator Page introduced Senator Grant Trenbeath of Neche to the Senate body and Senator Trenbeath was recognized by the Senate.

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

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 2219. A Bill for an Act to amend and reenact section 28-05-08 of the North Dakota Century Code, relating to the cancellation of lis pendens by the entry of a final judgment.

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, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sanstead
Butler	Jacobson	Mutch	Schultz
Chesrown,	Jones	Nasset	Sorlie
Coughlin	Just	Nothing	Strinden
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Wilhite
Gronhovd	Longmire		

Absent and not voting:

Berube	Litten	Robinson	Van Horn
Christensen	Lowe	Stroup	Wenstrom
Goldberg	Ringsak	Thoreson	

So the bill passed and the title was agreed to.

Senate Bill No. 2220. A Bill for an Act to amend and reenact section 54-23.1-07 of the North Dakota Century Code, providing for increased fees to counties for law enforcement 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, 32; nays, 11; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Freed	Larson, L.	Ringsak
Barth	Gronhovd	Lips	Roen
Berube	Hernett	Longmire	Sanstead
Chesrown,	Jacobson	Melland	Sorlie
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Pyle	Unruh
Erdman	Kautzmann	Rait	Van Horn
Forkner	Larson, G.	Redlin	Wenstrom

Those voting in the negative were:

Butler	Mutch	Schultz	Thoreson
Doherty	Nasset	Strinden	Wilhite
Morgan	Page	Thane	

Absent and not voting:

Goldberg	Litten	Robinson	Stroup
Holand	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2238. A Bill for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to clarification as to young men christian associations and young women christian associations being institutions of public charity and thereby exempt from 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, 37; nays, 7; absent and not voting, 5

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Swedlund
Butler	Jones	Nothing	Thane
Chesrown,	Just	Page	Thoreson
Christensen	Kautzmann	Pyle	Unruh
Doherty	Lips	Redlin	Van Horn
Erdman	Longmire	Ringsak	Wenstrom

Forkner	Melland	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Coughlin	Larson, G.	Rait	Strinden
Freed	Larson, L.	Schultz	

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2245. A Bill for an Act to amend and reenact sections 25-07-02 and 25-07-06 of the North Dakota Century Code, relating to the instruction at the school for the deaf; and to repeal section 25-07-03 of the North Dakota Century Code, relating to the duties of the matron at the school for the deaf.

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, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2278. A Bill for an Act to accept on behalf of the state of North Dakota the conditions, purposes, and terms of Public Law 89-665 of the Eighty-ninth Congress, an Act to establish a program for the preservation of additional historic properties throughout the nation, and to designate the state historical society to act on behalf 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Robinson	Stroup
Litten			

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4013. A Concurrent Resolution requesting Congress to call a convention to amend the Constitution of the United States to provide for revenue sharing.

Which has been read.

Senator Unruh moved that Senate Concurrent Resolution No. 4013 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4015. A Concurrent Resolution urging Congress to enact legislation to provide for revenue sharing.

Senator Doherty moved that Senate Concurrent Resolution No. 4015 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1072. A Bill for an Act to create and enact sections 47-19-14.1, 47-19-14.2, 47-19-14.3, 47-19-14.4, 47-19-14.5, 47-19-14.6, 47-19-14.7, and 47-19-14.8 of the North Dakota Century Code, to provide for uniform recognition of notarial acts done outside the state; to amend and reenact section 47-19-26 of the North Dakota Century Code, relating to forms of certificates of acknowledgment; and to repeal sections 47-19-15, 47-19-16, 47-19-17, 47-19-17.1, 47-19-17.2 and 47-19-31 of the North Dakota Century Code, relating to recognition of foreign acknowledgments and acknowledgments made outside this state but within 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Swedlund
Chesrown,	Jones	Nething	Thane
Christensen	Just	Page	Thoreson
Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Rajt	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Ringsak	Wilhite
Freed	Longmire	Sanstead	

Absent and not voting:

Goldberg	Lowe	Roen	Stroup
Litten	Robinson		

So the bill passed and the title was agreed to.

House Bill No. 1073. A Bill for an Act to create and enact chapter 28-06.2 of the North Dakota Century Code, relating to the method of service of civil process upon the United States, an officer, employee, or agency thereof, when civil suit is brought in a state court.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Swedlund
Chesrown,	Jones	Nething	Thane

Christensen	Just	Page	Thoreson
Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Ringsak	Wilhite
Freed	Longmire	Sanstead	
Absent and not voting:			
Goldberg	Lowe	Roen	Stroup
Litten	Robinson		

So the bill passed and the title was agreed to.

MOTIONS

Senator Kautzmann moved that Senate Bill No. 2456 be returned to the Senate from the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

Senator Kautzmann moved that Senate Bill No. 2456 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Butler moved that Senate Bill No. 2430 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Butler moved that Senate Bill No. 2430 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Butler moved that Senate Bill No. 2417 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Butler moved that Senate Bill No. 2417 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Hernett moved that Senate Bill No. 2479 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernett moved that Senate Bill No. 2479 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2008, 2034, 2154, 2232, 2256, 2257, and 2318, that the Senate recess until 1:00 p.m., which motion prevailed.

LEO LEIDHOLM, Secretary

NINETEENTH DAY AFTER RECESS AND
TWENTIETH DAY

Bismarck, January 27, 1971

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. 2008

Senate Bill No. 2034

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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 bill:

Senate Bill No. 2154

And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

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

**FIRST READING OF A
SENATE CONCURRENT RESOLUTION**

Senator G. Larson introduced:

Senate Concurrent Resolution No. 4023. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility of consolidating the various state health and welfare agencies.

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

CONSIDERATION OF AMENDMENTS

Senator Hernet moved that the amendments to Senate Bill No. 2196 as recommended by the Committee on Industry, Business and Labor, and printed on page 263 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 2228 as recommended by the Committee on Industry, Business and Labor, and printed on page 264 of the Senate Journal, be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2029 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2031 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2032 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2118 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 Judiciary to whom was referred Senate Bill No. 2174 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2175 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2205 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. 2223 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after "of" delete "hospital"

Page 1 line 14 after "patient" delete "with a personal injury."

Page 1 at the beginning of line 15 delete "claim" and after the word "hospital" insert "or medical"

Page 1 line 16 after "treatment" delete the remainder of the line

Page 1 at the beginning of line 17 delete "personal injury"

Page 1 line 20 after "hospital" insert "or medical"

Page 1 line 21 after "personal" delete "injury"

Page 1 at the beginning of line 22 delete "business" and insert in lieu thereof "treatment" and after "custodian" insert a comma and the word "physician".

Page 1 line 23 after "of" delete "its" and insert in lieu thereof "their"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 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. 2231 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2260 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2262 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 Senate Bill No. 2262 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2315 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 LONGMIRE, Chairman

Senator Longmire 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. 2340 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2341 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2346 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2355 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 1 after the period insert the following "This provision shall not be construed to relieve the commissioners of the workmen's compensation bureau of the requirements of section 28-32-13 of this chapter."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2359 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2360 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution 4021 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 House Bill No. 1144 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR SORLIE, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2008. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the school for the blind at Grand Forks, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 252 and 253 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Stroup
Chesrown,	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn

Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Coughlin	Lowe	Robinson	Strinden
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So the bill passed and the title was agreed to.

Senate Bill No. 2034. A Bill for an Act making an appropriation for the purpose of paying the salaries and other expenses of the upper great plains transportation institute.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 253 of the Senate Journal, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown,	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, L.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Forkner	Litten	Sanstead	Wilhite
Goldberg			

Those voting in the negative were:

Freed	Mutch	Nasset	Unruh
Larson, G.			

Absent and not voting:

Lowe	Robinson	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2154. A Bill for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code, to provide for an annual assessment of real property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 254 and 255 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown,	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Roen	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg	Melland		

Those voting in the negative were:

Hernett

Absent and not voting:

Lowe	Robinson
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So the bill passed and the title was agreed to.

Senate Bill No. 2232. A Bill for an Act to authorize the state department of accounts and purchases to withhold funds due a political subdivision if the subdivision is delinquent in repaying overpayments made under federal natural disaster 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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Mutch

Absent and not voting:

Lowe Robinson

So the bill passed and the title was agreed to.

Senate Bill No. 2256. A Bill for an Act to amend and reenact section 6-03-28 of the North Dakota Century Code, relating to value and transfer of shares and shareholder's obligation.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Robinson

So the bill passed and the title was agreed to.

Senate Bill No. 2257. 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Robinson

So the bill passed and the title was agreed to.

Senate Bill No. 2318. A Bill for an Act authorizing the removal or sale of a public building when it is obsolete or a fire hazard or is otherwise unsafe and is of no future use to the state where it is located, and setting out the procedures to be followed.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Chesrown

Absent and not voting:

Lowe Robinson

So the bill passed and the title was agreed to.

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

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

LEO LEIDHOLM, Secretary

TWENTIETH DAY

Bismarck, January 27, 1971

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

Prayer by Chaplain Donald J. Thorp, Lutheran, Carpio.

"Let us pray. Our God, Heavenly Father, we thank you for life that You have given us, for the talents You have entrusted to us to use, our minds, our wisdom, to take care of Your world according to Your plan and purpose, and now this Senate assembled in this great State of North Dakota, who face the problems before us, grant them wisdom and understanding of the problems and the

needs of us human beings, that we might truly reflect our responsibilities in taking care of the earth and our responsibility of human beings with each other. May Your guidance, strength and peace be with each one. Amen."

Roll call: All Senators present except Senators Lowe and Robinson.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the eighteenth day after recess and nineteenth day and finds the same correct.

SENATOR BUTLER, Vice-Chairman

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Holand and Christensen introduced:

Senate Concurrent Resolution No. 4024. A Concurrent Resolution directing the Legislative Council to arrange for one or more meetings of members of the Legislative Assembly, and representatives of appropriate state departments with members of the United States Congress from this State and representatives of appropriate federal executive departments.

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

MOTION

Senator Butler moved that Senate Bill No. 2045 be reprinted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, January 27, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2002

Senate Bill No. 2009

Senate Bill No. 2015

Senate Bill No. 2016

Senate Bill No. 2023

Senate Bill No. 2123

Senate Bill No. 2176

Senate Bill No. 2207

Senate Bill No. 2208

Senate Bill No. 2212

Senate Bill No. 2218

Senate Bill No. 2219

Senate Bill No. 2220

Senate Bill No. 2238

Senate Bill No. 2245

Senate Bill No. 2278

Senate Concurrent Resolution No. 4013

Senate Concurrent Resolution No. 4015

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 27, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1072

House Bill No. 1073

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 27, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2081

Senate Bill No. 2082

Senate Bill No. 2088

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 27, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1066

House Bill No. 1178

House Bill No. 1186

House Bill No. 1258

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

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of Senate Bills Nos. 2029, 2031, 2032, 2196, 2205, 2228, 2229, 2231, 2260, 2315, 2336, 2340, 2341, 2346, 2359, 2360, Senate Concurrent Resolution No. 4021, and House Bill No. 1144 that the Senate recess until 1:15 p.m., January 28, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTIETH DAY AFTER RECESS AND
TWENTY-FIRST DAY

Bismarck, January 28, 1971

The Senate convened at 1:15 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. 2196

Senate Bill No. 2228

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2007 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 30 delete the figure "10,000.00" and insert in lieu thereof the figure "7,300.00"

On page 3, line 32 delete the figure "10,200.00" and insert in lieu thereof the figure "7,500.00"

On page 3, line 35 delete the following: "Salaries and wages" and insert in lieu thereof "Fees and services"

On page 4, line 1 delete the following: "Fees and services" and insert in lieu thereof "Supplies and materials"

On page 4, line 2 delete the following: "Supplies and materials" and insert in lieu thereof "Equipment"

On page 4, delete lines 4 through 7

On page 4, line 22 delete the figure "500,000.00" and insert in lieu thereof the figure "250,000.00"

On page 4, line 23 delete the figure "500,000.00" and insert in lieu thereof the figure "250,000.00"

On page 4, delete lines 24 through 27

On page 4, line 28 delete the figure "899,680.00" and insert in lieu thereof the figure "643,480.00"

Renumber the lines and subdivisions accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment to Fugitives from Justice Arrest and Return is to reduce the amount to a level more likely to be needed; to remove the appropriation for Reward for Apprehension of Criminals because it has not been needed and can be supplied from private sources; to Interstate Oil Compact Commission because the funds were intended for use to finance a convention and private sources are available;

to Civil Air Patrol to correct an error in language in the printed bill.

SENATOR SORLIE, Chairman

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

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:

Page 5 line 2 after "reporter" delete "or"
 Page 5 line 3 delete "recorder"
 Page 5 line 12 after "reporter" delete the remainder of the line
 Page 5 line 14 after the comma delete the remainder of the line
 Page 5 line 15 delete "approved by the court,"
 Page 5 line 21 after "reporter" delete "or recorder"
 Page 5 line 25 after "reporter" delete the remainder of the line
 Page 8 line 19 after "reporter" delete "or recorder"
 Page 9 line 9 delete "or recorder,"
 Page 10 line 17 after "for" delete the remainder of the line
 Page 10 delete all of lines 18 through 23
 Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2239 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2240 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2241 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2259 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2268 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete everything after the word "to" and insert in lieu thereof the following: "provide for the supervision of the center."

On page 1, delete line 3

On page 1, line 9, delete the word "criminal" and insert in lieu thereof the following words: "law enforcement"

On page 1, line 10, delete the word "justice"

On page 1, line 11, delete everything after the period and insert in lieu thereof the following: "COMBINED LAW ENFORCEMENT COUNCIL TO SUPERVISE TRAINING CENTER.)"

On page 1, line 12, delete "CENTER.)"; delete the words "criminal justice training center" and insert in lieu thereof the words "combined law enforcement council"

On page 1, delete lines 13 through 20 and insert in lieu thereof the following: "shall be responsible for supervising the operation and maintenance of the law enforcement training center. In the event such council should cease to exist, the training center shall be under the supervision of a board which shall consist of one representative from each of the offices, associations, and organizations which are represented on the council and the members of such board shall be selected in the manner provided in section 12-61-01 for members of the council. In the event section 12-61-01 should be repealed, such board shall continue in existence until the adjournment of the next session of the legislative assembly."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2271 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2288 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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 REDLIN, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2317 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2319 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2320 has had the same under consideration and recommends that the same be amended as follows:

Page 13 after line 3 insert the following new sections
"SECTIONS 21. DISTRICT COURTS AND COUNTY COURTS HAVING INCREASED JURISDICTION MAY USE EACH OTHER'S JURY PANELS.) A judge of the district court or the judge of a

county court having increased jurisdiction may, by order, use an undischarged jury panel ordered, drawn, and summoned by the other, at any general, special or adjourned term of the court for a county mutually served by such courts and for which no jury panel has been ordered."

"SECTION 22. WHEN JURY PANEL TO ATTEND SUBSEQUENT TERM.) A judge of the district court may, by order, require an undischarged jury panel summoned to attend a term of the court to attend any subsequent general, special, or adjourned term of the court not exceeding in all one calendar year."

Renumber pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2323 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2326 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2327 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2329 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2330 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2339 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 1 delete "ten" and insert in lieu thereof "twenty"

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. 2345 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 18 following the triple parentheses delete "two hundred" in insert in lieu thereof "thirty"

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. 2388 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution 4016 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4024 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Chesrown moved that the amendments to Senate Bill No. 2223 as recommended by the Committee on Judiciary, and printed on page 280 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2355 as recommended by the Committee on State and Federal Government, and printed on page 282 of the Senate Journal, be adopted, which motion prevailed.

PERSONAL PRIVILEGE

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

Lt. Governor: State your privilege, Senator.

Senator Freed: Mr. President: I have a few remarks to make and I want them printed in the Journal. I have delivered a copy to the desk.

"Mr. President and Members of the Senate.

"On January 25, we debated at length, legislation concerning the Safety Responsibility Division of the Highway Department. I feel compelled to relate to you, as members of this body, a consequence of a creeping bureaucracy in our State Government.

"Although we, as legislators, sponsor many bills on request, we introduce a few through our own effort. Such a bill I desired, concerning the Safety Responsibility Division.

"Therefore, I sought the thinking and counsel of the particular department involved and discussed the legislation with the assistant in charge, who was a long time employee of the department. It was legislation that would have eliminated some clerical work, but also would have generated some additional work; that is, they would be offsetting.

"In any event, I did not expect enthusiasm, for it was changing, to some extent, the method by which he was operating for some years.

"But I did expect, and did not get, co-operation of the employee of the very department sought to be improved. His reaction was immediately negative and avoidance of the subject matter was obvious.

"At the committee hearing on the bill, this same person attended, testifying he was not taking sides one way or the other, and then had the audacity to state that he just wanted to give a fiscal note stating that it would take \$63,000 a biennium to carry it out. It had suddenly taken five girls and a supervisor to do it.

"Whether the intentions were good, whether it was to expand a clerical force, or whether it was to do away with the bill, I firmly believe that the intention was to kill the bill by inserting a fiscal note based on flimsy facts to say the least. My confidence in fiscal notes has been shaken.

"When our legislative process is such that bureaucrats will be able to pass or kill a bill, depending on their likes or dislikes, we had better take a good hard look.

"I do not mean to imply that all governmental employees are bureaucrats. Many are sincere dedicated people who deserve our attention and consideration. We seek their advice and cooperation to formulate good sound legislation.

"But when they seek out to hinder or hamper the process just because we may be disturbing their kingdoms, we should seriously think about the kingmaker.

"I take no pride in making remarks such as these. It had to be said."

FIRST READING OF HOUSE BILLS

House Bill No. 1038. A Bill for an Act to repeal sections 48-05-02 and 48-05-04 of the North Dakota Century Code, relating to the use of native fuel by public institutions.

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

House Bill No. 1066. A Bill for an Act to amend and reenact section 39-16-05 and subsection 3 of section 39-16-07 of the North Dakota Century Code, relating to suspension of drivers' licenses after the negligence or responsibility of drivers involved in accidents has been determined, and providing for filing of evidence of nonliability or confession of judgment with the commissioner, and for suspension of license in case of default.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1178. A Bill for an Act to amend and reenact Section 36-04-03 of the North Dakota Century Code, relating to agents of livestock, poultry and wool dealers use of checks or other commercial paper other than in the name of their principals.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1186. A Bill for an Act to amend and reenact section 37-01-03 of the North Dakota Century Code, relating to not having to charge a person under the code of military justice before turning the person over to civil authorities.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1258. A Bill for an Act to amend and reenact section 20-05-03 of the North Dakota Century Code, allowing horses and mules to be used in hunting big game.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2029. A Bill for an Act making an appropriation for salaries and expenses for predatory animal control to the commissioner of agriculture.

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, 1.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Robinson
Barth	Gronhovd	Longmire	Sanstead
Berube	Hernett	Melland	Schultz
Butler	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Nething	Swedlund
Doherty	Kautzmann	Page	Unruh
Erdman	Larson, G.	Pyle	Van Horn
Forkner	Larson, L.	Rait	Wenstrom
Freed	Lips	Redlin	Wilhite

Those voting in the negative were:

Ringsak	Roen	Thane	Thoreson
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Absent and not voting:

Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the department 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2032. A Bill for an Act making an appropriation to the North Dakota trade commission in accordance with North Dakota Century Code 51-10.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Erdman	Larson, L.	Strinden
Barth	Gronhovd	Lips	Swedlund
Berube	Jacobson	Rait	Van Horn
Christensen	Just	Redlin	Wenstrom
Coughlin	Kautzmann	Sanstead	

Those voting in the negative were:

Butler	Jones	Nasset	Schultz
Chesrown,	Larson, G.	Nething	Sorlie
Doherty	Litten	Page	Stroup
Forkner	Longmire	Pyle	Thane
Freed	Melland	Ringsak	Thoreson
Goldberg	Morgan	Robinson	Unruh
Hernett	Mutch	Roen	Wilhite
Holand			

Absent and not voting:

Lowe

So the Bill was declared lost.

Senator Forkner moved that the vote by which Senate Bill No. 2032 was lost be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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

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

LEO LEIDHOLM, Secretary

TWENTY-FIRST DAY

Bismarck, January 28, 1971

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

Prayer by Chaplain Lester Myers, Church of the Nazarene, Mandan.

"Our Heavenly Father, we pray that this assembly will be guided by Thy Spirit. May each Legislator feel the need of representing their people with wisdom, prudence and fairness. We would ask that they will be conscientious and sincere in the making of just laws for this State.

"In the Name of Jesus Christ, our Lord. Amen."

Roll call: All Senators present except Senator Lowe.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the nineteenth day after recess and twentieth day and finds the same correct.

SENATOR BUTLER, Vice-Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2196. A Bill for an Act to amend and reenact sections 26-27-06, 26-27-07, 26-27.1-07, and 26-27.1-08 of the North Dakota Century Code, relating to the filing of annual statements by corporations and the costs of investigating the affairs of corporations, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 263 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Gronhovd	Lowe	Rait	Stroup
Just			

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

Senate Bill No. 2205. A Bill for an Act to amend and reenact section 4-19-01 of the North Dakota Century Code, relating to the state forester.

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, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Robinson
Barth	Gronhovd	Melland	Roen
Berube	Hernett	Morgan	Sanstead
Butler	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Ringsak	Wilhite

Absent and not voting:

Just	Schultz	Stroup	Thoreson
Lowe			

So the bill passed and the title was agreed to.

MOTION

Senator Nething moved that Senate Bill No. 2231 be moved up on the calendar directly under 2228, which motion prevailed.

Senate Bill No. 2228. A Bill for an Act to create and enact subdivisions h and i of subsection 11 of section 52-01-01, subdivisions f, g, h, i, j, k of subsection 13 of section 52-01-01, paragraphs (10) and (11) of subdivision i of subsection 15 of section 52-01-01, subsections 28, 29, and 30 of section 52-01-11, section 52-04-18, section 52-04-19, section 52-04-20, and subsection 11 of section 52-06-02 of the North Dakota Century Code, relating to unemployment compensation definitions and benefits, and to amend and reenact subsection 4 of section 52-01-01, subdivisions a, b, c, e, f, g of subsection 11 of section 52-01-01, subdivision a of subsection 13 of section 52-01-01, subdivision a of subsection 15 of section 52-01-01, paragraphs (1) and (5) of subdivision i of subsection 15 of section 52-01-01, section 52-04-07, subdivision a of subsection 3 of section 52-06-01 and subsection 6 of section 52-06-02 of the North Dakota Century Code, subdivision e of subsection 13 of section 52-01-01 and section 52-05-03 of the 1969 Supplement to the North Dakota Century Code, relating to unemployment compensation definitions, accounts, coverage and benefits, and to

repeal subdivision c of subsection 15 of section 52-01-01 and subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation definitions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 264 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Ringsak	Wilhite
Goldberg			

Those voting in the negative were:

Strinden

Absent and not voting:

Lowe Roen Schultz

So the bill passed and the title was agreed to.

Senator Strinden: "Mr. President. I want to explain my vote. I realize that we have to go along with a certain amount of this stuff. I just want to point out that I object to the federal government telling the State of North Dakota, and the rest of the States in our nation, how they are going to conduct their affairs."

Senate Bill No. 2231. A Bill for an Act to create and enact chapter 52-07.1 of the North Dakota Century Code to provide a program for the payment of extended unemployment compensation benefits to workers who during periods of high unemployment in the State, or in the nation, have exhausted their rights to regular benefits under the North Dakota Unemployment Compensation Law, or under Federal law as administered by the North Dakota employment security bureau; to provide conditions of entitlement to extended benefits; to provide for the administration and carrying out of the program; and to provide 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, 6; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Melland	Robinson
Barth	Jacobson	Morgan	Sanstead
Berube	Jones	Mutch	Schultz
Chesrown	Just	Nasset	Sorlie
Christensen	Kautzmann	Nothing	Swedlund
Erdman	Larson, G.	Page	Thoreson
Forkner	Larson, L.	Pyle	Unruh
Freed	Lips	Rait	Van Horn
Goldberg	Litten	Redlin	Wenstrom
Gronhovd	Longmire	Ringsak	Wilhite
Hernett			

Those voting in the negative were:

Butler Doherty Stroup Thane
Coughlin Strinden

Absent and not voting:

Lowe Roen

So the bill passed and the title was agreed to.

MOTION

Senator Wilhite moved that Senate Concurrent Resolution No. 4021 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4021. A Senate Concurrent Resolution directing the Director of the Budget to exercise authority provided by law for controlling the level of certain state expenditures in the event that income to the state general fund does not meet projected levels as contained in the Executive Budget or any alterations made in such income estimates by legislative action.

Which has been read.

Senator Melland moved that Senate Concurrent Resolution No. 4021 be laid over three legislative days.

Senator Wilhite requested a recorded vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Melland, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Gronhovd	Larson, L.	Rait
Berube	Holand	Lips	Redlin
Chesrown	Jacobson	Longmire	Sanstead
Christensen	Just	Melland	Swedlund
Erdman	Kautzmann	Nothing	Unruh
Forkner			

Those voting in the negative were:

Anderson	Jones	Pyle	Stroup
Butler	Larson, G.	Ringsak	Thane
Coughlin	Litten	Robinson	Thoreson
Doherty	Morgan	Roen	Van Horn
Freed	Mutch	Schultz	Wenstrom
Goldberg	Nasset	Sorlie	Wilhite
Hernett	Page	Strinden	

Absent and not voting:

Lowe

So the motion was declared lost.

Senate Concurrent Resolution No. 4021. A Senate Concurrent Resolution directing the Director of the Budget to exercise authority provided by law for controlling the level of certain state ex-

penditures in the event that income to the state general fund does not meet projected levels as contained in the Executive Budget or any alterations made in such income estimates by legislative action.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jones	Pyle	Stroup
Butler	Larson, G.	Ringsak	Thane
Coughlin	Litten	Robinson	Thoreson
Doherty	Morgan	Roen	Unruh

Freed	Mutch	Schultz	Wenstrom
Goldberg	Nasset	Sorlie	Wilhite
Hernett	Page	Strinden	

Those voting in the negative were:

Barth	Gronhovd	Larson, L.	Rait
Berube	Holand	Lips	Redlin
Chesrown	Jacobson	Longmire	Sanstead
Christensen	Just	Melland	Swedlund
Erdman	Kautzmann	Nothing	Van Horn
Forkner			

Absent and not voting:

Lowe

So the resolution was declared adopted.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 28, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1070

House Bill No. 1077

House Bill No. 1147

House Bill No. 1170

House Bill No. 1179

House Bill No. 1180

House Bill No. 1185

House Bill No. 1187

House Bill No. 1191

House Bill No. 1216

House Bill No. 1222

House Bill No. 1281

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

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 28, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2008

Senate Bill No. 2034

Senate Bill No. 2154

Senate Bill No. 2232

Senate Bill No. 2256

Senate Bill No. 2257

Senate Bill No. 2318

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 28, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2083

Senate Bill No. 2098

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

PRESENTATION OF MISS NORTH DAKOTA

Senator Roen moved that a committee of two be appointed to escort Miss Nancy Tangen, of Aneta, "Miss North Dakota", to the front of the Senate for the rendition of two vocal solos, which motion prevailed.

The President appointed as such committee, Senators Roen and Hernet, and Miss North Dakota was escorted to the front of the Senate, and she favored the assembly with two vocal solos. Miss North Dakota was enthusiastically received and recognized by the Senate. The President announced that the Senate would stand at ease subject to the call of the chair.

The Senate reconvened at the call of the Chair, the President Pro Tem presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 2229. A Bill for an Act to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to scholarships awarded by the state highway department.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2229 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2260. A Bill for an Act to amend and reenact subsection 1 of section 57-37-04 of the North Dakota Century Code, relating to the gross estates of decedents for estate 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, 37; nays, 4; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernet	Melland	Schultz
Butler	Jacobson	Morgan	Sorlie
Chesrown	Just	Mutch	Strinden
Christensen	Kautzmann	Nething	Stroup
Doherty	Larson, G.	Page	Swedlund
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg			

Those voting in the negative were:

Coughlin	Jones	Sanstead	Thane
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Absent and not voting:

Berube	Lowe	Pyle	Thoreson
Holand	Nasset	Redlin	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 2315. A Bill for an Act to repeal section 8 of chapter 397 of the 1967 Session Laws of North Dakota, prohibiting the funding of the council on the arts and humanities from 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, 28; nays, 14; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Freed	Larson, G.	Sanstead
Barth	Gronhovd	Lips	Sorlie
Chesrown	Hernet	Litten	Stroup
Christensen	Jacobson	Longmire	Swedlund
Coughlin	Jones	Nething	Unruh
Erdman	Just	Rait	Wenstrom
Forkner	Kautzmann	Roen	Wilhite

Those voting in the negative were:

Butler	Melland	Ringsak	Strinden
Doherty	Morgan	Robinson	Thane

Goldberg	Mutch	Schultz	Thoreson
Larson, L.	Page		

Absent and not voting:

Berube	Lowe	Pyle	Van Horn
Holand	Nasset	Redlin	

So the bill passed and the title was agreed to.

Senate Bill No. 2336. A Bill for an Act to amend and reenact section 12-46-05 of the North Dakota Century Code, relating to the oath requirement by the employees of the state industrial 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Ringsak	Thoreson
Erdman	Larson, L.	Robinson	Unruh
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Berube	Lowe	Pyle	Van Horn
Holand	Nasset	Redlin	

So the bill passed and the title was agreed to.

Senate Bill No. 2340. A Bill for an Act to amend and reenact section 54-44-04.1 of the North Dakota Century Code, authorizing the director of the department of accounts and purchases to withhold or deduct amounts from state employees' compensation for authorized contributions to nonprofit charitable 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, 2; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Sorlie
Butler	Hernett	Morgan	Strinden
Chesrown	Jacobson	Mutch	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite

Those voting in the negative were:

Jones	Schultz
-------	---------

Absent and not voting:

Berube	Lowe	Pyle	Van Horn
Holand	Nasset	Redlin	

So the bill passed and the title was agreed to.

Senate Bill No. 2341. A Bill for an Act to amend and reenact sections 16-05-01 and 16-05-04 of the North Dakota Century Code, re-

lating to the place of filing of certificates of nomination, and the duties of the county auditor regarding the certification of nominations.

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, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Ringsak	Thoreson
Erdman	Larson, L.	Robinson	Unruh
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Berube	Lowe	Pyle	Van Horn
Holand	Nasset	Redlin	

So the bill passed and the title was agreed to.

Senate Bill No. 2346. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land and improvements, and appropriating the sale proceeds to the state board of higher education for 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Ringsak	Thoreson
Erdman	Larson, L.	Robinson	Unruh
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Berube	Lowe	Pyle	Van Horn
Holand	Nasset	Redlin	

So the bill passed and the title was agreed to.

Senate Bill No. 2359. A Bill for an Act to amend and reenact section 40-22-37 of the North Dakota Century Code, relating to progress payments on public contracts, retainage, failure to pay and rate of interest.

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, 9.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Jacobson	Morgan	Sorlie

Butler	Jones	Mutch	Strinden
Christensen	Just	Nething	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Wenstrom
Goldberg	Litten	Sanstead	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Freed Thoreson

Absent and not voting:

Berube	Lowe	Pyle	Roen
Chesrown	Nasset	Redlin	Van Horn
Holand			

So the bill passed and the title was agreed to.

Senate Bill No. 2360. A Bill for an Act to amend and reenact section 48-02-07 and 48-02-08 of the North Dakota Century Code, relating to allowance and payment of estimates on public building construction, failure to certify and rate of interest.

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, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Butler	Just	Nething	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Those voting in the negative were:

Freed Strinden

Absent and not voting:

Chesrown Lowe

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE BILL

House Bill No. 1144. A Bill for an Act to amend and reenact sections 54-03-10, 54-03-20, 54-03-20.1, and 54-35-10 of the North Dakota Century Code, relating to compensation and mileage reimbursement for members and officers of the legislative assembly, 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, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Freed	Larson, L.	Roen
Barth	Goldberg	Longmire	Sanstead
Berube	Hernett	Melland	Schultz
Butler	Holand	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Rait	Swedlund

Coughlin	Kautzmann	Redlin	Unruh
Erdman	Larson, G.	Ringsak	Van Horn
Forkner			

Those voting in the negative were:

Doherty	Litten	Pyle	Thoreson
Gronhovd	Morgan	Robinson	Wenstrom
Jacobson	Mutch	Sorlie	Wilhite
Lips	Page	Thane	

Absent and not voting:

Lowe

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

Senator Forkner 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.

MOTION

Senator Ringsak moved that the Senate reconsider the action by which Senate Bill No. 2229 was laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2229. A Bill for an Act to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to scholarships awarded by 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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Butler	Just	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Christensen	Larson, G.	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Those voting in the negative were:

Doherty

Absent and not voting:

Goldberg Lowe

So the bill passed and the title was agreed to.

MOTIONS

Senator Butler moved that Senate Bill No. 2458 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Butler moved that Senate Bill No. 2458 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2233, 2239, 2240, 2241, 2259, 2271, 2288, 2313, 2317, 2319, 2326, 2327, 2330, 2355, and Senate Concurrent Resolutions Nos. 4016 and 4024, that the Senate recess until 1:15 p.m., January 29, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIRST DAY AFTER RECESS AND
TWENTY-SECOND DAY

Bismarck, January 29, 1971

The Senate convened at 1:15 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. 2223

Senate Bill No. 2355

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Barth 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. 2019 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

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

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2163 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. 2165 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 Transportation to whom was referred Senate Bill No. 2186 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2210 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 Appropriations to whom was referred Senate Bill No. 2217 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 5 after the word "fund" insert the following: "and declaring an emergency"

Add the following: "SECTION 7.) 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 or subdivisions as are designated to be made available immediately on passage and approval.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of adding the emergency clause is to allow funding prior to the forthcoming biennium.

SENATOR SORLIE, Chairman

Senator Melland 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. 2226 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 19 delete "forty" and insert in lieu thereof "thirty"

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2246 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 Political Subdivisions to whom was referred Senate Bill No. 2261 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2269 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 Senate Bill No. 2290 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 17 after the triple parentheses delete "fifteen" and insert in lieu thereof "twenty"

Page 1 line 18 after "dollars" delete the remainder of the line and insert in lieu thereof "**per month**"

Page 1 line 19 delete "actually attended by him"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2291 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2293 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2314 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 11 after "surviving" delete "widow" and insert in lieu thereof "**spouse**" and after the second word "as" insert "**he or**"

Page 1 line 12 after "unmarried" delete "and of good moral character"

Page 1 line 15 after "of" delete "**her deceased husband's**" and insert in lieu thereof "**the deceased spouse's**"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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:

Page 1 line 22 after "exceed" delete "fifteen" and insert in lieu thereof "**twenty**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2343 has had the same under consideration and recommends that the same do pass and be rereferred to the Committee on Appropriations.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed, and Senate Bill No. 2343 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2375 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. 2386 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2469 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2473 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4006 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR FORKNER, Chairman

Senator Forkner 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. 4017 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1096 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 5 of the engrossed bill insert triple parentheses before "It" and after the comma

Page 2 line 6 of the engrossed bill insert triple parentheses before "from" and after "to"

Page 2 line 7 of the engrossed bill delete "**May first,**" and insert in lieu thereof "**The highway commissioner shall designate the period of time to use**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1151 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.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2007, 2230, 2268, 2320, 2339 and 2345, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2007 as recommended by the Committee on Appropriations, and printed on pages 289 and 290 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2230 as recommended by the Committee on Judiciary as recommended by the Committee on Appropriations, and printed on page 290 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2268 as recommended by the Committee on State and Federal Government and printed on pages 290 and 291 of the Senate Journal, be adopted.

Senator Forkner moved that consideration of the amendments to Senate Bill No. 2268 be laid over one legislative day, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2320 as recommended by the Committee on Judiciary and printed on pages 291 and 292 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2339 as recommended by the Committee on Agriculture and printed on page 292 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2345 as recommended by the Committee on Agriculture and printed on pages 292 and 293 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1070. A Bill for an Act to create and enact sections 26-02-37, 26-02-38, 26-02-39, 26-02-40, and 26-02-41 of the North Dakota Century Code, and to amend and reenact sections 26-02-32, 26-02-33, 26-02-34, 26-02-35, and 26-02-36 of the North Dakota Century Code, relating to the cancellation and nonrenewal of automobile liability insurance policies, and the furnishing of reasons for cancellation and nonrenewal, providing a penalty, and providing an effective date.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1077. A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the North Dakota Century Code, relating to salary and expenses of county commissioners.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1147. A Bill for an Act to provide for a uniform standard code of construction, for methods of inspection of construction for mobile homes, and for remedies and penalties for violation of the construction code.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1170. A Bill for an Act to amend and reenact section 52-09-09 and subdivision (3) of subsection D of section 52-09-20 of the North Dakota Century Code, relating to contributions and primary insurance benefit under North Dakota old age and survivor insurance system.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1179. A Bill for an Act to amend and reenact section 36-04-01 of the North Dakota Century Code, relating to the definition of livestock and wool dealers.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1180. A Bill for an Act to amend and reenact section 36-04-07 of the North Dakota Century Code, relating to livestock, poultry and wool dealer's licensure, penalty fees and transferability of licenses.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1185. A Bill for an Act to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to personal property tax exemptions; subsection 3 of section 57-37-02 and subsection 2 of section 57-37-07 of the North Dakota Century Code, relating to the gross estate for estate tax purposes, adoption of internal revenue definition of powers of appointment for estate tax purposes and declaring an emergency; subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to penalties for sales tax purposes; section 57-39.2-23 of the North Dakota Century Code, relating to confidential information for sales tax purposes; section 57-46-01.1 of the North Dakota Century Code, relating to extension of time for filing income tax returns and payment of income tax by certain members of the armed forces and merchant marine; section 57-52-10 of the North Dakota Century Code, relating to special fuels tax returns; subsection 8 of section 57-54.1-03 of the North Dakota Century Code, relating to the definition of "Importer for use" for importers for use tax purposes and section 57-54.1-15 of the North Dakota Century Code, relating to refunds of importers for use tax.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1187. A Bill for an Act to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to permits for motor vehicles entering state parks, state recreational areas or certain reserves.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1191. A Bill for an Act to amend and reenact section 6-03-47 of the North Dakota Century Code, relating to the investment in loans and obligations secured by federal or state government.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1216. A Bill for an act to amend and reenact section 57-37-22 of the North Dakota Century Code, relating to estate tax reports, inventories, applications and supplements.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1222. A Bill for an Act to amend and reenact section 40-21-07 of the North Dakota Century Code, relating to the time for filing petition for nomination of elective official in cities.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1281. A Bill for an Act to amend and reenact section 57-50-11.1 of the North Dakota Century Code, relating to assignment of motor fuel tax by persons holding designated permits.

Which was read the first time and referred to the committee on Finance and Taxation.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

The Committee on Employment introduced:

Senate Concurrent Resolution No. 4025. A Concurrent Resolution providing and designating Senate and House employees and fixing their salaries.

Senator Robinson moved that the rules be suspended, that Senate Concurrent Resolution No. 4025 be not printed as a bill but printed in the journal, not referred to committee, but laid over one legislative day, which motion prevailed.

PAGE 1

SENATE CONCURRENT RESOLUTION No. 4025

Introduced by Committee on Employment

1 A concurrent resolution providing and designating Senate and
2 House employees and fixing their salaries.

3
4 **BE IT RESOLVED BY THE SENATE OF THE FORTY-**
4a **SECOND LEGISLATIVE**
5 **ASSEMBLY OF THE STATE OF NORTH DAKOTA, THE**
5a **HOUSE OF**
6 **REPRESENTATIVES CONCURRING THEREIN:**
7 **SECTION 1.)** That for and during the Forty-second
8 Legislative Assembly the following named persons are employed
9 and appointed as employees of the Senate and House and shall
10 be paid the per diem opposite their respective names in
11 accordance with the starting dates of their employment as
12 shown below, except as provided in sections 2, 3, and 4 of
13 this resolution:

SENATE	
14	
15	Leo Leidholm, secretary — January 4, 1971.....
	\$36.30
16	Dagny Olson, desk reporter — January 5, 1971.....
	36.30
17	Albert E. Bradley, sergeant at arms — January 4, 1971.....
	20.90
18	Arthur Herk, assistant secretary — January 5, 1971.....
	27.50
19	J. Vernon Ashiem, bill clerk — January 5, 1971.....
	24.20
20	Cora Essington, chief stenographer and payroll clerk —
21	January 5, 1971.....
	26.40
22	Lois J. Scherr, chief committee clerk — January 5, 1971....
	24.20
23	Gladys Derrick, appropriations committee clerk —
24	January 5, 1971.....
	23.10

PAGE 2

1	Marjorie Trangsrud, committee clerk — January 5, 1971....	\$22.00
2	Edna Sand, committee clerk — January 5, 1971.....	22.00
3	Donna Heisler, committee clerk — January 5, 1971.....	22.00
4	Caroline Sette, committee clerk — January 5, 1971.....	22.00
5	Marlene Backman, committee clerk — January 5, 1971.....	22.00
6	Roland Reich, calendar clerk — January 5, 1971.....	24.20
7	John DeWald, enrolling and engrossing clerk —	
8	January 5, 1971	20.90
9	Dormilee Diede, secretary to the president —	
10	January 4, 1971	23.10
11	Gladys Van Vleet, secretary to majority floor leader —	
12	January 5, 1971	23.10
13	Patricia Mitzel, secretary to minority floor leader —	
14	January 5, 1971	23.10
15	Richard H. Jagd, deputy sergeant-at-arms —	
16	January 5, 1971	17.60
17	Nick Frank, assistant sergeant-at-arms — January 5, 1971	16.50
18	Ralph Scott, assistant sergeant-at-arms — January 5, 1971	16.50
19	Emil Albrecht, assistant sergeant-at-arms —	
20	January 5, 1971	16.50
21	Arthur Solberg, assistant sergeant-at-arms —	
22	January 5, 1971	16.50

23	Evelyn Sholts, bill room clerk — January 5, 1971.....	16.50
24	Patricia Ann Nelson, bill room clerk — January 5, 1971....	16.50
25	Janine Haug, stenographer — January 5, 1971.....	22.00
26	Lorraine Moos, stenographer — January 5, 1971.....	22.00
27	JoAnn Owens, stenographer — January 5, 1971.....	22.00
28	Mary Alice Landgren, stenographer — January 5, 1971.....	22.00
29	Joanne Hetland, typist — January 5, 1971.....	19.80
30	Gertrude Berge, typist — January 5, 1971.....	19.80
31	MacDonald Omafray, assistant enrolling and engrossing	
32	clerk — January 5; 1971.....	20.90
33	Clara Clendenen, page — January 5, 1971.....	16.50
34	Linda Kay Parkin, page — January 5, 1971.....	16.50
35	Janice K. Tischmak, page — January 5, 1971.....	16.50

PAGE 3

1	Wayne Stenehjelm, Daline Meidinger, Patricia Ann McMahon,	
2	Alan Charles Walker, pages each to receive equal portions	
3	of — January 5, 1971.....	\$16.50
4	Marguerite Stenehjelm, chief telephone attendant —	
5	January 5, 1971.....	16.50
6	Wanda Froelich, bill book clerk — January 5, 1971.....	16.50
7	Jerry Nagel, bill book clerk — January 5, 1971.....	16.50
8	Violetta LaGrave, bill book clerk — January 5, 1971.....	16.50
9	John A. Gilje, bill book clerk — January 5, 1971.....	16.50
10	Phyllis Connolly, information desk attendant —	
11	January 5, 1971.....	16.50
12	Hazel Ludemann, journal room clerk — January 5, 1971....	16.50
13	John Spitzer, journal room clerk — January 5, 1971.....	16.50
14	Harold Kiesz, journal room clerk-typist—January 5, 1971	16.50
15	Pius Reis, parking lot attendant — January 5, 1971.....	19.80
16	Larry Borlaug, journal proofreader — January 5, 1971.....	20.90
17	Elma Schauer, journal proofreader — January 5, 1971.....	20.90

HOUSE

19	Roy Gilbreath, chief clerk — January 4, 1971.....	36.30
20	Barbara King, desk reporter — January 4, 1971.....	36.30
21	Cecil Crandell, sergeant-at-arms — January 4, 1971.....	20.90
22	E. A. Tough, assistant chief clerk — January 5, 1971.....	27.50
23	Delano Wawers, bill clerk — January 4, 1971.....	24.20
24	Florence Nemer, chief stenographer and payroll clerk —	
25	January 5, 1971.....	26.40
26	Lela Knudsen, chief committee clerk — January 5, 1971....	24.20
27	James Bond, calendar clerk — January 4, 1971.....	24.20
28	Vonnie Wold, enrolling and engrossing clerk —	
29	January 5, 1971.....	20.90
30	Clara Wendt, chief page — January 5, 1971.....	19.80
31	Dorothy Litchfield, secretary to speaker—January 5, 1971	23.10
32	Mavis Patchen, secretary to majority floor leader —	
33	January 5, 1971.....	23.10
34	Elsie Zimmerman, secretary to minority floor leader —	
35	January 5, 1971.....	23.10
36	Olger Sandven, deputy sergeant-at-arms—January 5, 1971	17.60

PAGE 4

1	Harry Iszler, assistant sergeant-at-arms —	
1a	January 5, 1971.....	\$16.50
2	J. J. Cummins, assistant sergeant-at-arms —	
3	January 5, 1971.....	16.50
4	Art Buchwitz, assistant sergeant-at-arms —	
4a	January 5, 1971.....	16.50
5	Henry Benson, assistant sergeant-at-arms —	
5a	January 5, 1971.....	16.50
6	Enola Eck, bill room clerk — January 6, 1971.....	16.50
7	Pearl Andre, bill room clerk — January 5, 1971.....	16.50
8	ElaNor Weber, stenographer — January 5, 1971.....	22.00
9	Eva Braaten, stenographer — January 11, 1971.....	22.00

10	Andrea Perry, stenographer — January 5, 1971.....	22.00
11	Judy Hoffman, stenographer — January 5, 1971.....	22.00
12	Amelia Lorenz, stenographer — January 11, 1971.....	22.00
13	Maude Grambs, typist — January 5, 1971.....	19.80
14	Marjorie Cleveland, typist — January 4, 1971.....	19.80
15	Gail Mary Hornstein, typist — January 12, 1971.....	19.80
16	Laurel Renner, appropriations committee clerk — January 5, 1971	23.10
18	Louise Ebert, committee clerk — January 5, 1971.....	22.00
19	LuGale Backlin, committee clerk — January 5, 1971.....	22.00
20	Helen Soma, committee clerk — January 5, 1971.....	22.00
21	Alice Zako, committee clerk — January 5, 1971.....	22.00
22	Bernice Herner, assistant enrolling and engrossing clerk — January 5, 1971	20.90
23	Deborah Ann Dietz, page — January 5, 1971.....	16.50
25	Janet Gilbert, page — January 5, 1971.....	16.50
26	Karen Thompson, page — January 4, 1971.....	16.50
27	Janet Lange, page — January 5, 1971.....	16.50
28	Valorie Christianson, page — January 5, 1971.....	16.50
29	Colleen Key, page — January 5, 1971.....	16.50
30	David Engel, page — January 5, 1971.....	16.50
31	Iola Langord, telephone attendant — January 5, 1971.....	16.50
32	Esther Davis, bill book clerk — January 5, 1971.....	16.50
33	Percy Ottman, bill book clerk — January 4, 1971.....	16.50
34	Helen Pennell, bill book clerk — January 5, 1971.....	16.50
35	Alvira Froelich, bill book clerk — January 22, 1971.....	16.50

PAGE 5

1	Nick Chernos, bill book clerk — January 7, 1971.....	\$16.50
2	Eunice Anderson, information desk attendant — January 11, 1971	16.50
4	Alvin Manning, journal room clerk — January 5, 1971.....	16.50
5	Mike Burgad, journal room clerk — January 6, 1971.....	16.50
6	Olaf Grundstad, journal room clerk — January 6, 1971.....	16.50
7	Ferd Hetterle, parking lot attendant — January 5, 1971....	19.80
8	Fred Krause, chief in charge of journal room and bill room clerks — January 4, 1971	17.60
10	Gertrude Learn, journal proofreader — January 5, 1971....	20.90
11	Ruth Boyer, journal proofreader — January 5, 1971.....	20.90
12	Jennie Bommersbach, telephone attendant — January 5, 1971	16.50

13 SECTION 2.) That the following employees shall be paid
14 additional compensation for services performed for the Legisla-
15 tive Organizational Session, for the days of employment set
16 forth following their names and at the rate of pay indicated for
17 such position in section 1 of this resolution:

SENATE

19 Albert E. Bradley, sergeant-at-arms —
20 December 8, 9, 10, and 11, 1970.
21 Dormilee Diede, secretary to the president —
22 December 7, 8, 9, 10, and 11, 1970.

HOUSE

24 Delano Wawers, bill clerk — December 10, 1970.
25 Clara Wendt, chief page — December 9, 10, and 11, 1970.

26 SECTION 3.) That for and during the Forty-second Legisla-
27 tive Assembly, Donald DeMers, F. Gene Gruber, Gregory Simon-
27a son,
28 Charles W. Stroup, Larry D. Thompson, and Steven L. Wood are
29 employed at a rate of \$600.00 per month or a portion thereof
30 based upon the portion of any month they are employed, in the
31 position of Legislative Intern; and Harlan Fuglesten and
32 Michael J. Maus are employed at a rate of \$500.00 per month or
33 a portion thereof based upon the portion of any month they are
34 employed, in the position of Bill Status Reporters; and are
35 hereby assigned for supervision purposes to the Legislative

PAGE 6

1	Council.	
2	SECTION 4.) That for and during the Forty-second Legisla-	
3	tive Assembly the following persons are employed for the	
4	performance of janitorial, engineering, and electrical repair	
5	services at rates of pay set opposite their names, such	
6	employment being effective January 5, 1971:	
7	Fred Bosch, Jr.....	\$15.40
8	John J. Dorrheim, janitor.....	15.40
9	Alf E. Johnson, janitor.....	15.40
10	Edwin Keller, engineer.....	15.40
11	Matt Roehrich, janitor.....	15.40
12	John Sprynczynatyk, janitor.....	15.40
13	Jacob Ell, janitor.....	15.40
14	Leland Page, janitor.....	15.40
15	SECTION 5.) In the event any employee shall resign, be	
16	discharged, or for other reasons terminate his employment, the	
17	compensation provided for in this resolution shall cease,	
18	effective the last day of such employment.	

Senator Litten moved that the absent Senators be excused which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SECOND DAY

Bismarck, January 29, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John Miller, Baptist Temple, Mandan.

"Our Father, we call upon You in prayer today because we recognize You as Creator and Sustainer of our lives. We praise You for Your love shown to us through Your Son, Jesus. We give thanks for Your patience to us shown in the lack of Judgment.

"Today, Lord, we ask for the presence of Thy Holy Spirit to guide us in conducting this business. Help each senator to realize their ultimate accountability to You for every decision. We would ask to know Thy complete will with every decision.

"We ask Thy blessing upon these senators and also upon their families. May Your peace abide with each of us this day. Amen."

Roll call: All Senators present except Senators Holand, G. Larson and Lowe.

A quorum was declared by the President.

REVISION AND CORRECTION

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 292, line 10, delete the word "and" and insert in lieu thereof the word "any"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2223. A Bill for an Act to create and enact section 31-01-07.1 of the North Dakota Century Code relating to the release of medical records on patient approval.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 280 of the Senate Journal, the roll was called and there were ayes, 28; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Nething	Sanstead
Barth	Hernett	Page	Schultz
Berube	Just	Pyle	Stroup
Chesrown	Kautzmann	Rait	Swedlund
Christensen	Larson, L.	Redlin	Thoreson
Erdman	Longmire	Ringsak	Unruh
Freed	Nasset	Roen	Van Horn

Those voting in the negative were:

Butler	Jacobson	Morgan	Strinden
Coughlin	Jones	Mutch	Thane
Doherty	Lips	Robinson	Wenstrom
Forkner	Litten	Sorlie	Wilhite
Goldberg	Melland		

Absent and not voting:

Holand	Larson, G.	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2239. A Bill for an Act to create and enact section 2-05-15.1 of the North Dakota Century Code, relating to bonding requirements of certain air transportation entities.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nething	Stroup
Butler	Jones	Page	Swedlund
Chesrown	Just	Pyle	Thane
Christensen	Kautzmann	Rait	Thoreson
Coughlin	Larson, L.	Redlin	Unruh
Doherty	Litten	Ringsak	Van Horn
Erdman	Longmire	Robinson	Wenstrom
Forkner	Melland	Sanstead	Wilhite
Freed			

Those voting in the negative were:

Goldberg	Mutch	Roen	Strinden
Lips			

Absent and not voting:

Holand	Larson, G.	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2240. A Bill for an Act to amend and reenact section 11-15-08 of the North Dakota Century Code, relating to sheriff's 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nething	Strinden

Butler	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Holand Larson, G. Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2241. A Bill for an Act to amend and reenact subsection 21 of section 11-15-07 of the North Dakota Century Code, relating to sheriffs' 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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Butler	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Holand Larson, G. Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2259. A Bill for an Act to amend and reenact sections 40-46-02 and 40-46-26 of the North Dakota Century Code, relating to tax levies for city employees' pension funds and to pay city's share of federal social security plans for 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, 38; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thoreson
Coughlin	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Wenstrom
Forkner	Litten	Robinson	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Doherty	Mutch	Schultz	Thane
Freed	Page	Strinden	
Absent and not voting:			
Holand	Larson, G.	Lowe	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 2271. A Bill for an Act to amend and reenact section 40-45-06 of the North Dakota Century Code, relating to the investment of surplus funds of the policemen's pension 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Goldberg			

Absent and not voting:

Holand	Larson, G.	Lowe	Van Horn
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So the bill passed and the title was agreed to.

Senate Bill No. 2288. A Bill for an Act to provide that every county shall have at least one deputy sheriff or office deputy sheriff.

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, 14; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Jacobson	Nothing	Schultz
Berube	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Erdman	Longmire	Redlin	Thoreson
Goldberg	Melland	Ringsak	Unruh
Gronhovd	Morgan	Roen	Van Horn
Hernett	Nasset	Sanstead	Wenstrom

Those voting in the negative were:

Anderson	Forkner	Litten	Sorlie
Butler	Freed	Mutch	Strinden
Coughlin	Larson, L.	Robinson	Wilhite
Doherty	Lips		

Absent and not voting:

Holand	Larson, G.	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2313. A Bill for an Act to amend and reenact section 40-20-05 of the North Dakota Century Code, relating to the powers of a chief of police.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Butler	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Holand	Larson, G.	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2317. 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.

Senator Melland moved that Senate Bill No. 2317 be laid over two legislative days, which motion prevailed.

Senate Bill No. 2319. A Bill for an Act to transfer certain moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of this 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, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Sanstead
Barth	Gronhovd	Mutch	Schultz
Berube	Hernett	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Sorlie
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite

Absent and not voting:

Holand	Larson, G.	Lowe	Van Horn
Just			

So the bill passed and the title was agreed to.

Senate Bill No. 2326. A Bill for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code relating to 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Sanstead
Barth	Gronhovd	Mutch	Schultz
Berube	Hernett	Nasset	Sorlie
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup

Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite

Absent and not voting:

Holand	Larson, G.	Lowe	Van Horn
Just			

So the bill passed and the title was agreed to.

Senate Bill No. 2327. A Bill for an Act to amend and reenact section 39-04-16 of the North Dakota Century Code, relating to penalties for late registration of 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Sanstead
Barth	Gronhovd	Mutch	Schultz
Berube	Hernett	Nasset	Sorlie
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite

Absent and not voting:

Holand	Larson, G.	Lowe	Van Horn
Just			

So the bill passed and the title was agreed to.

Senate Bill No. 2330. A Bill for an Act to amend and reenact section 39-04A-05 of the North Dakota Century Code, relating to delinquent 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Goldberg	Mutch	Schultz
Barth	Gronhovd	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Butler	Jones	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Christensen	Larson, L.	Rait	Thane
Coughlin	Lips	Redlin	Thoreson
Doherty	Litten	Ringsak	Unruh
Erdman	Longmire	Robinson	Wenstrom
Forkner	Melland	Roen	Wilhite
Freed	Morgan	Sanstead	

Absent and not voting:

Hernett	Just	Lowe	Van Horn
Holand	Larson, G.		

So the bill passed and the title was agreed to.

Senate Bill No. 2355. A Bill for an Act to amend and reenact section 28-32-08 of the North Dakota Century Code, relating to specifications of any issues to be furnished by agency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 282 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nething	Strinden
Butler	Jones	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Christensen	Larson, L.	Rait	Thane
Coughlin	Lips	Redlin	Thoreson
Doherty	Litten	Ringsak	Unruh
Erdman	Longmire	Robinson	Van Horn
Forkner	Melland	Roen	Wenstrom
Freed	Morgan	Sanstead	Wilhite
Goldberg			

Absent and not voting:

Holand	Just	Larson, G.	Low
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So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4016. A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the debt limits of political subdivisions.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 32; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nething	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Erdman	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Those voting in the negative were:

Butler	Gronhovd	Page	Schultz
Coughlin	Larson, L.	Robinson	Thoreson
Doherty	Morgan	Roen	Van Horn
Forkner	Mutch		

Absent and not voting:

Holand	Larson, G.	Low
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So the resolution was declared lost for lack of a two-thirds majority.

Senate Concurrent Resolution No. 4024. A Concurrent Resolution directing the Legislative Council to arrange for one or more meetings of members of the Legislative Assembly, and representatives of appropriate state departments with members of the United States Congress from this State and representatives of appropriate federal executive departments.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4024 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 29, 1971

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 2029
Senate Bill No. 2031
Senate Bill No. 2196
Senate Bill No. 2205
Senate Bill No. 2228
Senate Bill No. 2229
Senate Bill No. 2231
Senate Bill No. 2260
Senate Bill No. 2315
Senate Bill No. 2336
Senate Bill No. 2340
Senate Bill No. 2341
Senate Bill No. 2346
Senate Bill No. 2359
Senate Bill No. 2360
Senate Concurrent Resolution 4021

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 29, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1144
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 29, 1971

Mr. President: I have the honor to return:
Senate Bill No. 2044
Senate Bill No. 2068
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 29, 1971

Mr. President: I have the honor to return:
Senate Bill No. 2147
Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 29, 1971

Mr. President: I have the honor to transmit:
House Bill No. 1005
House Bill No. 1007
House Bill No. 1010
House Bill No. 1019
House Bill No. 1031

House Bill No. 1033
House Bill No. 1034
House Bill No. 1042
House Bill No. 1055
House Bill No. 1188
House Bill No. 1207
House Bill No. 1209
House Bill No. 1264
House Bill No. 1304
House Bill No. 1305
House Bill No. 1307
House Bill No. 1348

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of Senate Bills Nos. 2007, 2019, 2030, 2230, 2261, 2269, 2291, 2293, 2320, 2339, 2345, 2375, 2386, Senate Concurrent Resolutions Nos. 4006, 4017, and House Bill No. 1151, that the Senate recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SECOND DAY AFTER RECESS.
TWENTY-THIRD DAY AND TWENTY-FOURTH DAY

Bismarck, February 1, 1971

The Senate convened at the call of the Chair, 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. 2007

Senate Bill No. 2230

Senate Bill No. 2320

Senate Bill No. 2339

Senate Bill No. 2345

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

RULING OF THE CHAIR RELATIVE TO
SENATE CONCURRENT RESOLUTION No. 4016

Lt. Governor: "The Chair announces that its ruling on final passage of Senate Concurrent Resolution No. 4016 is rescinded. The best information the chair had at that time was it required a two-thirds constitutional majority to pass. Since that time it has been pointed out that Article XV, Section 202, states differently, so as a consequence the Chair rules that Senate Concurrent Resolution No. 4016 is passed and its title is agreed to."

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to 2217, 2226, 2290, 2314, 2335, and House Bill No. 1096, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2217 as recommended by the Committee on Appropriations, and printed on page 308 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2226 as recommended by the Committee on Appropriations, and printed on page 308 of the Senate Journal, be adopted, which motion prevailed.

The question being on the motion of Senator Longmire that the amendments to Senate Bill No. 2268 be adopted, which was laid over one day, which motion prevailed.

Senator Redlin moved that Senate Bills Nos. 2290, 2314 and 2335 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1096 as recommended by the Committee of Transportation and printed on page 310 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senator Litten introduced:

Senate Concurrent Resolution No. 4026. A Concurrent Resolution extending sympathy and condolences to Mrs. Kay Burgum upon the death of her husband, Joseph.

Was read the first time.

Senator Litten moved that the rules be suspended, that Senate Concurrent Resolution No. 4026 be not printed as a bill, but printed in the journal, not referred to committee, but placed on second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4026

Introduced by Senator Litten

1 A concurrent resolution extending sympathy and condolences
2 to Mrs. Kay Burgum upon the death of her husband, Joseph.

3

4 WHEREAS, God in His infinite wisdom has seen fit to
5 summon from our midst Joseph B. Burgum of Arthur, North
6 Dakota; and

7 WHEREAS, Mr. Burgum for many years played a vital role
8 in the keystone of North Dakota's economy, agriculture, as
9 a grain dealer; and

10 WHEREAS, his concern for his profession and his com-
11 munity was mirrored in his many civic activities and service
12 in state and national organizations;

13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE

13a OF THE

14 STATE OF NORTH DAKOTA, THE HOUSE OF REPRE-

14a SENTATIVES CON-

15 CURRING THEREIN:

16 That the Forty-second Legislative Assembly expresses its
17 deepest sorrow and extends its sincere sympathies to Mrs.
18 Kay Burgum and to all members of the Burgum family; and

19 BE IT FURTHER RESOLVED, that a copy of this resolution
20 be personally delivered to Mrs. Burgum and that members of
21 the Forty-second Legislative Assembly attend the funeral of
22 Mr. Burgum in recognition of the Assembly's concern and
23 respect.

SECOND READING OF A
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4026. A Concurrent Resolution extending sympathy and condolences to Mrs. Kay Burgum upon the death of her husband, Joseph.

Which has been read.

Senator Litten moved that Senate Concurrent Resolution No. 4026 be adopted, which motion prevailed.

MOTION

Senator Wilhite moved that a committee from the Senate attend the funeral of Joseph B. Burgum of Arthur, North Dakota, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 1, 1971

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution No. 4026

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends that the name of John Spitzer, Journal Room Clerk, be deleted as of January 31, 1971.

SENATOR ROBINSON, Chairman

Senator Robinson 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. 2011 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 delete the figure "3,090,320.00" and insert in lieu thereof the figure "3,063,120.00"

On page 1, line 19 delete the figure "86,000.00" and insert in lieu thereof the figure "69,000.00"

On page 1, line 20 delete the figure "497,200.00" and insert in lieu thereof the figure "487,000.00"

On page 1, line 22 delete the figure "3,090,320.00" and insert in lieu thereof the figure "3,063,120.00"

On page 1, line 24 delete the figure "2,907,120.00" and insert in lieu thereof the figure "2,879,920.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to allow a reduction in projected communication costs, a reduction in projected costs for professional fees, and a general deduction in supplies and materials.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

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 11 delete the figure "1,620,510.00" and insert in lieu thereof the figure "1,586,510.00"

On page 1, line 16 delete the figure "249,976.00" and insert in lieu thereof the figure "209,976.00"

On page 1, line 20 after the word "hall" insert the following: "and rewiring devine hall"

On page 1, line 20 delete the figure "8,000.00" and in sert in lieu thereof the figure "14,000.00"

On page 1, line 21 delete the figure "1,620,510.00" and insert in lieu thereof the figure "1,586,510.00"

On page 1, line 23 delete the figure "1,333,000.00" and insert in lieu thereof the figure "1,299,000.00"

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 allow operation of the halfway house out of federal funds and to allow rewiring of devine hall.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2036 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2048 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2054 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 3 after "property" insert "**other than land,**"

Page 2 line 4 after "operator" insert "**but which is necessary**"

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 Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2055 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2072 has had the same under consideration and recommends that the same be amended as follows:

Page 5 line 35 of the engrossed bill delete "**section**" and insert in lieu thereof "**subsection**"

Page 6 at the end of line 9 of the engrossed bill before the period insert "**, in his presence**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2181 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2215 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 5 after the period delete the remainder of the line

Page 2 delete all of lines 6 through 8

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2225 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 be placed on the calendar without recommendation.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2254 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2255 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. 2270 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2280 has had the same under consideration and recommends that the same be placed on the calendar without recommendation

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2294 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. 2296 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. 2297 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. 2299 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2309 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. 2334 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2348 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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. 2350 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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:

Page 2 line 5 after the word "person" insert "**who is a resident of another state**"

Page 2 line 6 delete the triple parentheses before and after "ten" delete "**five hundred**", after "less" insert "**or to any person who is a resident of Canada if the sales price is five hundred dollars or less**"

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. 2368 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2387 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2390 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2392 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2395 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2401 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 after the word "deaf" delete the words "and dumb"

Page 1 line 8 after the word "DEAF" delete the words "AND DUMB"

Page 1 line 11 after the word "deaf" delete the words "and dumb"

Page 2 line 13 after the word "deaf" delete the words "and dumb"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2406 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2440 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2487 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 20 delete the triple parentheses before "in"

Page 1 line 21 after "exceed" insert triple parentheses before and after "five" and insert in lieu thereof "ten" and after "capital" delete the triple parentheses and insert "and surplus"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1068 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 after "assembly" delete the triple parentheses before and after "or"

Page 1 line 16 after the second comma delete the remainder of the line

Page 1 line 17 delete "council,"

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.

MOTION

Senator Sorlie moved that Senate Bill No. 2381 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that Senate Bill No. 2381 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Litten moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-THIRD DAY

Bismarck, February 1, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain A. B. Meyer, Bismarck Reformed.

"Eternal Father of our souls, grant to the Members and the officers of this body a sacred moment of quiet before they take up the duties of the day — from these moments of heart searching may there come such a sweetness of disposition that all may know that Thou are in this place. Save this moment, O Lord, from being merely a gesture to custom or convention, and make it a real experience for each one of us. Slow us down, O Lord, that we may take time to think, time to pray, and time to find out Thy will. Then give us the sense and courage to do it, for the good of our country and state, and the glory of Thy name.

"Let us not be frightened by the problems that confront us, but rather give Thee thanks that Thou hast matched us in this hour. May we resolve, God helping us, to be part of the answer, and not part of the problem. We pray for some evidence in what is done here that Thou has been given a vote, and that men have yielded to Thee. O Lord, let us never be afraid of a new idea or unreceptive to a new thought, lest we pull down the shades of our minds and exclude Thy holy light. When we have the truth, let us use it as a lamp to lighten dark places, in order that we may see where we are going. Let us not mistake humility for an inferiority complex, but help us to understand that with the proud and the self-sufficient Thou canst do nothing until Thou hast brought them to their knees. Hear us as we pray for this blundering world, in which nations never seem to learn to live as brothers. Lord, come into our hearts and make us sensitive to the sufferings of other people. O Lord, our God, have pity on us who have so little pity in our hearts. In the Master's Name we pray, Amen."

Roll call: All Senators present except Senators Lowe and Roen.

A quorum was declared by the President.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 1, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2039

Senate Concurrent Resolution No. 4010

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 1, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1026
House Bill No. 1133
House Bill No. 1158
House Bill No. 1208
House Bill No. 1211
House Bill No. 1236
House Bill No. 1257
House Bill No. 1283
House Bill No. 1302
House Bill No. 1312
House Bill No. 1316
House Bill No. 1347
House Bill No. 1484

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

FIRST READING OF HOUSE BILLS

House Bill No. 1005. A Bill for an Act making an appropriation to the North Dakota park service for administration, operation, maintenance and development of state parks.

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 to the unemployment compensation division for the purpose of administering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1010. A Bill for an Act making an appropriation for the maintenance and operation of the North Dakota soldiers' home at Lisbon.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1019. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the services of the state-wide communications fund in the office of the director of institutions.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1033. A Bill for an Act making an appropriation for salaries and expenses of the constitutional convention and declaring an emergency.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1034. A Bill for an Act making an appropriation for paying the salaries and other expenses of the state potato council.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1042. A Bill for an Act to create and enact 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 or other revenue producing campus improvements.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1055. A Bill for an Act to amend and reenact section 15-11-26 of the North Dakota Century Code, relating to the exemption from the property tax of the alumni building at the University of North Dakota.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1188. A Bill for an Act to create and enact section 51-07-14 of the North Dakota Century Code, to allow wholesalers and manufacturers to charge a one and one-half percent service charge per month on all accounts which are overdue.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1207. A Bill for an Act to provide a method for the Bank of North Dakota to invest in certain government agency stocks.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1209. A Bill for an Act to amend and reenact section 16-11-07 of the North Dakota Century Code, to provide for placement of an explanatory statement on the ballot for constitutional amendments and initiated and referred measures explaining the effect of both negative and affirmative votes on a particular measure.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1264. A Bill for an Act to amend and reenact section 24-02-39 of the North Dakota Century Code, relating to a limitation on building cost incurred by the state highway department.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1304. A Bill for an Act to amend and reenact section 12-51-04 of the North Dakota Century Code, relating to housing and feeding of inmates at the state farm.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1307. A Bill for an Act to create and enact subdivision c of subsection 5 of section 19-02.1-10 of the North Dakota Century Code relating to the misbranding of foods.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1348. A Bill for an Act to amend and reenact sections 27-06-09 and 27-08-19 of the North Dakota Century Code, relating to the salaries of bailiffs of the district courts and county courts of increased jurisdiction.

Which was read the first time and referred to the committee on Judiciary.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FOURTH DAY

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Verle Reinicke, Faith Lutheran, Bismarck.

"God, Creator of all things,

"May You Who made this vast and mysterious land which we call North Dakota and Who have called us to live here, be with these servants of the people and guide them in their tasks. May they serve creatively both with fervor and discretion. We ask further that You who have called us into celebrating the mystery of creation may also cause these here assembled to be caught up into the vital mystery of serving their fellows. Amen."

Roll call: All Senators present except Senators Lowe and Roen.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-first day after recess and twenty-second day and recommends that the same be corrected as follows:

Page 311, line 4, delete the figure "2027" and insert in lieu thereof the figure "2007".

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 1, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2223

Senate Bill No. 2239

Senate Bill No. 2240

Senate Bill No. 2241

Senate Bill No. 2259

Senate Bill No. 2271

Senate Bill No. 2288

Senate Bill No. 2313

Senate Bill No. 2319

Senate Bill No. 2326

Senate Bill No. 2327

Senate Bill No. 2330

Senate Bill No. 2355

Senate Concurrent Resolution No. 4016

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 1, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1004

House Bill No. 1025

House Bill No. 1032

House Bill No. 1154

House Bill No. 1182

House Bill No. 1189

House Bill No. 1213

House Bill No. 1221

House Bill No. 1230
 House Bill No. 1241
 House Bill No. 1259
 House Bill No. 1261
 House Bill No. 1265
 House Bill No. 1269
 House Bill No. 1300
 House Bill No. 1326
 House Bill No. 1366
 House Concurrent Resolution No. 3002

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2007. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages, 289 and 290 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2019. A Bill for an Act making an appropriation to the state board of public school education for the administration and supervision of grants for vocational agriculture, vocational home economics, office and distributive education, trade and industrial education, manpower development and training, rural area redevelopment, work study, local directors, state advisory council for vocational education, special needs programs, disadvantaged persons program, handicapped persons program, cooperative education, exemplary, research and educational professional 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden

Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:
Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2030. A Bill for an Act making an appropriation to the state outdoor recreation agency for funding the planning, acquisition and development of outdoor recreation agencies and activities. 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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:
Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2230. A Bill for an Act to create and enact Chapter 29-10.1 of the North Dakota Century Code, relating to the Grand Jury, its termination, powers, duties, functions, and activities; providing for criminal contempt of court; and to repeal Chapter 29-10, Sections 29-09-08, 29-09-09, 29-09-10, 29-09-11, Subdivisions c, d, and g of Subsection 2 of Section 29-14-04 of the North Dakota Century Code.

Which has been read.

Senator Freed moved that Senate Bill No. 2230 be amended as follows:

Page 4, line 19 of the engrossed bill, delete the word "of" and insert in lieu thereof the word "or"

Page 5, line 17, delete the word "or"

Page 5, line 18, delete the word "recorder"

Which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2230 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 290 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2261. A Bill for an Act to create and enact Chapter 40-35.1 of the North Dakota Century Code, authorizing the issuance of Reserve Revenue Bonds, and prescribing procedures with respect thereto and the security for payment 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, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, G.	Rait	Unruh
Doherty	Larson, L.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Jones Mutch Strinden Thane

Absent and not voting:

Forkner Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2269. A Bill for an Act to amend and reenact section 38-08-09.7 of the North Dakota Century Code, relating to the liability for expenses in unitized oil and gas fields.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn

Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:
 Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2291. A Bill for an Act to amend and reenact section 57-02-34 of the North Dakota Century Code to change the time for the assessor to make the assessment.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:
 Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2293. A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of 40-51.2-07 and section 40-51.2-16 of the North Dakota Century Code, relating to effective date of an annexation.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:
 Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2317. 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.

Senator Melland moved for a Call of the Senate, which motion prevailed, and a Call of the Senate was had.

The President announced that the Senate would be at ease subject to call of the Chair.

The Senate convened at the call of the Chair, the President presiding.

The Sergeant-at-Arms reported that he had called the airport and found that Senator Forkner and General Milhouse were expected to leave at three-thirty, and that he was awaiting a call from Senator Forkner.

Senator Melland moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Melland moved that Senate Bill No. 2317 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2320. A Bill for an Act to provide a method of random selection of jurors, prescribing the qualifications, duties and compensation of jurors, and constituting the Uniform Jury Selection and Service Act; and to repeal chapter 27-09 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 291 and 292 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Forkner	Lowe	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2339. A Bill for an Act to amend and reenact section 60-02-11 of the North Dakota Century Code, relating to contents of scale tickets.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 292 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn

Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:
Forkner Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2345. A Bill for an Act to amend and reenact section 60-03-02 of the North Dakota Century Code, providing for a fee for a grain or hay buyer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 292 and 293 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Unruh

Absent and not voting:

Forkner Lowe Roen

So the bill passed and the title was agreed to.

Senate Bill No. 2375. A Bill for an Act to create and enact a nurseries and nursery stock chapter of the North Dakota Century Code, to repeal chapter 4-20 of the North Dakota Century Code, relating to nurseries and nursery stock, and providing a penalty

Which has been read.

Senator Morgan moved that Senate Bill No. 2375 be amended as follows:

Page 1 line 15 delete "employee of the department" and insert in lieu thereof "designated representative"

Page 2 line 30 after "commissioner" insert "shall appoint a state entomologist and"

Page 2 line 32 after "department" insert "or designated representative"

Page 2 line 33 after "chapter" delete "to any employee"

Page 2 line 34 delete "thereof"

Page 4 line 2 delete the word "work" and insert in lieu thereof "be engaged"

Page 4 line 9 delete the word "work" and insert in lieu thereof "be engaged"

Page 4 line 18 delete the word "work" and insert in lieu thereof "be engaged"

Page 6 after line 9 insert the following new section: "SECTION 17. DEPOSIT OF FUNDS.) The commissioner shall receive and account for all moneys collected under the provisions of this chapter and shall pay the same to the state treasurer monthly."

Renumber pages, lines and sections accordingly.

Which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 2375 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Forkner	Lowe	Nothing	Roen
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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 57-15-06.3 of the North Dakota Century Code relating to farm to market roads.

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, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wilhite

Absent and not voting:

Forkner	Nasset	Roen	Wenstrom
Lowe			

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4006. A concurrent resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

Senator Ringsak moved that Senate Concurrent Resolution No. 4006 be laid over one legislative day, which motion prevailed.

Senate Concurrent Resolution No. 4017. A Concurrent Resolution directing an interim study by the Legislative Council of the services provided by the State and its political subdivisions to Indian citizens in the areas of health, education, welfare, and other programs to determine the extent of such services, and the efficiency of the manner in which they are provided.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution No. 4017 be re-referred to the Committee on Legislative Council Resolutions, which motion prevailed.

Senate Concurrent Resolution No. 4024. A Concurrent Resolution directing the Legislative Council to arrange for one or more meetings of members of the Legislative Assembly, and representatives of appropriate state departments with members of the United States Congress from this State and representatives of appropriate federal executive departments.

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, 6; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Those voting in the negative were:

Butler	Mutch	Thane	Van Horn
Jacobson	Redlin		

Absent and not voting:

Forkner	Low	Roen
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So the resolution was declared adopted.

Senate Concurrent Resolution No. 4025. A Concurrent Resolution providing and designating Senate and House employees and fixing their salaries.

Which has been read.

Senator Sorlie moved that Senate Concurrent Resolution No. 4025 be amended as follows:

On page 1, line 24, delete the figure "5" and insert in lieu thereof the figure "4".

Which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Concurrent Resolution No. 4025 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the resolution, as amended from the floor, the roll was called and there were ays, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Forkner Lowe Nething Roen

So the resolution was declared adopted.

SECOND READING OF A HOUSE BILL

House Bill No. 1151. A Bill for an Act to amend and reenact section 20-01-07 of the North Dakota Century Code, relating to prohibiting the operators of aircraft or motor vehicles from killing, chasing or harassing any wild game, 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, 36; nays, 9; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Schultz
Barth	Jones	Nasset	Strinden
Berube	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Gronhovd	Litten	Ringsak	Unruh
Hernett	Longmire	Robinson	Van Horn
Holand	Melland	Sanstead	Wenstrom

Those voting in the negative were:

Butler	Freed	Lips	Sorlie
Chesrown	Goldberg	Mutch	Wilhite

Doherty

Absent and not voting:

Forkner Lowe Nething Roen

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 1, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1144

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

REPORT OF SELECT COMMITTEE

Mr. President:

The Rules Committee met this date with all members present and adopted an operating procedure from this day forward that if any Senator has guests, their names will be submitted to the desk, preferably typewritten, and the desk will read a list of all guests and recognize them at one time. The Committee was unanimous in this decision.

SENATOR WILHITE, Chairman

Rules Committee

Senator Wilhite moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 1144

And the President signed the same in the presence of the Senate.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2036, 2181, 2217, 2225, 2226, 2244, 2254, 2268, 2270, 2280, 2294, 2296, 2297, 2299, 2309, 2334, 2348, 2368, 2387, 2390, 2395, 2406, and House Bill No. 1096, that the Senate recess until 1:15 p.m., February 2, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FOURTH DAY AFTER RECESS
AND TWENTY-FIFTH DAY

Bismarck, February 2, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 2, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2043

Senate Bill No. 2135

Senate Bill No. 2146

Which the House has amended as follows:

AMENDMENTS TO SENATE BILL No. 2043

On page 1, line 12 of the engrossed bill, place triple parentheses before and after the word "five" and insert in lieu thereof the word "ten"

AMENDMENTS TO SENATE BILL No. 2135

On page 1, in line 14 of the engrossed bill, delete the word "eleven" and insert in lieu thereof the word "twelve"

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2146

On page 1, in line 24, delete the words "latest current" and insert in lieu thereof the numbers "1969"

And renumber the lines and pages accordingly.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2217

Senate Bill No. 2226

Senate Bill No. 2268

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bill Nos. 2011, 2013, 2054, 2072, 2215, 2353, 2401, 2487 and House Bill No. 1068, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2011 as recommended by the Committee on Appropriations, and printed on page 327 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2013 as recommended by the Committee on Appropriations, and printed on page 327 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2054 as recommended by the Committee on Finance and Taxation, and printed on page 328 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to Senate Bill No. 2072 as recommended by the Committee on Transportation, and printed on page 328 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2215 as recommended by the Committee on Judiciary, and printed on page 328 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, and printed on page 330 of the Senate Journal, be adopted, which motion prevailed.

Senator Langmire moved that the amendments to Senate Bill No. 2401 as recommended by the Committee on State and Federal Government, and printed on page 331 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 2487 as recommended by the Committee on Industry, Business and Labor, and printed on page 331 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to House Bill No. 1068 as recommended by the Committee on Finance and Taxation and printed on pages 331 and 332 of the Senate Journal, be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2042 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 after the word "education" delete the following: ", and providing an appropriation and authority"

On page 1, line 4 delete the following: "to transfer"

On page 3, delete all of line 34

On page 3, delete all of line 35

On page 4, delete all of lines 1 through 17

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 amendments is to approve the concept of centralizing higher education computer services but defer new installations and new equipment with the intent that the allowed new financial position in the office of the board of higher education provide the control authority.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2141 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion lost and Senate Bill No. 2141 was placed on the calendar.

Mr. President: Your Committee on Appropriations 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 2 after the word "duties" delete "," and insert in lieu thereof "."

On page 1, delete all of line 3

On page 2, line 26 after the word "ORGANIZATION" delete the following: "— EXPENSES"

On page 2, line 35 after "." delete "The appointive"

On page 3, delete all of lines 1 through 12

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 amendments is to retain the concept and authority of the advisory council but to remove appropriations so as to allow council participation from private funds.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2233 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Majority:

Senator Hernet
 Senator G. Larson
 Senator Nething
 Senator Goldberg
 Senator Kautzmann
 Senator Mutch

SENATOR HERNETT, Chairman

Senator Hernet moved that the report of the Majority be adopted.

Mr. President: The minority of your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2233 has had the same under consideration and recommends that the same do pass.

For the Minority:

Senator Sanstead

Senator Sanstead moved that the report of the minority be substituted for that of the majority.

Senator Nething requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Sanstead that the report of the minority be substituted for that of the majority, the roll was called and there were ayes, 11; nays, 37; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	

Those voting in the negative were:

Anderson	Jacobson	Mutch	Schultz
Butler	Jones	Nasset	Sorlie
Chesrown	Kautzmann	Nething	Strinden
Coughlin	Larson, G.	Page	Stroup
Doherty	Lips	Pyle	Thane
Forkner	Litten	Redlin	Thoreson
Freed	Longmire	Ringsak	Unruh

Goldberg	Melland	Robinson	Wenstrom
Hernett	Morgan	Roen	Wilhite
Holand			

Absent and not voting:

Lowe

So the motion was declared lost.

ROLL CALL

The question being on the motion of Senator Hernett, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz /
Butler	Jones	Nasset	Sorlie
Chesrown	Kautzmann	Nething	Strinden
Coughlin	Larson, G.	Page	Stroup
Doherty	Lips	Pyle	Thane
Forkner	Libten	Redlin	Thoreson
Freed	Longmire	Ringsak	Unruh
Goldberg	Melland	Robinson	Wenstrom
Hernett	Morgan	Roen	Wilhite
Holand			

Those voting in the negative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	

Absent and not voting:

Lowe

So the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2248 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 delete the word "bonds" and insert in lieu thereof "warrants"

Page 1 line 12 after "INTERIM" insert triple parentheses before and after "BOND"

Page 1 line 13 after "interim" insert triple parentheses before and after "bond"

Page 1 line 16 after "interim" insert triple parentheses before and after "bond" and insert in lieu thereof "warrants"

Page 1 line 17 after "interim" insert triple parentheses before and after "bond" and insert in lieu thereof "warrants"

Page 1 line 19 after the period insert beginning triple parentheses before "The"

Page 1 line 23 insert ending triple parentheses after the period and insert in lieu thereof "The board shall arrange for the proper preparation and sale of such warrants and shall issue such warrants in an aggregate principal amount not exceeding the sum of bonds authorized and necessary to finance completion of the project."

Page 1 line 23 after "interim" insert triple parentheses before and after "bond" and insert in lieu thereof "warrants"

Page 2 line 5 after "exceeding" insert triple parentheses before and after "eight" and insert in lieu thereof "seven"

Page 2 line 6 after "terim" insert triple parentheses before and after "bonds" and insert in lieu thereof "warrants"

Page 2 line 9 after "such" insert triple parentheses before and after "bonds" and insert in lieu thereof "warrants" and after "of" insert triple parentheses before and after "eight" and insert in lieu thereof "seven"

Page 2 line 10 after "interim" insert triple parentheses before and after "bonds" and insert in lieu thereof **"warrants"**

Page 2 line 14 insert triple parentheses before and after "bonds" and insert in lieu thereof **"warrants"**

Page 2 line 17 after "such" insert triple parentheses before and after "bonds" and insert in lieu thereof **"warrants"**

Page 2 line 23 after the second "the" insert triple parentheses before and after "bonds" and insert in lieu thereof **"warrants"**

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2274 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2277 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after "another" delete the remainder of the line

Page 1 delete all of line 4

Page 1 line 10 after "PROPERTY" delete "**—REIMBURSEMENT**"

Page 1 line 11 delete "**OF DEFENDANT BY STATE**"

Page 1 line 15 after "danger" delete "of"

Page 1 delete all of lines 18 through 24

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2282 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 14 after the comma insert "**or District Health Units,**"

Page 2 line 2 after the comma insert "**District Health Units,**"

Page 2 line 13 after the first comma delete "**and**" and after the second comma insert "**and the District Health Units,**

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2290 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 17 after the triple parentheses delete "**fifteen**" and insert in lieu thereof "**twenty**"

Page 1 line 18 insert beginning triple parentheses before "for" and insert "**per month**"

Page 1 line 19 delete the beginning triple parentheses before the semicolon

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2301 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2304 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3 after the word "expenses" delete "," and add the following: "not to exceed eleven dollars"

On page 2 delete all of lines 4 through 23

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 establish a ceiling on lodging expense and to hold mileage allowances at the present level of 9¢ per mile.

SENATOR SORLIE, Chairman

Senator Jones 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. 2310 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2314 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 11 after "surviving" insert triple parentheses before and after "widow" and insert in lieu thereof "spouse" and after the second word "as" insert "he or"

Page 1 line 12 after "unmarried" insert beginning triple parentheses before "and" and insert ending triple parentheses after "character"

Page 1 line 15 after "of" delete "her" and insert in lieu thereof "the" and after "deceased" delete "husband's" and insert in lieu thereof "spouse's"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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:

Page 1 line 22 insert triple parentheses before and after "fifteen" and insert in lieu thereof "twenty"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2369 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2402 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2404 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2407 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2421 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2424 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2429 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2431 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2433 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2434 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2435 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2437 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2438 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2483 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2485 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1137 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after "court" insert "; providing a pollbook to the clerk of district court by the county auditor"

Page 1 line 13 after "court" insert "AND TO THE CLERK OF THE NORTH DAKOTA DISTRICT COURT"

Page 1 line 17 after "reports" insert triple parentheses before and after the comma

Page 1 line 18 after "16-13-04" delete the comma

Page 2 at the end of line 4 insert "The county auditor shall provide the clerk of the North Dakota district court with a pollbook to be used by the clerk for jury selection."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIFTH DAY

Bismarck, February 2, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Gary Maser, Good Shepherd Lutheran, Bismarck.

"Living God, we recognize that whatever we do and wherever we are, we are in Your presence. Help us to know that we can react to Your presence in every freedom we hold dear. Guide our living in such a way that when we continually deal with inanimate pieces of paper, we are holding the future of many people in our

hands. Seek out whatever sense of integrity we have, and see in others, when emotional issues cloud our respect for each other and You. Help us to seek out Your presence in every man, that calm and plain language will honestly show what we really are thinking. We need to know Your love to accomplish these things, and for Your continued love we thank You. In Jesus name. Amen"

Roll call: All Senators present except Senator Lowe.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-second day after recess, twenty-third day and twenty-fourth day and recommends that the same be corrected as follows:

On page 341, lines 7, 9, and 11 from the bottom of the page delete the word "engage" and insert in lieu thereof the word "engaged"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 2, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4026

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Melland, Goldberg, Nething and Doherty introduced:

Senate Concurrent Resolution No. 4027. A Senate Concurrent Resolution directing the Legislative Council to make a study of all printing laws, requirements, and practices of the State of North Dakota and its political subdivisions.

Was read the first time and referred to the committee on Industry, Business and Labor.

FIRST READING OF HOUSE BILLS

House Bill No. 1004. A Bill for an Act making an appropriation to the state historical board for salary, clerkhire and miscellaneous expenses and the maintenance of the state historical board.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1025. A Bill for an Act making an appropriation to the capitol grounds planning commission out of the general fund for the purposes of defraying the expenses of the commission.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1026. A Bill for an Act making an appropriation for the purpose of administering the provisions of Chapter 12-61 of the North Dakota Century Code.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1032. A Bill for an Act making an appropriation for the use of the state planning agency.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1133. A Bill for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to municipalities' authority to grant tax exemptions on land.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1154. A Bill for an Act to amend and reenact sections 43-15-25, 43-15-26, 43-15-34, and subsection 2 of section 43-15-38 of the North Dakota Century Code, relating to the practice of pharmacy; the fees charged for pharmacists' certificates, emergency medicine licenses, and pharmacy operation permits; to authorize the board of pharmacy to inspect the premises of household remedy and emergency medicine licensees; and to repeal subsection 3 of section 43-15-02 and section 43-15-33 of the North Dakota Century Code.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1158. A Bill for an Act to amend and reenact section 5-02-07 of the North Dakota Century Code, relating to the sale of items other than alcoholic beverages on licensed premises.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1182. 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 sales tax exemptions.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1189. A Bill for an Act to amend and reenact Sections 43-17-07, 43-17-18, and 43-17-20 of the North Dakota Century Code, relating to the examination of applicants for a license to practice medicine in this state.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1208. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to Bank making loans — real estate limited.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1211. A Bill for an Act to amend and reenact section 23-13-02 of the North Dakota Century Code, providing for coin-operated gasoline pumps.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1213. A Bill for an Act to amend and reenact sections 11-11-37 and 40-08-12 of the North Dakota Century Code, relating to the publication of minutes.

Which was read the first time and referred to the committee on Education.

House Bill No. 1221. A Bill for an Act to amend and reenact section 40-21-05 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks at municipal elections.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1230. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, relating to election days as holidays, and providing that state and political subdivision offices stay open on election days.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1236. A Bill for an Act to provide for the discontinuance of county agricultural and training schools; to repeal section 15-42-29 of the North Dakota Century Code and declaring an emergency.

Which was read the first time and referred to the committee on Education.

House Bill No. 1241. A Bill for an Act to create and enact subsection 7 of section 60-02-09 of the North Dakota Century Code relating to track buyers and public warehousemen's bonds.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1257. A Bill for an Act to amend and reenact subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the exemption of a surviving spouse for estate tax purposes; to amend and reenact section 57-37-13 of the North Dakota Century Code, relating to the rate of tax for estate tax purposes; and providing an effective date.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1259. A Bill for an Act to amend and reenact subsection 2 of section 43-21-01, and sections 43-21-02, 43-21-03, 43-21-04, 43-21-08, 43-21-09, 43-21-10, 43-21-11, and 43-21-12 of the North Dakota Century Code, relating to practical nurses, and providing a penalty.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1261. A Bill for an Act to create and enact subsection 8 of section 38-03-07 of the North Dakota Century Code, relating to inspector's powers and duties relating to mine inspections; and to amend and reenact sections 38-03-03, 38-03-04, 38-03-06, subsection 5 of section 38-03-07, subsection 7 of section 38-03-07, sections 38-03-11, 38-03-17, 38-04-04, 38-05-01, 38-06-01, 38-06-02, 38-06-03, 38-07-01, 38-07-03, 38-07-04, 38-07-06, 38-07-07, and 38-07-08 of the North Dakota Century Code, relating to bond of inspector; salary of inspector; vacancy in office; inspector's powers and duties relating to mine inspections; posting inspection statement of mine and posting regulations governing carriage of men posted; inspector to order immediate compliance when provision or rule violated and failure to comply; license fee collections to workmen's compensation bureau; board of examiners for mine foreman; safety rules and regulations may be promulgated and enforced by state coal mine inspector; employment of mine foreman, inability of mine foreman to act and substitutes; map or plan of coal mine; map of seams; maps to include surface description; survey of active mines to be made annually and results of survey shown on map; refusal to furnish map, plan, or extension of mine and inspector to order survey and cost; operator of worked out, abandoned, or indefinitely closed mine to make survey and extension of maps; and to repeal sections 38-01-02, 38-01-03, 38-01-04, 38-01-05, 38-01-09, 38-03-15, 38-03-16, 38-05-02, 38-05-03, 38-05-04, 38-05-05, 38-05-06, 38-05-08, 38-05-09, 38-05-10, 38-05-11, 38-06-04, 38-06-05, 38-06-06, 38-06-07, 38-06-08, 38-06-09, 38-06-10, 38-06-11, 38-06-12, 38-06-13, 38-06-14, 38-06-15, 38-06-16, 38-06-17, 38-06-18, 38-06-19, 38-06-20, 38-06-21, 38-06-22, 38-06-23, 38-06-24, 38-06-25, 38-06-26, 38-06-27, 38-06-28, 38-06-29, 38-06-30, 38-06-31, 38-06-32, 38-06-33, 38-06-34, 38-06-35, 38-06-36, 38-06-37, 38-06-38, 38-06-39, 38-06-40, 38-06-41, 38-06-42, 38-06-43, 38-06-44, 38-06-45, 38-06-46, 38-06-47, 38-06-48, 38-06-49, 38-06-50, 38-06-51, 38-06-52, 38-05-53, 38-06-54, 38-06-58, and 38-06-59 of the North Dakota Century Code, and sections 38-03-12 and 38-05-07 of the 1969 supplement to the North Dakota Century Code are hereby repealed.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1265. A Bill for an Act to amend and reenact section 40-21-03 of the North Dakota Century Code, relating to appointment of judges, clerks and inspectors of municipal elections in council cities.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1269. A Bill for an Act to amend and reenact section 40-29-03 of the North Dakota Century Code, relating to required notice to construct, rebuild, or repair sidewalks.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1283. A Bill for an Act to amend and reenact sections 29-06-15 and 29-06-16 of the North Dakota Century Code, relating to arrest without a warrant and arrest at night without a warrant.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1300. A Bill for an Act to create and enact subsection 4 of section 61-05-01 of the North Dakota Century Code, and to amend and reenact sections 61-05-13, 61-06-01, 61-06-10, 61-06-17, 61-06-18, 61-07-24, 61-07-31, 61-08-02, 61-08-03, 61-09-01, 61-09-06, 61-10-25, 61-10-28, 61-10-29, 61-10-31, 61-10-33, 61-10-36, 61-10-38, 61-11-02, and 61-11-04 of the North Dakota Century Code, relating to irrigation district procedures.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1302. A Bill for an Act to create and enact a section of chapter 12-41 of the North Dakota Century Code, relating to the confiscation of property used in the commission of an act of vandalism or malicious mischief.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1312. A Bill for an Act to repeal sections 57-02-18, 57-02-18.1, 57-02-18.2, 57-02-18.3, 57-02-18.4, 57-02-18.5, 57-02-18.6, and 57-02-18.7 of the North Dakota Century Code, relating to the assessment and taxation of livestock.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1316. A Bill for an Act to amend and reenact section 57-20-09 of the North Dakota Century Code, relating to the discount for early payment of property taxes.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1326. A Bill for an Act to provide that persons engaged in the transplantation or transfusion of human tissues and related purposes shall not be liable for damages except for their own negligence or willful misconduct.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1347. A Bill for an Act to amend and reenact section 23-02-05 of the North Dakota Century Code, relating to the fees collected by the state registrar for birth and death certificates.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1366. A Bill for an Act to create and enact section 36-13-03.1 of the North Dakota Century Code, relating to alternate disposition of an animal as an estray on the property of any person.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1484. A Bill for an Act to amend and reenact section 9 of chapter 462 of the 1969 Session Laws of the state of North

Dakota, relating to the periods during which the constitutional convention can meet in plenary session.

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. 3002. A concurrent resolution directing the State Highway Department, the Aeronautics Commission, and the Game and Fish Department to establish an Aircraft Pool.

Which was read the first time and referred to the committee on Appropriations.

SECOND READING OF SENATE BILLS
AND A SENATE CONCURRENT RESOLUTION

Senate Bill No. 2036. A Bill for an Act making an appropriation to defray the expenses of the operation and maintenance of the North Dakota council on arts and humanities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was read and there were ayes, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Litten	Sorlie
Barth	Holand	Longmire	Strinden
Berube	Jacobson	Melland	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Pyle	Unruh
Coughlin	Kautzmann	Rait	Van Horn
Erdman	Larson, G.	Redlin	Wenstrom
Forkner	Larson, L.	Roen	Wilhite
Gronhovd	Lips	Sanstead	

Those voting in the negative were:

Butler	Morgan	Page	Schultz
Doherty	Mutch	Ringsak	Thane
Freed	Nothing	Robinson	Thoreson
Goldberg			

Absent and not voting:

Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2181. A Bill for an Act relating to the escheat of unclaimed accounts of the Postal Savings System held by the United States Treasury Department; providing 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn

Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Lowe

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2217. A Bill for an Act to create and provide for the creation of a state land maintenance fund, and to amend and reenact sections 15-01-05, 15-03-02 and 15-03-03 of the North Dakota Century Code, relating to the payment of salaries and expenses of the office of commissioner of university and school lands from such fund, and declaring an emergency.

Was read the second time.

Senator Sorlie moved that Senate Bill No. 2217 be amended as follows:

On page 3 of the engrossed bill, delete all of lines 13 through 17, and insert in lieu thereof the following:

"SECTION 7. 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."

Which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2217 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 308 of the Senate Journal, and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe Stroup Van Horn

So the bill passed and the title was agreed to and the emergency clause carried.

MOTION

Senator Melland moved that Senate Bill No. 2317 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 2317. 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, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz

Berube	Holand	Morgan	. Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nething	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite

Those voting in the negative were:

Forkner	Page	Redlin
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Absent and not voting:

Lowe	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2280. 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, and declaring an emergency.

Which has been read.

Senator Redlin moved that Senate Bill No. 2280 be placed at the head of the calendar.

Senator Longmire moved that Senate Bill No. 2280 be laid over two legislative days, which motion prevailed.

Senate Bill No. 2225. A Bill for an Act to repeal Chapter 39-15 of the North Dakota Century Code relating to the guest 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, 16; nays, 32; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Gronhovd	Longmire	Ringsak
Berube	Holand	Nething	Strinden
Chesrown	Kautzmann	Page	Stroup
Freed	Larson, G.	Pyle	Van Horn

Those voting in the negative were:

Anderson	Hernett	Morgan	Schultz
Butler	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite

Absent and not voting:

Lowe

So the bill was declared lost.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 2, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2007
 Senate Bill No. 2019
 Senate Bill No. 2030
 Senate Bill No. 2230
 Senate Bill No. 2261
 Senate Bill No. 2269
 Senate Bill No. 2291

Senate Bill No. 2293
 Senate Bill No. 2320
 Senate Bill No. 2339
 Senate Bill No. 2345
 Senate Bill No. 2375
 Senate Bill No. 2386
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 2, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1151
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 2, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1144
 Which the President has signed.

LEO LEIDHOLM, Secretary

MOTION

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened at the call of the chair, the President presiding.

MOTIONS

Senator Melland moved that Senate Bill No. 2183 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Kautzmann moved that Senate Bill No. 2455 be returned to the Senate from the Committee on Social Welfare and Veterans' Affairs, which motion prevailed.

Senator Kautzmann moved that Senate Bill No. 2455 be re-referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2226. A Bill for an Act to amend and reenact section 12-59-02 of the North Dakota Century Code, relating to meetings, quorum and compensation of the parole board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 308 of the Senate Journal, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sorlie
Barth	Hernett	Morgan	Strinden
Butler	Jacobson	Mutch	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Wenstrom
Forkner	Litten	Sanstead	Wilhite
Freed	Longmire	Schultz	

Absent and not voting:

Berube	Just	Pyle	Roen
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Gronhovd Lowe Redlin Van Horn
 Holand Nasset

So the bill passed and the title was agreed to.

Senate Bill No. 2244. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code, relating to the apportionment and distribution of the proceeds of a cooperative.

Which has been read.

Senator Hernettt moved that Senate Bill No. 2244 be laid over two legislative days, which motion prevailed.

Senate Bill No. 2254. A Bill for an Act to amend and reenact sections 35-13-02, 35-13-03, and 35-13-04 of the North Dakota Century Code, relating to the priority of a repairman's lien and the time in which it must be filed.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sorlie
Barth	Gronhovd	Morgan	Strinden
Butler	Hernettt	Mutch	Stroup
Chesrown	Jacobson	Nething	Swedlund
Christensen	Jones	Page	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Larson, L.	Robinson	Wenstrom
Forkner	Lips	Sanstead	Wilhite
Freed	Longmire		

Absent and not voting:

Berube	Litten	Pyle	Schultz
Holand	Lowe	Redlin	Van Horn
Just	Nasset	Roen	

So the bill passed and the title was agreed to.

Senate Bill No. 2268. A Bill for an Act to provide a name for the law enforcement training center and to provide for the supervision of the center.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 290 and 291 of the Senate Journal, the roll was called and there were ayes, 25; nays, 16; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Strinden
Barth	Jacobson	Rait	Stroup
Butler	Jones	Ringsak	Swedlund
Christensen	Larson, G.	Robinson	Thoreson
Coughlin	Litten	Sanstead	Unruh
Erdman	Longmire	Sorlie	Wilhite
Forkner			

Those voting in the negative were:

Chesrown	Hernettt	Lips	Page
Doherty	Just	Melland	Schultz
Freed	Kautzmann	Mutch	Thane
Goldberg	Larson, L.	Nething	Wenstrom

Absent and not voting:

Berube	Lowe	Pyle	Roen
Holand	Nasset	Redlin	Van Horn

So the bill passed and the title was agreed to.

Senator Forkner moved that the vote by which Senate Bill No. 2268 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

Senate Bill No. 2270. A Bill for an Act to amend and reenact section 10-23-01 of the North Dakota Century Code, relating to allowing the destruction of the annual reports of corporations after they have been on file for six 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, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
Barth	Gronhovd	Longmire	Schultz
Butler	Hernett	Melland	Sorlie
Chesrown	Jacobson	Morgan	Stroup
Christensen	Jones	Mutch	Thane
Coughlin	Just	Nething	Thoreson
Doherty	Kautzmann	Page	Unruh
Erdman	Larson, G.	Rait	Wenstrom
Forkner	Larson, L.	Ringsak	Wilhite
Freed	Lips	Robinson	

Absent and not voting:

Berube	Nasset	Roen	Swedlund
Holand	Pyle	Strinden	Van Horn
Lowe	Redlin		

So the bill passed and the title was agreed to.

Senate Bill No. 2294. A Bill for an Act to create and enact subsection 22 of section 57-39.2-04 and subsection 10 of section 57-40.2-04 of the North Dakota Century Code, relating to exemption from sales and use tax.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
Barth	Gronhovd	Longmire	Schultz
Butler	Hernett	Melland	Stroup
Chesrown	Jacobson	Morgan	Swedlund
Christensen	Jones	Mutch	Thane
Coughlin	Just	Nething	Thoreson
Doherty	Kautzmann	Page	Unruh
Erdman	Larson, G.	Rait	Wenstrom
Forkner	Larson, L.	Ringsak	Wilhite
Freed	Lips	Robinson	

Absent and not voting:

Berube	Nasset	Roen	Strinden
Holand	Pyle	Sorlie	Van Horn
Lowe	Redlin		

So the bill passed and the title was agreed to.

Senate Bill No. 2296. A Bill for an Act to amend and reenact section 40-23-10 of the North Dakota Century Code, relating to special assessment hearing notices.

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, 9.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
Barth	Gronhovd	Longmire	Schultz
Butler	Hernett	Melland	Strinden
Chesrown	Jacobson	Morgan	Stroup
Christensen	Jones	Mutch	Swedlund
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Ringsak	Wenstrom
Freed	Lips	Robinson	Wilhite

Absent and not voting:

Berube	Nasset	Redlin	Sorlie
Holand	Pyle	Roen	Van Horn
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2297. A Bill for an Act to amend and reenact section 57-24-02, and to repeal section 57-24-06 of the North Dakota Century Code, relating to the posting of delinquent real estate taxes.

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, 4; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Sanstead
Barth	Jacobson	Melland	Schultz
Butler	Jones	Morgan	Sorlie
Chesrown	Just	Mutch	Swedlund
Christensen	Kautzmann	Nothing	Thane
Coughlin	Larson, G.	Page	Thoreson
Erdman	Larson, L.	Rait	Unruh
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Doherty	Forkner	Strinden	Stroup
Absent and not voting:			
Berube	Lowe	Pyle	Roen
Holand	Nasset	Redlin	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 2299. A Bill for an Act to amend and reenact subsection 2 of section 51-14-01 of the North Dakota Century Code, relating to definition of retail seller or seller.

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, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Butler	Jacobson	Morgan	Strinden
Chesrown	Jones	Mutch	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg			

Absent and not voting:

Berube	Lowe	Pyle	Roen
Holand	Nasset	Redlin	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 2309. 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 exemption of textbooks from sales tax.

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, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Jacobson	Mutch	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Rait	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire	Schultz	Wilhite
Goldberg	Melland		

Absent and not voting:

Berube	Holand	Nasset	Roen
Coughlin	Just	Pyle	Van Horn
Hernett	Lowe	Redlin	

So the bill passed and the title was agreed to.

Senate Bill No. 2334. A Bill for an Act to amend and reenact section 13-04-01 of the North Dakota Century Code, relating to installment bank loan charges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Jacobson	Morgan	Sorlie
Butler	Jones	Mutch	Strinden
Chesrown	Kautzmann	Nething	Stroup
Doherty	Larson, G.	Page	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Those voting in the negative were:

Christensen	Gronhovd	Swedlund
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Absent and not voting:

Berube	Just	Pyle	Roen
Coughlin	Lowe	Redlin	Van Horn
Holand	Nasset		

So the bill passed and the title was agreed to.

Senate Bill No. 2348. A Bill for an Act to provide for an appropriation out of the state lands maintenance fund in the state treasury for salaries and 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, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Doherty	Kautzmann	Rait	Thane
Erdman	Larson, G.	Ringsak	Unruh
Freed	Larson, L.	Robinson	Wenstrom
Forkner	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Berube	Lips	Pyle	Thoreson
Coughlin	Lowe	Redlin	Van Horn
Holand	Nasset	Roen	

So the bill passed and the title was agreed to.

Senate Bill No. 2368. A Bill for an Act to create and enact section 6-03-37.1 of the North Dakota Century Code, relating to loans by banks of their excess reserves.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Butler	Jacobson	Morgan	Strinden
Chesrown	Jones	Mutch	Stroup
Christensen	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Ringsak	Wenstrom
Freed	Lips	Robinson	Wilhite
Goldberg	Litten	Sanstead	

Absent and not voting:

Berube	Lowe	Redlin	Thoreson
Coughlin	Nasset	Roen	Van Horn
Holand	Pyle		

So the bill passed and the title was agreed to.

Senate Bill No. 2387. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to second or subsequent convictions for driving while under the influence of intoxicating liquor.

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, 1; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Jacobson	Morgan	Sorlie
Butler	Jones	Mutch	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Rait	Thane
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Sanstead	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Doherty

Absent and not voting:

Berube	Lowe	Redlin	Thoreson
Coughlin	Nasset	Roen	Van Horn
Holand	Pyle		

So the bill passed and the title was agreed to.

Senate Bill No. 2390. A Bill for an Act to amend and reenact subsection 4 of section 27-20-02, section 27-20-09, and subsection 1 of section 27-20-56 of the North Dakota Century Code, relating to the definition of an unruly child, transfers of cases to the juvenile court, and disclosure of name of child on appeal.

Which has been read.

Senator Longmire moved that Senate Bill No. 2390 be amended as follows:

On page 2, line 7, insert triple parentheses before and after the word "child", and insert in lieu thereof the words "**person under the age of twenty-one years**"

Renumber the lines accordingly.

Which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2390 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, 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, 10; nays, 30; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Freed	Kautzmann	Rait
Chesrown	Gronhovd	Longmire	Sanstead
Christensen	Hernett		

Those voting in the negative were:

Anderson	Just	Nothing	Stroup
Butler	Larson, G.	Page	Swedlund
Doherty	Larson, L.	Ringsak	Thane
Erdman	Lips	Robinson	Thoreson
Forkner	Litten	Schultz	Unruh
Goldberg	Melland	Sorlie	Wenstrom
Jacobson	Morgan	Strinden	Wilhite
Jones	Mutch		

Absent and not voting:

Berube	Lowe	Pyle	Roen
Coughlin	Nasset	Redlin	Van Horn
Holand			

So the bill was declared lost.

Senate Bill No. 2395. A Bill for an Act to amend and reenact subsection 1 of section 46-02-04 of the North Dakota Century Code, relating to the printing of legislative documents; and declaring an emergency.

Which has been read.

Senator Doherty moved that Senate Bill No. 2395 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senate Bill No. 2406. A Bill for an Act to create and enact section 6-03-13.5 of the North Dakota Century Code, relating to a national bank conversion to state bank.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sorlie
Barth	Hernett	Morgan	Strinden
Butler	Jones	Mutch	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire	Schultz	

Absent and not voting:

Berube	Jacobson	Pyle	Roen
Coughlin	Lowe	Redlin	Van Horn
Holand	Nasset		

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4006. A concurrent resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4006 be laid over two legislative days, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1096. A Bill for an Act to amend and reenact section 39-21-40 of the North Dakota Century Code, relating to the date pneumatic tires with metal studs must be removed, and declaring an emergency.

Which has been read.

Senator Forkner moved that House Bill No. 1096 be amended as follows:

- Page 2, line 5, delete the triple parentheses after the comma.
 - Page 2, line 6, delete the triple parentheses before the word "from"
 - Page 2, line 6, delete the triple parentheses after the word "to"
 - Page 2, line 6, delete the triple parentheses before the word "April"
- Which motion prevailed.

Senator Forkner moved that the rules be suspended and that House Bill No. 1096 be placed on second reading and final passage as amended from the floor, which motion prevailed.

Senator Butler moved that House Bill No. 1096 be re-referred to the Committee on Transportation, which motion lost.

ROLL CALL

The question being on the final passage of House Bill No. 1096, as amended from the floor, the roll was called and there were ayes, 5; nays, 34; absent and not voting, 10.

Those voting in the affirmative were:

Christensen	Hernett	Larson, L.	Swedlund
Forkner			

Those voting in the negative were:

Anderson	Jones	Mutch	Sorlie
Barth	Just	Nething	Stroup
Butler	Kautzmann	Page	Strinden
Chesrown	Larson, G.	Rait	Thane

Doherty	Lips	Ringsak	Thoreson
Erdman	Litten	Robinson	Unruh
Freed	Longmire	Sanstead	Wenstrom
Goldberg	Melland	Schultz	Wilhite
Gronhovd	Morgan		
Absent and not voting:			
Berube	Jacobson	Pyle	Roen
Coughlin	Lowe	Redlin	Van Horn
Holand	Nasset		

So the bill was declared lost.

Senator Forkner moved that the vote by which House Bill No. 1096 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2011, 2013, 2054, 2072, 2141, 2215, 2301, 2310, 2353, 2401, 2402, 2404, 2407, 2424, 2429, 2431, 2433, 2434, 2435, 2437, 2483, 2487 and House Bill No. 1068, that the Senate recess until 1:15 p.m., February 3, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIFTH DAY AFTER RECESS
AND TWENTY-SIXTH DAY

Bismarck, February 3, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President Pro Tem presiding.

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2011
Senate Bill No. 2013
Senate Bill No. 2054
Senate Bill No. 2215
Senate Bill No. 2353
Senate Bill No. 2401
Senate Bill No. 2487

And find the same correctly Engrossed.

SENATOR STRINDEN, Chairman

Senator Barth 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. 2072

And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 2506. A Bill for an Act to amend and reenact section 23-11-28 and 23-11-29 of the North Dakota Century Code, relating to exemption of real property of a housing authority created under Indian laws recognized by the federal government from execution sales, taxes and special assessments.

Was read the first time and referred to the committee on State and Federal Government.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Freed, Ringsak, Thane and Page introduced:

Senate Concurrent Resolution No. 4028. A Concurrent Resolution directing the Legislative Council to study the total field of automobile insurance.

Was read the first time and referred to the committee on Judiciary.

Senators Freed, Ringsak, Thane, and Page introduced:

Senate Concurrent Resolution No. 4029. A Concurrent Resolution

directing the Legislative Council to conduct a study of public liability and "no-fault" automobile insurance.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senator Van Horn introduced:

Senate Concurrent Resolution No. 4030. A Concurrent Resolution for the amendment of sections 28 and 34 of the Constitution of the state of North Dakota, relating to the qualifications of candidates for senator or member of the house of representatives, and placing a maximum age limit on candidates for those offices.

Was read the first time and referred to the committee on Judiciary.

FIRST READING OF SENATE RESOLUTIONS

Senators Thane, Swedlund and Jones introduced:

Senate Resolution No. 5. A Resolution to appoint an official photographer for the senate of the Forty-second Legislative Assembly of the State of North Dakota.

Was read the first time.

Senator Thane moved that the rules be suspended, that Senate Resolution No. 5 be not printed as a bill but printed in the journal, not referred to committee, but laid over one legislative day, which motion prevailed.

PAGE 1

SENATE RESOLUTION No. 5

Introduced by Senators Thane, Swedlund and Jones

- 1 A Resolution to appoint an official photographer for the senate
- 2 of the Forty-second Legislative Assembly of the State of North
- 3 Dakota.
- 4 WHEREAS, for historical purposes it has been the custom of
- 5 all North Dakota Legislative Assemblies to have composite group
- 6 pictures made of all members of such assemblies; and
- 7 WHEREAS, L. W. Naegle Campbell's Studio, of Bismarck,
- 7a North
- 8 Dakota, offers to make a composite group picture of the members
- 9 of the 1971 North Dakota senate, size thirty inches by forty
- 10 inches, said picture to be framed and ready to hang; and fifty-
- 11 five, fourteen inches by eleven inches, copies of said picture
- 12 for each member and desk force of the senate; and two, five
- 13 inches by seven inches, print of each senator and the lieutenant
- 14 governor for the state historical society, at a cost of eight
- 15 hundred forty-five dollars;
- 16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
- 16a OF THE STATE
- 17 OF NORTH DAKOTA:
- 18 That L. W. Naegle Campbell's Studio, of Bismarck, North
- 19 Dakota, be and is hereby appointed official photographer for
- 20 the North Dakota senate of the Forty-second Legislative
- 20a Assembly.
- 21 BE IT FURTHER RESOLVED, that L. W. Naegle Campbell's
- 21a Studio,
- 22 of Bismarck, North Dakota, be, and is hereby awarded the sole
- 23 privilege of photographing members of the senate of the Forty-
- 24 second Legislative Assembly, at a cost price of eight hundred

PAGE 2

- 1 forty-five dollars to be taken out of legislative expenses.
- 2 BE IT FURTHER RESOLVED, that delivery of the photo-
- 2a graphs
- 3 shall be within ninety days after the adjournment of the
- 4 legislative session.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2045 has had the same under consideration and recommends that the same be amended as follows.

Page 1 line 5 after the semicolon insert the following "to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation;"

Page 1 line 7 after "property" insert the following ", and declaring an emergency"

Page 2 after line 20 insert the following new subsection

"3. Machinery and equipment, but not including small tools and office equipment, used or intended for use in any process of refining products from —

- a. oil or gas extracted from the earth, but not including such equipment or appurtenances located on leased oil and gas production sites,"**
- b. sugar beets.**

Page 2 after line 26 insert the following new section

"SECTION 3. AMENDMENT.) Subsection 25 of section 57-02-08 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 25. All personal property not required by section 179 of the constitution of North Dakota to be assessed by the state board of equalization shall become exempt from assessment and taxation in the year 1970 and such property shall not be assessed or taxed for that year or for any year thereafter; provided that this provision shall not apply to any property that is either subjected to a tax which is imposed in lieu of ad valorem taxes or to any particular kind or class of personal property, including mobile homes or house trailers, that is subjected to a tax imposed pursuant to any other provision of law except as specifically provided in this subsection. In addition, this subsection shall not exempt from taxation the personal property of any corporation organized pursuant to the ((North Dakota Nonprofit Corporation Act,)) **nonprofit laws of any jurisdiction** which is not exempt from personal property taxation under any other statute ((nor shall it exempt from assessment and taxation fixtures, buildings, and improvements upon land which are now assessed as real estate))."

Page 2 after line 28 add the following new section.

"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."

Renumber the lines, pages and sections 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. 2136 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR SORLIE, Chairman

Senator Sorlie moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2243 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 after "before" delete "May thirty-first" and insert in lieu thereof "June thirtieth"

Page 1 line 18 after the period delete the remainder of the line

Page 1 delete all of lines 19 through 24

Page 2 line 1 delete "after September thirtieth of the year following" and insert beginning triple parentheses before "shall"

Page 2 line 2 insert ending triple parentheses after the period.

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 Finance and Taxation to whom was referred Senate Bill No 2247 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. 2249 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2250 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2251 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2252 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2262 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips 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 be amended as follows:

Page 1, line 22, insert triple parentheses before and after "any" and insert in lieu thereof "and"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2289 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2342 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2373 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 24 delete the triple parentheses before the word "board"

Page 2 line 1 delete the triple parentheses after the word "commissioners" and insert "in the case of unorganized township or the"

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. 2380 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 21 after the ending triple parentheses delete "two" and insert in lieu thereof "three"

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2383 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2385 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. 2393 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips 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. 2396 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2399 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 15, delete the word "transportation" and insert in lieu thereof "transportation"

Renumber the pages and lines accordingly.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2403 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2408 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2411 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. 2413 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. 2417 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. 2425 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Strinden moved the the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2432 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 11, after "DAY" insert "**ELECTIONEERING WITH ELECTOR IN POSSESSION OF ABSENT VOTER'S BALLOT**"

Page 1, line 20, insert triple parentheses before and after "days"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2436 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2439 has had the same under consideration and recommends that the same be amended as follows:

Page 2, line 14, after "envelope" delete the comma and insert in lieu thereof a period and delete the remainder of the line

Page 2, line 15, delete "to vote in that precinct."

Page 2, line 17, after "elector" insert "is qualified to vote in that precinct and that said elector"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2470 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 12, delete "then" and insert in lieu thereof "than"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2486 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4024

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2042, 2248, 2277, 2282, 2290, 2304, 2314, 2335, and House Bill No. 1137, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2042 as recommended by the Committee on Appropriations, and printed on page 346 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No.

2248 as recommended by the Committee on State and Federal Government, and printed on pages 348 and 349, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2277 as recommended by the Committee on Judiciary, and printed on page 349, be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 2282 as recommended by the Committee on Industry, Business and Labor, and printed on page 349 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2290 as recommended by the Committee on Political Subdivisions, and printed on pages 349 and 350 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2304 as recommended by the Committee on Appropriations, and printed on page 350 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2314 as recommended by the Committee on Political Subdivisions, and printed on page 350 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2335 as recommended by the Committee on Political Subdivisions, and printed on page 350 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1137 as recommended by the Committee on Judiciary, and printed on page 352 of the Senate Journal, be adopted, which motion prevailed.

PERSONAL PRIVILEGE

Senator Jones: "Mr. President, Members of the Senate. We have with us today, members of the North Dakota School for the Deaf. The sophomore class and the senior class.

"I want to call particular attention to one of these fine young students named Steve Blehm, a sophomore at North Dakota School for the Deaf. His average points in the game of basketball this year is 46. His total points for last year, including this season, is 1,396. Steve scored 85 points in one game in the Ramsey County Tournament. The next game, with two men guarding him, he scored 45 points. Steve is an example of a young man overcoming a handicap and showing his superiority in the field of sports.

"The only thing I wonder, gentlemen of the Senate, is how many major cities are going to try to steal Steve from the North Dakota School for the Deaf."

SECOND READING OF SENATE BILLS

Senate Bill No. 2011. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the tuberculosis sanatorium at San Haven, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 327 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernet	Morgan	Schultz
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund

Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Ringsak	Sorlie
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2013. A Bill for an Act making an appropriation for the maintenance and operation of the state industrial school at Mandan, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 327 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite

Absent and not voting:

Goldberg	Lowe	Ringsak	Sorlie
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

Which has been read.

Senator Butler moved that Senate Bill No. 2054 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2072. A Bill for an Act to amend and reenact subsections 1 and 2 of section 2-03-01, and sections 2-03-04, 2-03-05, 2-03-06, 2-03-08, 2-03-09, 2-03-10, and 2-03-14 of the North Dakota Century Code, relating to the lawfulness of flight over land and water, the method of operation of aircraft, and liability for damages caused by the operation of aircraft or in accidents involving aircraft; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 328 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Strinden
Berube	Holand	Mutch	Stroup
Butler	Jacobson	Nasset	Swedlund
Chesrown	Jones	Nothing	Thane
Christensen	Just	Page	Thoreson

Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Redlin	Van Horn
Erdman	Larson, L.	Robinson	Wenstrom
Forkner	Lips	Roen	Wilhite
Freed	Longmire	Sanstead	
Absent and not voting:			
Goldberg	Lowe	Ringsak	Sorlie
Litten	Rait		

So the bill passed and the title was agreed to.

Senate Bill No. 2141. A Bill for an Act acknowledging the rights and defining the limitations of legislative office, establishing a code of legislative conduct, and establishing a joint committee on legislative conduct.

Which has been read.

Senator Melland moved that Senate Bill No. 2141 be amended as follows:

On page 1, line 22, after the word "vote" insert the following language: ", except as provided for in Section 43 of the North Dakota Constitution,"

On page 4, line 28, after the period, insert the following language: "Such legislator may as a matter of right appeal the decision of the joint committee to the parent House or Senate as the case may be."

Renumber the pages and lines accordingly.

Which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2141 be deemed properly engrossed and placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2215. 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.

Senator Chesrown moved that Senate Bill No. 2215 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2301. A Bill for an Act to amend and reenact section 49-03-02 of the North Dakota Century Code, relating to notice and hearings in certain utility franchise proceedings, 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, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Strinden
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wilhite
Freed	Longmire	Roen	

Absent and not voting:

Goldberg	Lowe	Sorlie	Wenstrom
Litten	Ringsak		

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Melland moved that those Senators who failed to answer the roll as called here today be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SIXTH DAY

Bismarck, February 3, 1971

The Senate convened at 2:00 p.m., the President Pro Tem presiding.

Prayer — by two senior boys from the North Dakota School for the Deaf. Both will be attending Gallaudet College in Washington, D. C. next year.

Larry Geiszler, son of Mr. and Mrs. Fred Geiszler of Fredonia gave the manual prayer, and David Hanson, son of Mr. and Mrs. Harald Hanson of Bottineau, gave the spoken prayer.

‘Our Lord, our God and Father, You govern all things in heaven and on earth. We pray for our government and especially for the men who are gathered here today. Help them to make wise decisions to benefit us and to bring glory to Your name. In Jesus’ name we pray. Amen.’

Roll call: All Senators present except Senators Goldberg, Litten, Lowe, Ringsak and Sorlie.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fourth day after recess and twenty-fifth day and recommends that the same be corrected as follows:

On page 350, line 16, correct spelling of word “exceed”

On page 350, after the last line insert the following:

“Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2369 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2402 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman”

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2058

Senate Bill No. 2087

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2041

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1003
 House Bill No. 1006
 House Bill No. 1012
 House Bill No. 1015
 House Bill No. 1028
 House Bill No. 1062
 House Bill No. 1081
 House Bill No. 1089
 House Bill No. 1249
 House Bill No. 1252
 House Bill No. 1268
 House Bill No. 1287
 House Bill No. 1308
 House Bill No. 1359
 House Bill No. 1365

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2310. A Bill for an Act to amend and reenact section 52-01-04 of the 1969 Supplement to the North Dakota Century Code, sections 52-01-07, 52-02-15, 52-02-16, and 52-04-08 of the North Dakota Century Code, relating to penalty for disclosure of information or use of list of names obtained from the North Dakota employment security bureau, a short title for chapters 52-01 through 52-07.1, reciprocal arrangements for unemployment compensation, acquisition of real property for the use and benefit of the North Dakota employment security bureau, and succession to predecessors rights, accounts, contributions, benefit experience and ratings under the North Dakota Unemployment Compensation 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, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wilhite
Freed	Longmire		

Those voting in the negative were:

Strinden

Absent and not voting:

Goldberg	Lowe	Sorlie	Wenstrom
Litten	Ringsak		

So the bill passed and the title was agreed to.

Senate Bill No. 2353. 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 sales tax exemptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 330 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Stroup
Butler	Jacobson	Nasset	Swedlund
Chesrown	Jones	Nething	Thane
Christensen	Just	Page	Thoreson
Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Robinson	Wilhite
Freed	Longmire	Roen	

Absent and not voting:

Goldberg	Lowe	Sorlie	Strinden
Litten	Ringsak		

So the bill passed and the title was agreed to.

Senate Bill No. 2401. A Bill for an Act to provide for the sale of city lot managed and controlled by the school for the deaf.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 331 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2402. A Bill for an Act to amend and reenact subsection 4 of section 39-06-40.1 of the 1969 Supplement to the North Dakota Century Code, relating to the reproduction of 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz

Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2404. A Bill for an Act to amend and reenact Section 18-04-02 and 18-04-05, relating to fire department reports and distribution of insurance premiums, and to repeal Section 18-04-06 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2407. A Bill for an Act to provide for distribution of premium tax on motor vehicle insurance companies to cities for police training, law enforcement activities, or the purchase of equipment related thereto.

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, 22; absent and not voting 5.

Those voting in the affirmative were:

Chesrown	Just	Mutch	Sanstead
Doherty	Kautzmann	Nothing	Stroup
Freed	Larson, G.	Page	Thane
Holand	Lips	Pyle	Unruh
Jacobson	Longmire	Redlin	Wilhite
Jones	Melland		

Those voting in the negative were:

Anderson	Erdman	Rait	Strinden
Barth	Gronhovd	Ringsak	Swedlund
Berube	Hernett	Robinson	Thoreson
Butler	Larson, L.	Roen	Van Horn
Christensen	Morgan	Schultz	Wenstrom
Coughlin	Nasset		

Absent and not voting:
 Forkner Litten Lowe Sorlie
 Goldberg

So the bill was declared lost.

Senate Bill No. 2424. A Bill for an Act to amend and reenact section 52-02-07 of the North Dakota Century Code, relating to employment security bureau advisory councils.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Melland	Roen
Barth	Jacobson	Morgan	Sanstead
Berube	Jones	Nasset	Schultz
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Gronhovd	Longmire	Ringsak	Wilhite

Those voting in the negative were:

Butler	Hernett	Robinson	Thane
Doherty	Mutch	Strinden	Thoreson
Freed			

Absent and not voting:
 Goldberg Litten Lowe Sorlie

So the bill passed and the title was agreed to.

Senate Bill No. 2429. A Bill for an Act to amend and reenact Subsection 5 of Section 15-61-02 and Section 15-61-04 of the North Dakota Century Code, relating to authority of the director of surplus property and disposition of charges made for surplus property and making 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, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Those voting in the negative were:

Doherty

Absent and not voting:
 Goldberg Litten Lowe Sorlie

So the bill passed and the title was agreed to.

Senate Bill No. 2431. A Bill for an Act to amend and reenact section 16-06-06 of the North Dakota Century Code, relating to filling a vacancy in the position of a party's nominated candidate for

office, and prohibiting a candidate defeated in a primary election from being a candidate for any other office in the general election.

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, 4.

Those voting in the affirmative were:

Barth	Holand	Nasset	Schultz
Berube	Jacobson	Nothing	Stroup
Butler	Just	Page	Swedlund
Chesrown	Kautzmann	Pyle	Thane
Christensen	Larson, L.	Robinson	Unruh
Erdman	Lips	Roen	Van Horn
Freed	Longmire	Sanstead	Wenstrom
Gronhovd	Melland		

Those voting in the negative were:

Anderson	Hernett	Mutch	Strinden
Coughlin	Jones	Rait	Thoreson
Doherty	Larson, G.	Redlin	Wilhite
Forkner	Morgan	Ringsak	

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2433. A Bill for an Act to amend and reenact section 16-10-17 of the North Dakota Century Code, relating to compensation for election inspectors attending pre-election meeting with the state's attorney.

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Doherty	Litten	Lowe	Sorlie
Goldberg			

So the bill passed and the title was agreed to.

Senate Bill No. 2434. A Bill for an Act to amend and reenact section 16-10-14 of the North Dakota Century Code, relating to the duties of a clerk of an election in keeping a poll list.

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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz

Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2435. A Bill for an Act to provide for distribution of election law information prior to elections by the attorney general and county auditors to election officials.

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, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Robinson	Wilhite

Absent and not voting:

Goldberg	Lowe	Sorlie	Thoreson
Litten			

So the bill passed and the title was agreed to.

Senate Bill No. 2437. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to delivery of absent voters' ballots and notification of date when ballot must be returned to be canvassed.

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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2483. A Bill for an Act to amend and reenact subsections 3 and 4 of section 23-09-01 of the North Dakota Century Code, relating to the definitions of lodginghouse and boardinghouse.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 30; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Chesrown	Hernett	Sanstead	Wenstrom
Christensen	Kautzmann		

Those voting in the negative were:

Anderson	Just	Nothing	Schultz
Butler	Larson, G.	Page	Strinden
Coughlin	Lips	Pyle	Stroup
Doherty	Longmire	Redlin	Thane
Forkner	Melland	Ringsak	Thoreson
Freed	Morgan	Robinson	Unruh
Jacobson	Mutch	Roen	Wilhite
Jones	Nasset		

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
Holand			

So the bill was declared lost.

Senate Bill No. 2487. A Bill for an Act to amend and reenact section 40-57-10 of the North Dakota Century Code, relating to sale of revenue bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 331 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Those voting in the negative were:

Forkner	Litten	Lowe	Sorlie
Goldberg			

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1068. A Bill for an Act to amend and reenact section 46-02-10 of the North Dakota Century Code, relating to the printing and binding of public documents, and providing deadlines for delivery.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on pages 331 and 332 of the Senate Journal, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Roen
Barth	Hernett	Mutch	Sanstead
Berube	Holand	Nasset	Schultz
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Longmire	Robinson	Wilhite
Freed	Melland		

Those voting in the negative were:

Larson, L.	Van Horn	Wenstrom	
Absent and not voting:			
Goldberg	Litten	Lowe	Sorlie

So the bill passed and the title was agreed to.

MOTION

Senator Longmire moved that the Senate reconsider the action by which it adopted the amendments to Senate Bill No. 2248 which motion prevailed.

Senator Longmire moved that Senate Bill No. 2248 be re-referred to the Committee on State and Federal Government, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chambers

Bismarck, February 3, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2036
 Senate Bill No. 2181
 Senate Bill No. 2217
 Senate Bill No. 2226
 Senate Bill No. 2254
 Senate Bill No. 2268
 Senate Bill No. 2270
 Senate Bill No. 2294
 Senate Bill No. 2296
 Senate Bill No. 2297
 Senate Bill No. 2299
 Senate Bill No. 2309
 Senate Bill No. 2317
 Senate Bill No. 2334
 Senate Bill No. 2348
 Senate Bill No. 2368
 Senate Bill No. 2387
 Senate Bill No. 2406

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2146, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2146 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2146. A Bill for an Act to amend and reenact

section 18-09-02 of the North Dakota Century Code, relating to rulemaking power of the state fire marshal.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown,	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2141. A Bill for an Act acknowledging the rights and defining the limitations of legislative office, establishing a code of legislative conduct, and establishing a joint committee on legislative conduct.

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, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Forkner	Larson, L.	Redlin
Barth	Gronhovd	Lips	Sanstead
Berube	Hernett	Longmire	Stroup
Butler	Holand	Melland	Swedlund
Chesrown	Jones	Nasset	Unruh
Christensen	Just	Nething	Van Horn
Coughlin	Kautzmann	Pyle	Wenstrom
Doherty	Larson, G.	Rait	Wilhite
Erdman			

Those voting in the negative were:

Freed	Mutch	Robinson	Strinden
Jacobson	Page	Roen	Thane
Morgan	Ringsak	Schultz	Thoreson

Absent and not voting:

Goldberg	Litten	Lowe	Sorlie
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So the bill passed and the title was agreed to.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2042, 2136, 2247, 2249, 2251, 2252, 2262, 2277, 2282, 2289, 2290, 2304, 2314, 2335, 2342, 2383, 2385, 2393, 2400, 2403, 2408, 2413, 2417, 2436, 2486, and House Bill No. 1137, that the Senate recess until 1:15 p.m., February 4, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

**TWENTY-SIXTH DAY AFTER RECESS AND
TWENTY-SEVENTH DAY**

Bismarck, February 4, 1971

The Senate convened at 1:15 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. 2042
Senate Bill No. 2277
Senate Bill No. 2282
Senate Bill No. 2290
Senate Bill No. 2304
Senate Bill No. 2314
Senate Bill No. 2335

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2004 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 22, delete the figure "110,400.00" and insert in lieu thereof the figure "105,400.00"

On page 2, line 25, delete the figure "426,881.00" and insert in lieu thereof the figure "421,881.00"

On page 2, line 27, delete the figure "390,173.00" and insert in lieu thereof the figure "385,173.00"

On page 2, line 30, delete the figure "37,636.00" and insert in lieu thereof the figure "42,636.00"

On page 2, delete all of line 34

On page 2, line 35, delete the figure "116,831.00" and insert in lieu thereof the figure "121,831.00"

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 amendments to the department of agriculture budget is to reduce the moneys for printing brand books in the fees and services. The intent of the amendments to the soil conservation committee and districts budget is to allow additional funds to employ a new executive director at a higher level of compensation.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2067 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2101 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 Education to whom was referred Senate Bill No. 2114 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 Education to whom was referred Senate Bill No. 2160 has had the same under consideration and recommends that the same be amended as follows:

Page 7, line 2, delete **"The members of"** and insert in lieu thereof the following **"Two persons shall be nominated for membership to"** and delete **"shall"**

Page 7, line 3, delete **"consist of one person"**

Page 7, delete all of lines 4 and 5

Page 7, line 6, delete **"within such county, by"** and insert in lieu thereof the following **"by the county superintendent of each such county. Nominations shall be submitted to a special committee composed of the county commissioners of such county, and"**

Page 7, line 8, delete the second word **"Such"** and insert in lieu thereof the following **"From the two nominations, one"**

Page 7, delete all of lines 10, 11, 12 and 13

Page 7, line 14, delete **"break the tie"** and insert in lieu thereof the following **"chairman of the board of county commissioners, and such member shall represent that county on the regional committee"**

Page 7, delete all of lines 22, 23, 24 and 25 and insert in lieu thereof the following **"member shall receive the sum of ten dollars as compensation for each meeting of the regional committee actually attended by him, and shall be reimbursed for his meals and lodging and travel expenses at the same rate and under the same conditions as are state officials and employees. All payments for compensation and meals and lodging and travel expenses shall be made by voucher prepared by the department of public instruction from funds appropriated for that purpose by the 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.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2178 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 12, delete the beginning triple parentheses before **"or"**

Page 1, line 13, delete the ending triple parentheses after **"second"**

Renumber 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 Agriculture to whom was referred Senate Bill No. 2180 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "chapter", delete the following: "4-34 of the North"

On page 1, delete lines 2 and 3

On page 1, line 4, delete the words: "hedges; to create and enact chapter"

On page 1, line 9, after the semicolon, delete the words: "to provide that the state highway"

On page 1, delete line 10

On page 1, line 11, delete the following: "noxious weeds along state and federal highways;" and in line 11 after the word "repeal" insert the following: "subsection 71 of section 40-05-01 and"

Delete section 1 and section 2 of the bill

On page 8, line 11, after the word "days" insert the following: ", unless additional time is requested from and granted by the control authority,"

On page 8, line 12, delete the numeral "63-01.1-14", and insert in lieu thereof the numeral "63-01.1-15"

On page 8, line 31, after the word "may", insert the words: "submit the question of whether to"

On page 8, line 32, after the comma insert the following: "to the electorate of the county. The levy may be made"

On page 9, line 2, delete the word "Such", and insert the following in lieu thereof: "Upon approval of a majority of the voters of the county voting on the question, the"

On page 10, line 10, after the thé period, insert the following new Code section:

"63-01.1-11. LANDOWNERS OR OPERATORS ALONG COUNTY AND TOWNSHIP HIGHWAYS TO DESTROY WEEDS AND GRASSES.) 1. It is the duty of landowners or operators with land adjoining regularly traveled county and township highways, as designated by the township board of supervisors in organized townships, the board of county commissioners in unorganized townships, and the board of county commissioners in the case of county highways, to cut all weeds and grasses along such regularly traveled highways adjoining their lands, including weeds and grasses growing within the public right-of-way bordering such highways and their lands. Such cutting shall be completed not later than September fifteenth or October first, as shall be prescribed by the board of county commissioners.

2. The board of county commissioners of each county shall prescribe the time of cutting of such weeds and grasses, designate the county highways to be cut, and request the board of township supervisors to designate township roads to be cut. Notice of such action shall be published in the official county newspaper at least twice, and the last such publication shall appear not less than two weeks prior to the deadline date. If no official newspaper is published in the county, written notice shall be given by posting, in the same manner as election notices are posted.

3. If the landowner or operator fails to cut the weeds and grasses along the designated highways or roads as provided in this section, the board of township supervisors or the board of county commissioners, as the case may be, may cause such weeds and grasses to be cut and the actual expense of cutting shall be certified to the county auditor, and all of such expenses shall be charged against the land of the landowner and shall become a part of the taxes to be

levied against the land for the ensuing year and shall be collected in the same manner as other real estate taxes are collected, and placed to the credit of the respective subdivisions entitled thereto.

4. As used in this section, the word "operator" shall mean the person chiefly responsible for the farming or other operations being performed on the land, whether for his own benefit, or for the benefit of the landowner or another."

On page 10, line 11, delete the numeral "63-01.1-11" and insert in lieu thereof the numeral "63-01.1-12"

On page 10, line 19, delete the words "Farm operators and custom", and insert in lieu thereof the word "Custom"

On page 10, line 26, after the word "transporting", delete the words "grain or"

On page 10, line 34, delete the numeral "63-01.1-12", and insert in lieu thereof the numeral "63-01.1-13"

On page 11, line 11, delete the numeral "63-01.1-13", and insert in lieu thereof the numeral "63-01.1-14"

On page 11, line 13, after the word "shall", insert the following: "when requested to do so by a local weed control officer or a weed control authority,"

On page 11, line 15, after the word "authority", delete the words "and be required"

On page 11, line 16, delete the numeral "63-01.1-11" and insert in lieu thereof the numeral "63-01.1-12"

On page 11, line 20, delete the numeral "63-01.1-14", and insert in lieu thereof the numeral "63-01.1-15"

On page 11, line 22, delete the numeral "63-01.1-11", and insert in lieu thereof the numeral "63-01.1-12"

On page 11, line 35, delete the numeral "63-01.1-15", and insert in lieu thereof the numeral "63-01.1-16"

On page 12, line 5, delete the numeral "63-01.1-16", and insert in lieu thereof the numeral "63-01.1-17"

On page 12, line 11, delete the word "Chapters", and insert in lieu thereof the following: "Subsection 71 of section 40-05-01 and chapters"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass and be referred to the committee on appropriations.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2189 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 Education to whom was referred Senate Bill No. 2197 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 Education to whom was referred Senate Bill No. 2211 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 23 delete the comma and insert in lieu thereof a period and insert beginning triple parentheses before "and" and insert

ending triple parentheses after "to" and insert in lieu thereof the following **"A prospective, current, or former student shall be deemed to have consented to the release of all records to a prospective employer upon application for employment to that employer. The board may"**

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 Agriculture to whom was referred Senate Bill No. 2267 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. 2275 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2284 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 21, after the word "**session**" insert the following **"if the board chooses"** and after **"unless"** delete the remainder of the line

Page 1 line 22 delete **"and the person"** and insert in lieu thereof the following **"the person or persons"** and delete **"agree"** and insert in lieu thereof **"request"**

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 Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2292 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2298 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 Political Subdivisions to whom was referred Senate Bill No. 2338 has had the same under consideration and recommends that the same do pass. -

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2356 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2357 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2358 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2391 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 Education to whom was referred Senate Bill No. 2441 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 Education to whom was referred Senate Bill No. 2442 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 Education to whom was referred Senate Bill No. 2452 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 21 insert beginning triple parentheses before "North" and insert ending triple parentheses after "Dakota"

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 Appropriations to whom was referred Senate Bill No. 2454 has had the same under consideration and recommends that the same be indefinitely postponed.

Statement of the Purpose of the Indefinite postponement is to encourage this department to make application to the emergency commission for transfer of funds within their current appropriation.

SENATOR SORLIE, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2465 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2467 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. 2491 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 5 following the ending triple parentheses delete "two hundred" and insert in lieu thereof "fifteen"

Renumber the pages 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 Education to whom was referred Senate Bill No. 2494 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 Appropriations to whom was referred Senate Bill No. 2500 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10, after the word "to" add the following: "the department of public instruction for the purpose of funding"

On page 1, line 11, delete the following: "for the purpose of compensating" and insert in lieu thereof the words "to compensate"

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 identify the department of public instruction as the agency to provide accounting facilities.

SENATOR SORLIE, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4019 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.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2045, 2243, 2265, 2373, 2380, 2399, 2432, 2439 and 2470 be dispensed with, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2045 as recommended by the Committee on Finance and Taxation, and printed on page 371 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2243 as recommended by the Committee on Finance and Taxation, and printed on pages 371 and 372 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2265 as recommended by the Committee on Judiciary, and printed

on page 372 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2373 as recommended by the Committee on Finance and Taxation, and printed on page 373 of the Senate Journal, be adopted.

Senator Unruh moved that consideration of the amendments to Senate Bill No. 2373 be laid over one legislative day, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2380 as recommended by the Committee on Industry, Business and Labor and printed on page 373 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2399 as recommended by the Committee on State and Federal Government and printed on page 374 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2432 as recommended by the Committee on Judiciary and printed on pages 374 and 375 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2439 as recommended by the Committee on Judiciary and printed on page 375 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2470 as recommended by the Committee on State and Federal Government and printed on page 375 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2470 was re-referred to the Committee on Appropriations.

MOTIONS

Senator Goldberg moved that the Senate reconsider the action by which Senate Bill No. 2225 was lost, which motion prevailed.

Senator Holand moved that Senate Bill No. 2225 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Goldberg moved that the Senate reconsider the action by which Senate Bill No. 2407 was lost, which motion lost.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SEVENTH DAY

Bismarck, February 4, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John McMullen, First United Methodist, Mandan.

"Our Heavenly Father, we share a concern with these men and women gathered here. There is such a responsibility!! They are confronted with many requests, yes, and even demands. . . . They hear voices from people of all walks of life, with so many differing views. Every one feels that theirs is the only 'right' answer. . . . and these legislators are caught in the middle. Especially in these next few days, they will be called upon to make decisions that will have such heavy impact upon the living of every citizen of our fair state. Father, who is wise enough to have all the answers?? We ask that Thou wilt give them wisdom, courage and understanding to do what they feel is right. And we would ask, O God, that they would seek Thy Face for the decisions they should make. Give them

patience with those that oppose them. Give them health and continued strength that they may carry on the work they have begun and to which they have been elected. Bless our nation! Bless our President, our Governor, our Legislators. Lead us in the paths of righteousness for Thy Name's sake, O Lord we pray. Amen."

Roll call: All Senators present except Senators Lowe 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 twenty-fifth day after recess and twenty-sixth day and recommends that the same be corrected as follows:

Page 379, line 6, delete the word "pre" and insert in lieu thereof the word "prevailed."

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice-Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

RECOGNITION

Senator Wilhite announced that the Honorable Jake Fraese, Social Credit Party, Member for Rhineland, Manitoba Legislature, was in the chambers and requested that the Senate recognize Mr. Fraese, MLA, of Winkler, Manitoba, Canada, and Mr. Fraese, MLA, was recognized by the Senate.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Melland, Christensen and Wenstrom 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.

FIRST READING OF HOUSE BILLS

House Bill No. 1003. A Bill for an Act making an appropriation out of the state highway fund in the state treasury for the operation and maintenance of the highway patrol and the law enforcement training center, and declaring an emergency.

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 the use of the North Dakota business and industrial development department.

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 to continue the operation of North Dakota civil defense as provided for by Chapter 37-17 of the North Dakota Century Code.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1015. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the workmen's compensation bureau.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1028. A Bill for an Act making an appropriation to the North Dakota state fair association.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1062. A Bill for an Act to create and enact chapter 15-20.2 and sections 50-06-15, 50-06-16, 50-06-17, 50-06-18, 50-06-19, 50-06-20, 50-06-21, 50-06-22, 50-06-23, 50-06-24, 50-06-25, and 50-06-26 of the North Dakota Century Code, relating to vocational education and vocational rehabilitation; to amend and reenact section 50-06-13 of the North Dakota Century Code, relating to the biennial report of the state social service board; and to repeal section 4 of House Bill No. 1045 as approved by the Forty-second Legislative Assembly, relating to vocational education and vocational rehabilitation.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1081. 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 State and Federal Government.

House Bill No. 1089. A Bill for an Act to amend and reenact sections 4-13-04, 4-13-05, 4-13-06, and 4-13-07 of the North Dakota Century Code, relating to the appointment, qualifications, and compensation of members of the poultry improvement board.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1249. A Bill for an Act to amend and reenact subsection 8 of section 40-05-02 of the North Dakota Century Code, relating to the power of a municipality to construct and keep in repair overhead pedestrian bridges.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1252. A Bill for an Act to amend and reenact section 40-21-12 of the North Dakota Century Code, relating to compensation for making returns in a municipal election.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1268. A Bill for an Act to amend and reenact section 40-47-07 of the North Dakota Century Code, relating to appointment of an alternate member to a board of adjustment.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1287. A Bill for an Act relating to legal jeopardy in cases of self-defense or in aid of another in certain cases.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1305. A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to the officers of the senate and of the house of representatives, and to the maintenance of legislative organization in the event a special legislative session is called.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1359. A Bill for an Act to amend and reenact subsection 6 of section 20-03-11 of the North Dakota Century Code, to provide for the issuance of a locking seal as part of a big game hunting license.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1365. A Bill for an Act to amend and reenact section 39-05-08 of the North Dakota Century Code, relating to indexes on motor vehicles.

Which was read the first time and referred to the committee on Transportation.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 4, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2011
 Senate Bill No. 2013
 Senate Bill No. 2072
 Senate Bill No. 2301
 Senate Bill No. 2310
 Senate Bill No. 2353
 Senate Bill No. 2401
 Senate Bill No. 2402
 Senate Bill No. 2404
 Senate Bill No. 2424
 Senate Bill No. 2429
 Senate Bill No. 2431
 Senate Bill No. 2433
 Senate Bill No. 2434
 Senate Bill No. 2435
 Senate Bill No. 2437
 Senate Bill No. 2487

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
 Senate Chamber

Bismarck, February 4, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1096

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
 Senate Chamber

Bismarck, February 4, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1068

Which the Senate has amended.

LEO LEIDHOLM, Secretary

CONSIDERATION OF MESSAGE FROM THE HOUSE

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2043, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2043 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2043. A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code, relating to the compensation of school board members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2135, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2135 be deemed properly re-engrossed and placed on second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 2135. A Bill for an Act to amend and reenact section 54-24-09 of the North Dakota Century Code, relating to the state library's distribution of certain publications.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 4, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2043, 2135, and 2146.

Very respectfully

LEO LEIDHOLM, Secretary

Senate Bill No. 2042. A Bill for an Act to establish an office of higher education computer services under the control of the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 346 of the Senate Journal, the roll was called and there were ayes 28, nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Erdman	Larson, L.	Sanstead
Barth	Gronhovd	Lips	Sorlie
Berube	Hernett	Melland	Strinden
Chesrown	Holand	Nasset	Swedlund
Christensen	Jones	Nothing	Unruh
Coughlin	Just	Pyle	Van Horn
Doherty	Kautzmann	Rait	Wenstrom

Those voting in the negative were:

Butler	Larson, G.	Page	Schultz
Forkner	Litten	Redlin	Thane
Freed	Longmire	Ringsak	Thoreson
Goldberg	Morgan	Robinson	Wilhite
Jacobson	Mutch	Roen	

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax 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, 16; nays, 31; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Longmire	Robinson
Butler	Jones	Melland	Thoreson
Coughlin	Lips	Nasset	Unruh
Doherty	Litten	Ringsak	Wilhite

Those voting in the negative were:

Barth	Gronhovd	Mutch	Schultz
Berube	Hernett	Nothing	Sorlie
Chesrown	Holand	Page	Strinden
Christensen	Just	Pyle	Swedlund
Erdman	Kautzmann	Rait	Thane
Forkner	Larson, G.	Redlin	Van Horn
Freed	Larson, L.	Roen	Wenstrom
Goldberg	Morgan	Sanstead	

Absent and not voting:

Lowe Stroup

So the bill was declared lost.

Senate Bill No. 2136. A Bill for an Act making an appropriation for the educational commission of the states.

Which has been read.

Senator G. Larson moved that Senate Bill No. 2136 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2215. 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.

Senator Chesrown moved that Senate Bill No. 2215 be re-referred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 2247. 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, relating to sales and use tax exemptions for certain food products.

Which has been read.

Senator Butler moved that Senate Bill No. 2247 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senate Bill No. 2249. A Bill for an Act to amend and reenact sections 27-11-22 and 27-12-02 of the 1969 Supplement to the North Dakota Century Code, relating to annual licenses to practice law and membership of the state bar association.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2251. A Bill for an Act to define vacancies in the district court and the method of filling such vacancies, provide for removal or censure of district court judges, and to amend and reenact sections 16-05-02, 16-08-02, and subsection 2 of section 44-02-02 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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Ringsak	Wenstrom

Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Those voting in the negative were:
Doherty

Absent and not voting:

Lowe	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2252. A Bill for an Act to amend and reenact section 28-18-09 of the North Dakota Century Code, and to repeal section 28-27-32 of the North Dakota Century Code, relating to appeals to the North Dakota supreme court.

Which has been read.

Senator Ringsak moved that Senate Bill No. 2252 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2262. A Bill for an Act to provide for the issuing of revenue bonds for the construction of a rehabilitation hospital at the university of North Dakota, and appropriating the moneys for such construction.

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, 2.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
Barth	Gronhovd	Longmire	Schultz
Berube	Hernett	Melland	Sorlie
Butler	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nothing	Thane
Coughlin	Just	Page	Unruh
Doherty	Kautzmann	Rait	Van Horn
Erdman	Larson, G.	Redlin	Wenstrom
Forkner	Larson, L.	Robinson	Wilhite
Freed	Lips	Roen	

Those voting in the negative were:

Morgan	Pyle	Ringsak	Thoreson
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Absent and not voting:

Lowe	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2277. A Bill for an Act to provide that no person shall be placed in legal jeopardy for acts of self-defense or to protect his property or in aid of another.

Which has been read.

Senator Ringsak moved that Senate Bill No. 2277 be amended as follows:

On page 1 of the engrossed bill, in line 14, delete the word "or" and insert in lieu thereof the following: "of being"

Which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 2277 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

Senate Bill No. 2277. A Bill for an Act to provide that no person shall be placed in legal jeopardy for acts of self-defense or to protect his property or in aid of another.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 349 of the Senate Journal, and from the floor, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Strinden
Butler	Hernett	Nasset	Thane
Coughlin	Jacobson	Nething	Thoreson
Doherty	Jones	Ringsak	Unruh
Erdman	Larson, L.	Robinson	Van Horn
Forkner	Litten	Roen	Wilhite
Goldberg	Melland	Schultz	

Those voting in the negative were:

Barth	Holand	Longmire	Redlin
Berube	Just	Morgan	Sanstead
Chesrown	Kautzmann	Page	Sorlie
Christensen	Larson, G.	Pyle	Swedlund
Freed	Lips	Rait	Wenstrom

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 4, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1013
 House Bill No. 1160
 House Bill No. 1243
 House Bill No. 1253
 House Bill No. 1270
 House Bill No. 1290
 House Bill No. 1325
 House Bill No. 1330
 House Bill No. 1389
 House Bill No. 1392
 House Bill No. 1468
 House Bill No. 1549

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 4, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2167

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of Senate Bills Nos. 2045, 2067, 2243, 2265, 2267, 2275, 2292, 2338, 2356, 2357, 2358, 2380, 2391, 2399, 2432, 2439, 2467, 2494, and Senate Concurrent Resolution No. 4019, that the Senate recess until 1:00 p.m., February 5, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-SEVENTH DAY AFTER RECESS
AND TWENTY-EIGHTH DAY

Bismarck, February 5, 1971

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. 2045
Senate Bill No. 2243
Senate Bill No. 2265
Senate Bill No. 2380
Senate Bill No. 2399
Senate Bill No. 2432
Senate Bill No. 2439
Senate Bill No. 2470

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

RECOGNITION

Senator Wilhite: "Mr. President. Members of the Senate. We are honored and pleased to have as our guest today North Dakota's Senior Senator, UNITED STATES SENATOR MILTON R. YOUNG. He knows our problems, he served 13 years in the North Dakota Legislature. He knows the national problems, he has served 26 years next month in the United States Senate. He has served longer than any other United States Senator in North Dakota history.

"I move, Mr. President, that a committee of two be appointed to escort the Honorable Milton R. Young to the rostrum for the purpose of addressing the Senate."

The President appointed as such committee, Senators Wilhite and Christensen, and Senator Young was escorted to the rostrum and invited to address the Senate.

Senator Young:

"MR. PRESIDENT AND MEMBERS OF THE SENATE: Coming back to visit you each session, as I have done since serving here, is always most enjoyable.

"There is a great similarity between the way Congress and you operate. We do deal with different problems, but some of yours are just as sensitive and touchy, if not more so, than those in Congress.

"I understand your major problem now is finding sufficient funds to meet the most necessary needs of the public. That has an old familiar ring. Fortunately, you have never fallen into the bad habit of deficit spending as Congress has.

"The recent new policy outlined in the President's full employment

budget will mean continued deficit spending. It may help the unemployment problem primarily caused by the reduction in the armed forces and the greatly reduced spending for the production of defense equipment and material of all kinds.

"One of the major effects in North Dakota as this new budget concept will be the acceleration of public works projects. This will be beyond the level indicated in current budget figures.

"Probably of the greatest interest to you at this time is the proposed revenue sharing plan. Briefly, it wouldn't mean much difference in the amount of money which will be available to the cities and other political subdivisions, but they will have more discretionary authority as to the programs on which they can spend this money.

"The Nixon budget proposes to share some revenue with the states. Approximately \$5 billion is presently scheduled for direct payments. North Dakota's share of this would be \$20.5 million.

"This will help some, but it doesn't necessarily bring about what we need most — more industry for North Dakota.

"When I appeared here two years ago I discussed in some detail getting industry for North Dakota. At that time Lockheed had announced the location of one of its plants at Minot. Since then Western Gear has located a plant at Jamestown and Northrup one at New Town. The expansion of these plants and the establishment of new ones, however, will be limited until the aerospace industry as a whole is in healthier condition than it is now.

"There are other aerospace industries very interested in locating plants in North Dakota. Wyman-Gordon is one. This is the largest metal forging concern in the United States. There is hardly a plane of any size flying today that doesn't have their forgings.

"About a year ago I had a visit with Mr. Robert W. Stoddard, Chairman of the Board of this concern, and its President, Joe Carter, and other officials in Worcester, Massachusetts. You will recall Mr. William Beamer, Vice President of Wyman-Gordon, made a trip to North Dakota last spring and he virtually promised then to locate a plant in North Dakota.

"Just last week I received a letter from the Wyman-Gordon President, Joe Carter. Let me quote a part of that letter.

"During our last visit I promised to contact you after the first of the year and appraise you of our business situation and its relationship to our studies for an aluminum forging plant in North Dakota.

"We have made one substantial force reduction here and in addition, went to a four-day week operation starting last Monday.

"It appears as though we will have to have another layoff with a total work force of about thirty per cent.

"I sincerely regret this turn of events which we have seen during the past year and the somewhat pessimistic market forecast through 1971 and 1972.

"This somewhat lengthy explanation I hope will acquaint you with the situation as it stands presently at Wyman-Gordon. We are not discouraged nor have we abandoned the possibility of eventually investing in such a facility.

"North Dakota still is the number-one candidate for the location of such a facility. I sincerely hope that conditions will change sufficiently in the future so that we can follow through with our thinking of a year ago.'

"This gives you some idea of the problems we face in getting new industry in North Dakota and especially in the aerospace field.

"Most industries are having problems, but the problems of the aerospace industry are somewhat different. Because of our superior aerospace technology, even with our higher wages and costs of operation,

we can still compete favorably with the rest of the world. Until this year we have enjoyed more than \$1 billion annually in sales of commercial aircraft to foreign countries and more than \$750 million worth of military planes.

"Our sales of military planes have decreased sharply for several reasons. One of them is that there is just too much opposition in Congress and elsewhere to the necessary research and development of new and more modern military aircraft, as well as commercial aircraft such as the supersonic transport.

"Some of our problems have been the result of mistakes — and serious ones — by the Pentagon. The TFX Contract for the F-111 plane is a case in point. This plane has been plagued with many problems. Australia, for example, had agreed to buy 24 of them. They decided, however, that the plane wasn't satisfactory. We are now providing them with F-4 Phantoms which they will use until the F-111's are acceptable.

"For years we have been selling most of the military planes to such countries as Germany and Japan and other friendly nations. Because of the opposition in Congress to both developing better planes and making them available to other countries, we are fast losing this market. The French have a superb fighter in their Mirage. The French Mirage is being sold to many countries all over the world — particularly Latin America. Japan and Germany are now starting to build their own planes.

"The Russians are moving ahead of us, not only in military aircraft, but in several other areas of defense. Their Foxbat fighter flies faster and higher than anything we have. Fortunately, we still have better pilots and better avionics equipment and weapons systems on our planes.

"Our F-14's and F-15's which are now in the research and development stage should be in the construction stage in about three years. We feel sure these will be better than anything the Russians now have.

"Along with losing the world market for military aircraft, we are faced with the serious problems of losing much of our billion dollar market for commercial aircraft.

"The British and French have jointly developed their supersonic transport, the Concorde. This plane in test flights is already flying 900 miles an hour faster than our commercial aircraft. The Russians are flying their supersonic transport at more than 1100 miles an hour faster.

"Our proposed supersonic transport plane is in serious trouble, as you know. We have already spent \$1 billion in research and development on it. If it were discontinued as many are advocating, it would cost us another \$227 million just to terminate our contracts. In addition, the industries involved would lose nearly \$200 million they have invested.

"It would seem to me the best thing we could do now is to go ahead with our supersonic plane. It wouldn't cost much more than to cancel out at this point. Our SST would be a faster and better plane than either the Concorde or the Russian plane. Thus we would hope to regain much of this market we now stand to lose. If this plane were a success, and most authorities believe it would be, the government would be repaid all of the costs it had incurred.

"There is much talk about priority on available Federal funds.

"Education and many other programs are highly essential and should have a high priority, but after young people finish their education what they need first is jobs. We need the new industries — both as taxpayers and to provide the needed jobs.

"One of the more accurate appraisals of what the SST could do for jobs recently appeared in the WASHINGTON EVENING STAR.

It indicated that, while the total number of jobs directly affected by the SST is 150,000, the total number of people concerned with this production could be as many as 500,000. If you included the families of the workers, it could well go over the 2 million figure.

"What happens to the aerospace industry nationally will have a direct and important bearing on this industry's future in North Dakota. We have a lot at stake.

"In closing may I say that I share your deep concern over the continuing war in Southeast Asia. Fortunately, our men are being returned at the rate of 12,500 a month and we are assured that it will continue at this rate. Just walking away from this war would be an easy answer, but it isn't one that we could very well live with in future years.

"I need make no apology for the position I have taken with respect to this tragic war. I was strongly opposed to getting involved in it in the first place, and at a time when many of our present-day doves thought it was a great idea.

"The winding down of this war will make possible sizeable reductions in defense spending. For example, of the present \$68 billion defense budget, \$40 billion goes for the pay of personnel alone. Ending this war is causing some difficult readjustments — unemployment is one of them. You and I would much prefer an unemployment problem than to reading the weekly casualty reports.

"Thank you for permitting me to be with you again."

Senator Litten moved that the remarks of Senator Young be printed in the journal, which motion prevailed.

MOTION

Senator Strinden moved that the Senate reconsider the action by which Senate Bill No. 2407 was lost, which motion prevailed.

Senator Strinden moved that Senate Bill No. 2407 be placed at the foot of the calendar, which motion prevailed.

COMMUNICATION

The following communication was read by the Secretary of the Senate:

STATE OF NORTH DAKOTA
Executive Office
Bismarck

January 29, 1971

The Honorable Richard F. Larsen
President of the Senate
North Dakota Senate
Bismarck, North Dakota

Dear Mr. President:

I am pleased to send to the North Dakota Senate the name of my nominee to the Board of Higher Education for the term commencing July 1, 1971. He is Vincent J. Buck of Jamestown.

Respectfully yours,
WILLIAM L. GUY
Governor

The above communication was referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2047 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Chairman

Senator Thoreson 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. 2056 has had the same under consideration and recommends that the same be amended as follows:

Page 4, line 13, after "county" insert "acting with the advice and consent of the public welfare board of North Dakota"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 2248 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 3, delete the word "bonds" and insert in lieu thereof "warrants"

Page 1, line 12, delete the word "BOND"

Page 1, line 13, delete the word "bond"

Page 1, line 16, delete the word "bonds" and insert in lieu thereof "warrants"

Page 1, line 17, delete the word "bonds" and insert in lieu thereof "warrants"

Page 1, line 19, after the period delete the remainder of the line

Page 1, delete all of lines 20 through 22

Page 1, line 23, delete the following "pletion of the project." and insert in lieu thereof "The board shall arrange for the proper preparation and sale of such warrants and shall issue such warrants in an aggregate principal amount not exceeding the sum of bonds authorized and necessary to finance completion of the project."

Page 1, line 23, delete the word "bonds" and insert in lieu thereof "warrants"

Page 2, line 5, delete the word "eight" and insert in lieu thereof "seven"

Page 2, line 6, delete the word "bonds" and insert in lieu thereof "warrants"

Page 2, line 9, delete the word "bonds" and insert in lieu thereof "warrants" and after the word "of" delete the word "eight" and insert in lieu thereof "seven"

Page 2, line 10, delete the word "bonds" and insert in lieu thereof "warrants"

Page 2, line 14, delete the word "bonds" and insert in lieu thereof "warrants"

Page 2, line 17, delete the word "bonds" and insert in lieu thereof "warrants"

Page 2, line 23, delete the word "bonds" and insert in lieu thereof "warrants"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2263 has had the same under consideration and recommends that the same be amended as follows:

Page 2, line 4, after "until" insert "acceptable board" and after "standards delete ", recommended by the"

Page 2, line 5, delete "advisory committee,"

Page 3, line 11, after the first "a" delete "town" and insert in lieu thereof "township" and after the second comma insert "commission,"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2272 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2281 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. 2328 has had the same under consideration and recommends that the same be amended as follows:

Page 1, line 24, after "license" insert the following "**; however, no such suspension shall be ordered upon a first violation**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2362 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2365 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2372 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin 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.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom

was referred Senate Bill No. 2426 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. 2427 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 State and Federal Government to whom was referred Senate Bill No. 2443 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 delete "board" and insert in lieu thereof "director"

Page 1 line 8 delete "institutions" and insert in lieu thereof "administration"

Page 1 line 11 delete the comma and insert a period and delete "the board" and insert in lieu thereof "The director"

Page 1 line 12 delete "is hereby further authorized to" and insert in lieu thereof "may" and after "lease" insert the following "upon terms and conditions deemed equitable to the state," and following "to" delete "the"

Page 1 line 20 following "Dakota" delete the comma and insert a period and delete the remainder of the line

Page 1 delete all of lines 21 through 24

Page 2 delete all of lines 1 through 27

Page 2 line 30 delete "state board" and insert in lieu thereof "director"

Page 2 line 31 delete "board" and insert in lieu thereof "director"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2489 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. 4018 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.

Senator Morgan requested a recorded vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Roen, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Freed	Lips	Rait
Barth	Goldberg	Litten	Roen
Berube	Hernett	Longmire	Sorlie
Chesrown	Holand	Melland	Stroup

Christensen	Jacobson	Nasset	Van Horn
Coughlin	Jones	Nething	Wenstrom
Doherty	Kautzmann	Page	Wilhite
Forkner	Larson, G.	Pyle	

Those voting in the negative were:

Erdman	Morgan	Robinson	Swedlund
Gronhovd	Mutch	Sanstead	Thane
Just	Redlin	Schultz	Thoreson
Larson, L.	Ringsak	Strinden	Unruh

Absent and not voting:

Butler	Lowe
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So the motion was declared carried.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1070 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1095 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 Transportation to whom was referred House Bill No. 1122 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 15 of the engrossed bill delete "one" and insert in lieu thereof "three"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1147 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1163 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-EIGHTH DAY

Bismarck, February 5, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Robert Lynne, Good Shepherd Lutheran, Bismarck.

"Lord Jesus, You have promised to give us the Holy Spirit if

we are but willing to open our hearts and let him in. We know deep down in our hearts that without Your guidance we can do nothing, but with You we can do all things. Let us not be afraid of the problems that are before us, but give us the strength and wisdom to handle these problems in a way that will be blessing to all. Amen."

Roll call: All Senators present except Senators Butler and Lowe.
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 twenty-seventh day and recommends that the same be corrected as follows:

Page 393, delete all of line 12.

Page 399, line 4 from the bottom delete the word "AMENDMENT" and insert in lieu thereof "MESSAGES FROM THE HOUSE"

Page 381, line 3 from the bottom delete the word "negative" and insert in lieu thereof the word "affirmative"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2004, 2160, 2178, 2180, 2211, 2284, 2373, 2452, 2491, 2500, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2004 as recommended by the Committee on Appropriations, and printed on page 389 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2160 as recommended by the Committee on Education, and printed on page 390 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2178 as recommended by the Committee on Education, and printed on page 390 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2180 as recommended by the Committee on Agriculture, and printed on pages 391 and 392 of the Senate Journal, be adopted.

Senator Morgan moved that Senate Bill No. 2180 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2211 as recommended by the Committee on Education, and printed on pages 392 and 393 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2284 as recommended by the Committee on Education, and printed on page 393 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to Senate Bill No. 2373 as recommended by the Committee on Finance and Taxation, and printed on page 373 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2452 as recommended by the Committee on Education, and printed

on page 394 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2491 as recommended by the Committee on Agriculture, and printed on page 395 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2500 as recommended by the Committee on Appropriations, and printed on page 395 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator Lips and Melland introduced:

Senate Concurrent Resolution No. 4032. A Concurrent Resolution recommending that the governor and director of institutions select by a contest or other means an outstanding Indian princess to be dressed in authentic costume and employed as a capitol guide.

Was read the first time and referred to the committee on State and Federal Government.

FIRST READING OF HOUSE BILLS

House Bill No. 1013. 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 register of motor vehicles.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1160. A Bill for an Act authorizing the creation of mayors' human rights commissions in cities; to provide powers, duties, and operating procedures.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1243. A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the North Dakota Century Code, relating to power of municipalities to defray expense of overhead pedestrian bridges by special assessments.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1253. A Bill for an Act relating to the payment of life insurance proceeds to trustees whether inter vivos or testamentary.

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 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. 1290. A Bill for Act to create and enact sections 5-01-08.1 and 5-01-08.2 of the North Dakota Century Code, and to amend and reenact sections 5-01-09 and 5-02-06 of the North Dakota Century Code, relating to misrepresentation of age in procuring alcoholic beverages.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1325. A Bill for an Act to amend and reenact sections 43-12-01, 43-12-02, 43-12-03, 43-12-04, 43-12-05, 43-12-06, 43-12-07, 43-12-08, 43-12-09, 43-12-10, 43-12-11, 43-12-13, 43-12-15, 43-12-16, 43-12-17, 43-12-18, 43-12-21, 43-12-22, and 43-12-24 of the North Dakota Century Code, and to repeal sections 43-12-19 and 43-12-20 of the North Dakota Century Code, all relating to professional nurses, and providing a penalty.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1330. A Bill for an Act relating to the liabilities for the costs of care and maintenance of students at the state industrial school.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1389. A Bill for an Act to amend and reenact section 32-09-02 of the North Dakota Century Code, relating to the maximum wages subject to garnishment.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1392. A Bill for an Act to create and enact section 59-02-22 of the North Dakota Century Code, relating to the activities of private foundations, charitable trusts, and split-interest trusts.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1468. A Bill for an Act to amend and reenact sections 57-38-09.1 and 57-38-34 of the North Dakota Century Code, relating to the due date for filing tax returns by tax exempt organizations and cooperatives and providing for an effective date.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1549. A Bill for an Act to create and enact a new section to chapter 21-02 of the North Dakota Century Code, relating to the issuance of certificates of indebtedness by a political subdivision in anticipation of the revenue it will receive as personal property tax replacement revenue pursuant to section 57-58-01 of the North Dakota Century Code, and declaring an emergency.

Which was read the first time and referred to the committee on Finance and Taxation.

SECOND READING OF SENATE BILLS

Senate Bill No. 2282. A Bill for an Act to amend and reenact subsections 3 and 6 of section 54-52-01 and section 54-52-02 of the North Dakota Century Code, relating to definitions and formulation of plans under the state employees' retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 349 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Absent and not voting:

Butler	Low	Nasset	Nothing
Holand			

So the bill passed and the title was agreed to.

Senate Bill No. 2289. A Bill for an Act relating to the mandatory disposition of detainees for criminal charges pending against persons imprisoned in this state and constituting the Uniform Mandatory Disposition of Detainers 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Butler	Lowe	Schultz	Thoreson
Gronhovd	Nasset		

So the bill passed and the title was agreed to.

Senate Bill No. 2290. A Bill for an Act to amend and reenact section 40-08-07 of the North Dakota Century Code, relating to compensation of aldermen in council cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 349 and 350 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Lowe	Nasset	Sanstead
Gronhovd			

So the bill passed and the title was agreed to.

Senate Bill No. 2304. A Bill for an Act to amend and reenact subsections 1, 2, 3 and 4 of section 44-08-04 and subsection 1 of section 54-06-09 of the North Dakota Century Code, relating to travel expenses.

Which has been read.

Senator Sorlie moved that Senate Bill No. 2304 be amended as follows:

On page 1 of the engrossed bill, in line 2, after the numeral "44-08-04" delete the following: "and subsection 1 of section"

On page 1, line 3, delete the following: "54-06-09"

Which motion prevailed.

Senator Sorlie moved that the rules be suspended, that Senate Bill No. 2304 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 350 of the Senate Journal, and from the floor, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Butler	Lowe	Sanstead	Thoreson
Gronhovd	Nasset		

So the bill passed and the title was agreed to.

Senate Bill No. 2314. A Bill for an Act to amend and reenact subsection 1 of section 40-45-13 of the North Dakota Century Code, relating to payments of police pension benefits to police widows.

Which has been read.

Senator Redlin moved that Senate Bill No. 2314 be amended as follows:

On page 1 of the engrossed bill, in line 3, after the word "widows" and before the period insert the following: "or widowers"

Which motion prevailed

Senator Redlin moved that the rules be suspended, that Senate Bill No. 2314 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 350 of the Senate Journal, and from the floor, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Butler	Lowe	Sanstead	Thoreson
Gronhovd	Nasset		

So the bill passed and the title was agreed to.

Senate Bill No. 2335. A Bill for an Act to amend and reenact section 40-09-06 of the North Dakota Century Code, relating to salaries of city commissioners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 350 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite

Absent and not voting:

Butler	Lowe	Sanstead	Thoreson
Gronhovd			

So the bill passed and the title was agreed to.

Senate Bill No. 2342. A Bill for an Act to amend and reenact section 51-07-01 of the North Dakota Century Code, relating to the recovery of the price of articles upon the discontinuance of contract between retailer and wholesaler, manufacturer or distributor.

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite

Absent and not voting:

Butler	Lowe	Sanstead	Thoreson
Gronhovd			

So the bill passed and the title was agreed to.

Senate Bill No. 2383. A Bill for an Act to provide for the change of a district court judge upon written demand of a party and prescribing the procedure therefor; and to repeal chapter 28-13 and sections 29-15-13, 29-15-14, 19-15-15, 29-15-16, 29-15-17, 29-15-19, and 29-15-20 of the North Dakota Century Code, relating to affidavits of prejudice are hereby repealed.

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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Larson, G.	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2385. A Bill for an Act relating to income tax credits.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Robinson
Barth	Hernett	Longmire	Schultz
Berube	Holand	Melland	Sorlie
Chesrown	Jacobson	Morgan	Strinden
Christensen	Jones	Mutch	Thane
Coughlin	Just	Nasset	Thoreson
Doherty	Kautzmann	Nothing	Unruh
Erdman	Larson, G.	Pyle	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite
Goldberg			

Those voting in the negative were:

Page	Rait	Stroup	Swedlund
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Absent and not voting:

Butler	Lowe	Roen	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2393. A Bill for an Act to repeal sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code relating to the legislative compensation 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, 32; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Morgan	Ringsak	Swedlund
Doherty	Mutch	Robinson	Thane
Freed	Page	Schultz	Wilhite
Jacobson			

Those voting in the negative were:

Barth	Gronhovd	Lips	Redlin
Berube	Hernett	Litten	Sorlie
Chesrown	Holand	Longmire	Strinden
Christensen	Jones	Melland	Stroup
Coughlin	Just	Nasset	Thoreson
Erdman	Kautzmann	Nothing	Unruh

Forkner	Larson, G.	Pyle	Van Horn
Goldberg	Larson, L.	Rait	Wenstrom
Absent and not voting:			
Butler	Lowe	Roen	Sanstead

So the bill was declared lost.

Senate Bill No. 2400. A Bill for an Act to create and enact section 42-02-14.1 of the North Dakota Century Code, relating to an annual license fee for certified public accountants; to create and enact subsection 5 of section 43-02-08 relating to the powers of the board of accountancy; to amend and reenact sections 43-02-11, 43-02-12, 43-02-13, 43-02-14, 43-02-15 and subsections 2 and 3 of section 43-02-17 of the North Dakota Century Code relating to examination, revocation of certificates, fees for examination for certificates for certified public accountants, use of the title "certified public accountant," and 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Lowe	Roen	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2403. A Bill for an Act to amend and reenact section 39-22-09 of the 1969 Supplement to the North Dakota Century Code, relating to the reporting of used motor vehicle inventories.

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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Lowe	Roen	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2408. A Bill for an appropriation for the use of the state toxicologist.

Which has been read.

Senator Wenstrom moved that Senate Bill No. 2408 be amended as follows:

Page 1, line 13, after the numerals "1973," insert the following "as provided in Section 1 of Chapter 359 of the 1969 Session Laws"

Renumber the lines accordingly.

Which motion prevailed.

Senator Wenstrom moved that the rules be suspended, that Senate Bill No. 2408 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, 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, 3; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Robinson
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Coughlin	Schultz	Strinden
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Absent and not voting:

Butler	Lowe	Roen	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2413. 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 tax on individuals, estates and trusts for the privilege of doing business in this state; to provide an effective date; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Lowe	Roen	Sanstead
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So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2417. A Bill for an Act to provide for the collection of delinquent sales, use, income and business and corporation privilege taxes from taxpayers not residing in this state; providing for tax commissioner to contract with collection and credit agencies; providing for a bond, and providing for payment of 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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Lowe	Sanstead	Thoreson
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So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 5, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2042
Senate Bill No. 2141
Senate Bill No. 2249
Senate Bill No. 2251
Senate Bill No. 2262
Senate Bill No. 2277

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 5, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2199
Senate Concurrent Resolution No. 4025

Which the House has amended as follows:

AMENDMENTS TO SENATE BILL No. 2199

On page 1, line 14, delete the word "thirteen" and insert in lieu thereof the word "twelve"

On page 1, line 16, delete the word "sixteen" and insert in lieu thereof the word "fourteen"

On page 1, line 19, delete the word "eighteen" and insert in lieu thereof the word "sixteen"

AMENDMENTS TO SENATE CONCURRENT RESOLUTION No. 4025

On page 4 of the engrossed bill, after line 12, insert the following:
"Janice M. Holle, stenographer — February 1, 1971..... 22.00"

On page 4, line 33, delete "Ottman" and insert in lieu thereof "Ottmar"

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 5, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2125

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 5, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1022

House Bill No. 1027

House Bill No. 1046

House Bill No. 1113

House Bill No. 1167

House Bill No. 1193

House Bill No. 1215

House Bill No. 1357

House Bill No. 1384

House Bill No. 1406

House Bill No. 1424

House Bill No. 1428

House Bill No. 1461

House Bill No. 1462

House Bill No. 1463

House Bill No. 1464

House Bill No. 1465

House Bill No. 1521

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MOTION

Senator Redlin moved that the Senate reconsider the action by which Senate Bill No. 2054 was lost, which motion prevailed.

Senator Redlin moved that Senate Bill No. 2054 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2436. A Bill for an Act to amend and reenact section 16-12-15 of the North Dakota Century Code, relating to the depositing of unstamped and uninitialed ballots in a ballot box.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Page	Thane

Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Those voting in the negative were:
 Nothing Swedlund

Absent and not voting:
 Butler Lowe Sanstead

So the bill passed and the title was agreed to.

Senate Bill No. 2486. A Bill for an Act to create and enact section 15-10-12.1 of the North Dakota Century Code, to provide a procedure for the acceptance of buildings by the board of higher education, and to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to the acceptance of gifts and bequests by the board 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:
 Butler Lowe Sanstead

So the bill passed and the title was agreed to.

Senate Bill No. 2244. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code, relating to the apportionment and distribution of the proceeds of a cooperative.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 15; nays, 31; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Just	Melland	Thoreson
Chesrown	Kautzmann	Nasset	Van Horn
Gronhovd	Larson, L.	Rait	Wenstrom
Jacobson	Lips	Swedlund	

Those voting in the negative were:

Anderson	Goldberg	Mutch	Schultz
Barth	Hernett	Nothing	Sorlie
Christensen	Holand	Page	Strinden
Coughlin	Jones	Pyle	Stroup
Doherty	Larson, G.	Redlin	Thane
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Wilhite
Freed	Morgan	Roen	

Absent and not voting:

Butler Lowe Sanstead

So the bill was declared lost.

Senate Bill No. 2252. A Bill for an Act to amend and reenact section 28-18-09 of the North Dakota Century Code, and to repeal section 28-27-32 of the North Dakota Century Code, relating to appeals to the North Dakota supreme court.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Lowe Sanstead

So the bill passed and the title was agreed to.

Senate Bill No. 2280. 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, and declaring an emergency.

Which has been read.

Senator Longmire moved that Senate Bill No. 2280 be laid over one legislative day, which motion prevailed.

**SECOND READING OF A
SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4006. A concurrent resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

Which has been read.

Senator Forkner moved that Senate Concurrent Resolution No. 4006 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 5. A Resolution to appoint an official photographer for the senate of the Forty-second 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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden

Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			
Absent and not voting:			
Butler	Lowe	Sanstead	Wenstrom

So the resolution was declared adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation; and to repeal section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property, and declaring an emergency.

Which was read.

Senator Thoreson moved that Senate Bill No. 2045 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2067. A Bill for an Act to create and enact sections 16-01-11.1 and 16-01-11.2 of the North Dakota Century Code; to amend and reenact section 16-01-11 of the North Dakota Century Code, relating to regulations governing initiative, referendum, and recall petitions, and the powers and duties of the secretary of state in regard thereto; providing 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, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sorlie
Barth	Hernett	Morgan	Strinden
Berube	Holand	Nasset	Stroup
Chesrown	Jacobson	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Those voting in the negative were:

Jones Mutch

Absent and not voting:

Butler Lowe Sanstead Schultz

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2243. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claims for refund of motor fuel tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on pages 371 and 372 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2265. A Bill for an Act to amend and reenact section 29-02-04 of the North Dakota Century Code, relating to the prevention of public offenses by officers of justice; and to repeal sections 29-02-06, 29-02-07, 29-02-08, 29-02-09, 29-02-10, 29-02-11, 29-02-12, 29-02-13, 29-02-14, 29-02-15, 29-02-16, 29-02-17, 29-02-18, 29-02-19, 29-02-20, 29-02-21, and 29-02-22 of the North Dakota Century Code, relating to the peace bond procedure following complaint that a person is threatening bodily harm or harm to property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 372 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2267. A Bill for an Act to amend and reenact subsection 11 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions of certain feed 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden

Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Lowe Sanstead

So the bill passed and the title was agreed to.

Senate Bill No. 2275. A Bill for an Act to create a state trust to hold unpaid guaranteed student loans belonging to the state of North Dakota; to authorize preparation, sale, and issuance of special coupon bonds of the state of North Dakota against such United States government guaranteed student loans so held; and to make such bonds eligible for investment of the funds of banks, savings and loan associations, and public trust funds of this state, and making 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, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Lowe Rait Sanstead

So the bill passed and the title was agreed to.

Senate Bill No. 2292. A Bill for an Act to amend and reenact sections 54-38-01, 54-38-02, 54-38-05, 54-38-06, 54-38-07 and 54-38-09 relating to the creation of a division of alcoholism and drug abuse within the State Department of Health and repealing sections 54-38-03, 54-38-04 and 54-38-08 of the North Dakota Century Code, relating to the state commission on alcoholism.

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Redlin	Unruh

Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite
Absent and not voting:			
Berube	Low	Rait	Sanstead
Butler			

So the bill passed and the title was agreed to.

Senate Bill No. 2338. A Bill for an Act to empower County Commissioners to levy special assessments in rural 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, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Hernett	Melland	Roen	Wilhite
Holand	Morgan		

Those voting in the negative were:

Forkner	Strinden
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Absent and not voting:

Berube	Gronhovd	Low	Sanstead
Butler			

So the bill passed and the title was agreed to.

Senate Bill No. 2356. A Bill for an Act to amend and reenact section 40-22-20 of the North Dakota Century Code, relating to bond or check to accompany bids; and to repeal section 40-22-21 of the North Dakota Century Code, relating to amount of bidder's 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, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Robinson
Barth	Hernett	Longmire	Roen
Chesrown	Holand	Melland	Schultz
Christensen	Jacobson	Morgan	Sorlie
Coughlin	Jones	Nasset	Swedlund
Doherty	Just	Nothing	Thane
Erdman	Kautzmann	Pyle	Thoreson
Forkner	Larson, G.	Rait	Unruh
Freed	Larson, L.	Redlin	Van Horn
Goldberg	Lips	Ringsak	Wilhite

Those voting in the negative were:

Mutch	Strinden	Stroup	Wenstrom
Page			

Absent and not voting:

Berube	Butler	Low	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2357. A Bill for an Act to amend and reenact sub-

section 4 of section 48-02-04 of the North Dakota Century Code, relating to contents of advertisement for bids on 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Barth	Jacobson	Mutch	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite
Hernett	Melland	Schultz	

Absent and not voting:

Berube	Forkner	Nasset	Sanstead
Butler	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2358. A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, relating to bond or check to accompany bids before county commissioners.

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, 5; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Holand	Melland	Schultz
Chesrown	Jacobson	Morgan	Sorlie
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nething	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Mutch	Roen	Strinden	Stroup
Page			

Absent and not voting:

Berube	Hernett	Sanstead	Wenstrom
Butler	Lowe		

So the bill passed and the title was agreed to.

Senate Bill No. 2380. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code, relating to definition of a telephone company.

Which has been read.

Senator Sorlie moved that Senate Bill No. 2380 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2391. A Bill for an Act to create and enact section 38-08-09.17 of the North Dakota Century Code, to provide for the unitized management, operation, and development of two or more pools or parts thereof separated vertically in one field; defining the term "unit source of supply."

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite

Absent and not voting:

Berube	Lowe	Sanstead	Schultz
Butler			

So the bill passed and the title was agreed to.

Senate Bill No. 2399. A Bill for an Act to provide for the disclosure and reporting of moneys expended on lobbying activities, and providing a penalty.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2399 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2432. A Bill for an Act to amend and reenact section 16-20-19 of the North Dakota Century Code, relating to soliciting of votes of absent voters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 374 and 375 the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett	Morgan	Schultz	

Absent and not voting:

Berube	Chesrown	Lowe	Sanstead
Butler	Just		

So the bill passed and the title was agreed to.

Senate Bill No. 2439. A Bill for an Act to amend and reenact section 16-18-14 of the North Dakota Century Code, relating to the canvassing of mailed absent voters' ballots received late.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite

Absent and not voting:

Berube	Lowe	Sanstead	Stroup
Butler			

So the bill passed and the title was agreed to.

Senate Bill No. 2467. A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to bonds of livestock dealers and agents.

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, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Gronhovd	Longmire	Robinson	

Absent and not voting:

Berube	Lowe	Sorlie	Stroup
Butler	Sanstead		

So the bill passed and the title was agreed to.

Senate Bill No. 2494. A Bill for an Act to amend and reenact section 15-40.1-10 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to payments of county equalization funds to schools and 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Gronhovd Longmire Robinson
 Absent and not voting:
 Berube Lowe Schultz Stroup
 Butler Sanstead

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1137. A Bill for an Act to amend and reenact section 16-13-07 of the North Dakota Century Code, relating to sending pollbooks to the United States district court.

Which has been read.

Senator Freed moved that House Bill No. 1137 be amended as follows:

On page 1, line 13, before the period and parenthesis (".)") insert the following: "**OF SAID COUNTY**"

On page 2, after line 14, delete the following: "**The county auditor shall provide the clerk of the North Dakota district court with a pollbook to be used by the clerk for jury selection.**" and insert in lieu thereof the following: "**The county auditor shall provide the clerk of the North Dakota district court of said county with a pollbook to be used by the clerk for jury selection.**"

Which motion prevailed.

Senator Freed moved that the rules be suspended and that House Bill No. 1137 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 352 of the Senate Journal, and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:
 Butler Lowe Sanstead

So the bill passed and the title was agreed to.

MOTIONS

Senator Freed moved that Senate Bill No. 2349 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Freed requested unanimous consent to withdraw Senate Bill No. 2349, which request was granted.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2004, 2160, 2178, 2211, 2272, 2281, 2284, 2362, 2373, 2376, 2426, 2427, 2452, 2489, 2491, 2500, and House Bills Nos. 1070, 1147 and 1163, that the Senate recess subject to the to the call of the Chair, which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTY-EIGHTH DAY AFTER RECESS,
 TWENTY-NINTH DAY AND THIRTIETH DAY

Bismarck, February 8, 1971

The Senate convened at the call of the chair, 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. 2004
- Senate Bill No. 2160
- Senate Bill No. 2178
- Senate Bill No. 2211
- Senate Bill No. 2284
- Senate Bill No. 2373
- Senate Bill No. 2452
- Senate Bill No. 2491
- Senate Bill No. 2500

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2003 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete all of lines 5 through 11

On page 4, line 22 delete the figure "2,994,547.00" and insert in lieu thereof the figure "2,828,802.00"

And renumber the lines, subdivisions, and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to combine the Attorney General Licensing department budget with the Attorney General budget to allow more flexibility within the department so as to allow crime bureau personnel to assume licensing responsibility.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2180 has had the same under consideration and recommends the same be amended as follows:

On page 1, line 1, after the word "chapter", delete the following: "4-34 of the North"

On page 1, delete lines 2 and 3

On page 1, line 4, delete the words: "hedges; to create and enact chapter"

On page 1, line 9, after the semicolon, delete the words: "to provide that the state highway"

On page 1, delete line 10

On page 1, line 11, delete the following: "noxious weeds along state and federal highways;" and in line 11 after the word "repeal" insert the following: "subsection 71 of section 40-05-01 and"

On page 1, after the last word in the title and before the period insert the following: "; and providing an appropriation"

Delete section 1 and section 2 of the bill

On page 8, line 11, after the word "days" insert the following: ", unless additional time is requested from and granted by the control authority,"

On page 8, line 12, delete the numeral "63-01.1-14", and insert in lieu thereof the numeral "63-01.1-15"

On page 8, line 31, after the word "may", insert the words: "submit the question of whether to"

On page 8, line 32, after the comma insert the following: "to the electorate of the county. The levy may be made"

On page 9, line 2, delete the word "Such", and insert the following in lieu thereof: "Upon approval of a majority of the voters of the county voting on the question, the"

On page 10, line 10, after the period, insert the following new Code section:

"63-01.1-11. LANDOWNERS OR OPERATORS ALONG COUNTY AND TOWNSHIP HIGHWAYS TO DESTROY WEEDS AND GRASSES.) 1. It is the duty of landowners or operators with land adjoining regularly traveled county and township highways, as designated by the township board of supervisors in organized townships, the board of county commissioners in unorganized townships, and the board of county commissioners in the case of county highways, to cut all weeds and grasses along such regularly traveled highways adjoining their lands, including weeds and grasses growing within the public right-of-way bordering such highways and their lands. Such cutting shall be completed not later than September fifteenth or October first, as shall be prescribed by the board of county commissioners.

2. The board of county commissioners of each county shall prescribe the time of cutting such weeds and grasses, designate the county highways to be cut, and request the board of township supervisors to designate township roads to be cut. Notice of such action shall be published in the official county newspaper at least twice, and the last such publication shall appear not less than two weeks prior to the deadline date. If no official newspaper is published in the county, written notice shall be given by posting, in the same manner as election notices are posted.

3. If the landowner or operator fails to cut the weeds and grasses along the designated highways or roads as provided in this section, the board of township supervisors or the board of county commissioners, as the case may be, may cause such weeds and grasses to be cut and the actual expense of cutting shall be certified to the county auditor, and all of such expenses shall be charged against the land of the landowner and shall become a part of the taxes to be levied against the land for the ensuing year and shall be collected in the same manner as other real estate taxes are collected, and placed to the credit of the respective subdivisions entitled thereto.

4. As used in this section, the word "operator" shall mean the person chiefly responsible for the farming or other operations being performed on the land, whether for his own benefit, or for the benefit of the landowner or another."

On page 10, line 11, delete the numeral "63-01.1-11" and insert in lieu thereof the numeral "63-01.1-12"

On page 10, line 19, delete the words "Farm operators and custom", and insert in lieu thereof the word "Custom"

On page 10, line 26, after the word "transporting", delete the words "grain or"

On page 10, line 34, delete the numeral "63-01.1-12", and insert in lieu thereof the numeral "63-01.1-13"

On page 11, line 11, delete the numeral "63-01.1-13", and insert in lieu thereof the numeral "63-01.1-14"

On page 11, line 13, after the word "shall", insert the following: "when requested to do so by a local weed control officer or a weed control authority,"

On page 11, line 15, after the word "authority", delete the words "and be required"

On page 11, line 16, delete the numeral "63-01.1-11" and insert in lieu thereof the numeral "63-01.1-12"

On page 11, line 20, delete the numeral "63-01.1-14", and insert in lieu thereof the numeral "63-01.1-15"

On page 11, line 22, delete the numeral "63-01.1-11", and insert in lieu thereof the numeral "63-01.1-12"

On page 11, line 35, delete the numeral "63-01.1-15", and insert in lieu thereof the numeral "63-01.1-16"

On page 12, line 5, delete the numeral "63-01.1-16", and insert in lieu thereof the numeral "63-01.1-17"

On page 12, line 11, delete the word "Chapters", and insert in lieu thereof the following: "Subsection 71 of section 40-05-01 and chapters"

On the last page of the bill, after the last printed or typed line, insert the following new section:

"SECTION 5. APPROPRIATION.) There is hereby appropriated out of any monies in the state treasury, not otherwise appropriated, the sum of \$25,000.00, or so much thereof as may be necessary, to the commissioner of agriculture for carrying out the purposes of this Act for the biennium beginning July 1, 1971, and ending June 30, 1973."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

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. 2183 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 after the word "duties" delete "," and insert in lieu thereof "."

On page 1, delete all of line 3

On page 2, line 26 after the word "ORGANIZATION" delete the following: "— EXPENSES"

On page 2, line 35 after "." delete "The appointive"

On page 3, delete all of lines 1 through 12

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 amendments is to retain the concept and authority of the advisory council but to remove appropriations so as to allow council participation from private funds.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2198 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: The majority of 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 be indefinitely postponed.

For the Majority:
 Senator Anderson
 Senator Unruh
 Senator Thoreson
 Senator Doherty

SENATOR BUTLER, Chairman

Senator Unruh moved that the report of the majority be adopted.

Mr. President: The minority of 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 be amended as follows:

Page 1 line 1 delete ", 57-54-21,"
 Page 1 line 2 delete "and 57-54-22"
 Page 1 line 4 delete "and shrinkage"
 Page 1 line 9 delete ", 57-54-21,"
 Page 1 line 10 delete "and 57-54-22"
 Renumber the lines accordingly.

And when so amended recommends the same do pass.

For the Minority:
 Senator Rait
 Senator Erdman
 Senator Butler

SENATOR BUTLER, Chairman

Senator Rait moved that the report of the minority be substituted for that of the majority, which motion lost.

The question then being on the motion of Senator Unruh, 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 amended as follows:

Delete everything after "A BILL" and insert in lieu thereof the following:

"for an Act to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to purchasing of cigarette stamps at a discount.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 57-36-10 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-36-10. STAMPS MAY BE PURCHASED AT DISCOUNT.) Any licensed distributor located within or without this state may purchase stamps at a discount of (((three))) one percent of the face value thereof, and the tax commissioner may allow such discount in the settlement of the account of such wholesale distributor upon the payment to him of any moneys which may be or become due

to the state by reason of the sale, delivery, or consignment to such distributor of such stamps."

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. 2300 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 Political Subdivisions to whom was referred Senate Bill No. 2344 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 18 after "his" delete "initial or"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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 10 delete the figure "41,500,000.00" and insert in lieu thereof the figure "40,787,561.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to fix the exact amount of payback to be made in replacement of personal property taxes.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2475 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 Education to whom was referred Senate Bill No. 2496 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. 2506 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, 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. 1093 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1136 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1165 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1173 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2056, 2248, 2263, 2328, 2443 and House Bill No. 1122, be dispensed with, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2056 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 409 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2248 as recommended by the Committee on State and Federal Government, and printed on page 409 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2263 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on pages 409 and 410 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2263 was re-referred to the Committee on Appropriations.

Senator Forkner moved that the amendments to Senate Bill No. 2328 as recommended by the Committee on Transportation, and printed on page 410 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2443 as recommended by the Committee on State and Federal Government, and printed on page 411 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1122 as recommended by the Committee on Transportation, and printed on page 412 of the Senate Journal, be adopted, which motion prevailed.

MOTION

Senator Forkner moved that House Bill No. 1070, which is on the calendar, be re-referred to the Committee on Transportation, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Chesrown moved that the Senate do not concur in the House amendments to Senate Bill No. 2199 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. 2199, Senators Holand, Ringsak and Barth.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Robinson moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4025, which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Concurrent Resolution No. 4025 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 CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4025. A Concurrent Resolution providing and designating Senate and House employees and fixing their salaries.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Christensen Lowe

So the resolution was declared adopted.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-NINTH DAY

Bismarck, February 8, 1971

The Senate convened at 2:00 p.m., the President Presiding. Prayer by Chaplain Oscar Lund, Lutheran Chaplain, Bismarck.

"Lord, we gratefully acknowledge Thy guidance and pray that we may be obedient to Thy direction. Forgive us wherein we err. Give us the courage to be true to our convictions and the grace to deal charitably toward those who sincerely differ from us. May we ever be mindful that our common tasks are not irksome burdens but opportunities for ministry to fellow men.

"We pray it in Thy most holy name. Amen."

Roll call: All Senators present except Senators Christensen and Lowe.

A quorum was declared by the President.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Redlin and Lips introduced:

Senate Concurrent Resolution No. 4033. A Concurrent Resolution recommending that the North Dakota legislative council give consideration to remedying the conflicts which arise between boards of budget review and the county auditors and governing bodies in the application of section 21-03-15 and chapter 40-41 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Forkner introduced:

Senate Concurrent Resolution No. 4034. A Concurrent Resolution urging the Automobile Dealers Association of North Dakota and the State Motor Vehicle Department to tighten rules and regulations regarding the use of dealers' license plates.

Was read the first time and referred to the Committee on Transportation.

FIRST READING OF HOUSE BILLS

House Bill No. 1022. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the state wheat commission.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1027. A Bill for an Act making an appropriation for salaries and expenses of the governor's council on human resources.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1046. A Bill for an Act to amend and reenact section 15-34.2-17 of the North Dakota Century Code, as contained in section 6 of House Bill No. 1045, relating to release time for religious instruction.

Which was read the first time and referred to the committee on Education.

House Bill No. 1113. A Bill for an Act to provide for the transfer of moneys in the state water commission construction bond guarantee fund to the general fund.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1167. A Bill for an Act to amend and reenact subsection 1 of section 6-08-16 of the North Dakota Century Code, relating to the penalty upon conviction for issuance of nonsufficient funds or no account checks.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1193. A Bill for an Act to amend and reenact sections 14-10-01 and 14-10-02 of the North Dakota Century Code, relating to the definition of a minor and an adult.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1215. A Bill for an Act to amend and reenact sections 4-22-02, 4-22-03, 4-22-04, 4-22-06, 4-22-08, 4-22-09, 4-22-10, 4-22-11, 4-22-14, 4-22-16, 4-22-17, 4-22-21, 4-22-22, 4-22-23.1, subsection 6 of section 4-22-26, sections 4-22-27, 4-22-28, 4-22-29, 4-22-31, 4-22-32, 4-22-37, 4-22-42, 4-22-43, and 4-22-47 of the North Dakota Century Code; and to repeal sections 4-22-07, 4-22-18, 4-22-19, 4-22-20, and 4-22-22.1 of the North Dakota Century Code,

relating to the state soil conservation committee and soil districts.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1357. A Bill for an Act relating to appeals by the state, or any state officer, or state board, or any public corporation, or any municipal corporation, and providing that no undertaking need be given, unless ordered by the supreme court.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1384. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code as contained in House Bill 1045 as approved by the forty-second legislative assembly, relating to school district annexation.

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 62-03-02 of the North Dakota Century Code, relating to the sale and use of dynamite.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1424. A Bill for an Act to provide for the determination of the fair market rental value of certain properties, and to amend and reenact subsection 4 of section 49-01-01 of the North Dakota Century Code, relating to the definition of rate.

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 amend and reenact section 7-04-23 of the North Dakota Century Code, relating to the destruction of records of savings and loan associations.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1461. A Bill for an Act to amend and reenact section 14-06-02 of the North Dakota Century Code, relating to temporary maintenance and counsel fees in action for separation.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1462. A Bill for an Act to amend and reenact section 27-05.1-09 of the North Dakota Century Code, relating to time and place of hearing on petition.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1463. A Bill for an Act to repeal section 14-05-19 of the North Dakota Century Code, relating to affirmative proof required.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1464. A Bill for an Act to provide for the transfer of a criminal case for trial to any county within a judicial district to insure the right of a speedy trial by jury; and declaring an emergency.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1465. A Bill for an Act to amend and reenact section 14-05-23 of the North Dakota Century Code, relating to temporary alimony and suit money.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1521. A Bill for an Act to provide that county auditors shall reduce certain levies for political subdivisions for monies received for personal property tax replacement.

Which was read the first time and referred to the committee on Finance and Taxation.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTIETH DAY

Bismarck, February 8, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Roger L. Hedberg, Mandan Baptist Church.

"Almighty God, I ask Thy presence and Thy blessing upon this session of the Senate. Help all to realize the responsibility upon their shoulders. Keep these servants of the people and of Thee aware that many look to them today to make decisions based upon the best of their study, thought, and concern. May these men know that they hold the respect of many whom they serve. May they also know that because they serve in government, and that government is ordained of Thee . . . that they then serve Thee as well. Give these servants courage of conviction. Give them health and strength. Reward them for their labors. Bless them in their deliberations this day.

"I ask this in the name of Jesus Christ Our Lord. Amen."

Roll call: All Senators present except Senators Christensen and Lowe.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-seventh day after recess and twenty-eighth day and recommends that the same be corrected as follows:

Page 406, line 5, correct the spelling of the "material"

Page 413, delete all of line 16.

Page 417, delete lines 39, 40, 41 and 42

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 8, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2067
 Senate Bill No. 2243
 Senate Bill No. 2252
 Senate Bill No. 2265
 Senate Bill No. 2267
 Senate Bill No. 2275
 Senate Bill No. 2282
 Senate Bill No. 2289
 Senate Bill No. 2290
 Senate Bill No. 2292
 Senate Bill No. 2304
 Senate Bill No. 2314
 Senate Bill No. 2335

Senate Bill No. 2338
 Senate Bill No. 2342
 Senate Bill No. 2356
 Senate Bill No. 2357
 Senate Bill No. 2358
 Senate Bill No. 2383
 Senate Bill No. 2385
 Senate Bill No. 2391
 Senate Bill No. 2400
 Senate Bill No. 2403
 Senate Bill No. 2408
 Senate Bill No. 2413
 Senate Bill No. 2417
 Senate Bill No. 2432
 Senate Bill No. 2436
 Senate Bill No. 2439
 Senate Bill No. 2467
 Senate Bill No. 2486
 Senate Bill No. 2494

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 8, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1095

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 8, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1137

Which the Senate has amended.

LEO LEIDHOLM, Secretary
 Senate Chambers
 Bismarck, February 8, 1971

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2199 and the President has appointed as a conference committee to act with a like committee from the House, Senators Holand, Ringsak and Barth.

Very respectfully,
 LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, February 8, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2049

Senate Bill No. 2107

Senate Bill No. 2120

Senate Bill No. 2148

Senate Bill No. 2195

Senate Concurrent Resolution No. 4008

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, February 8, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4004

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, February 8, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1016
House Bill No. 1020
House Bill No. 1036
House Bill No. 1118
House Bill No. 1132
House Bill No. 1224
House Bill No. 1233
House Bill No. 1311
House Bill No. 1414
House Bill No. 1445
House Bill No. 1467
House Bill No. 1472
House Bill No. 1479
House Bill No. 1482
House Bill No. 1496
House Bill No. 1505
House Bill No. 1513

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Forkner moved that Senate Concurrent Resolution No. 4006 be placed at head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4006. A concurrent resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

Which has been read.

Senator Robinson moved that Senate Concurrent Resolution No. 4006 be amended as follows:

A Concurrent Resolution urging the North Dakota State Highway Department and the United States Bureau of Public Roads to abide by the findings of a special committee to select a name for the Missouri River bridge at Washburn from the results of a contest to be conducted for that purpose.

WHEREAS, since the early 1900's the residents of McLean and Oliver counties and the Missouri River town of Washburn in McLean County have been asking for a bridge to connect those two areas of North Dakota that have been forever separated by a natural barrier; and

WHEREAS, history will show that throughout these years, countless numbers of local people have made numerous trips to Washington and Bismarck and other points on behalf of securing a bridge crossing, many resolutions have been drafted and presented to legislative assemblies in Bismarck; and

WHEREAS, there have been many illustrious citizens of the counties of McLean and Oliver who have contributed to the history and development of that area, and there have been numerous river boat captains who have added a significant part to the history in that area; and

WHEREAS, based on the findings of Highway Department Traffic studies, it was determined that there existed a real need for such a crossing in the Washburn vicinity, and that now this bridge will indeed be a reality by the fall of 1971;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Washburn JC's, Lions Club, American Legion, and Civic Club jointly sponsor a state wide bridge-naming contest for the new river crossing adjacent to the City of Washburn; and

BE IT FURTHER RESOLVED, that the contest shall be judged by a committee composed of the Governor, the Highway Commissioner, Secretary of State and two private citizens to be named by the three State Officials; and

BE IT FURTHER RESOLVED, that the winner of the bridge-naming contest shall receive a \$50.00 government bond to be donated by the above named service clubs.

Which motion lost.

SECOND READING OF A
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4006. A Concurrent Resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4006 be adopted, which motion lost.

SECOND READING OF SENATE BILLS

Senate Bill No. 2136. A Bill for an Act making an appropriation for the educational commission of the 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, 23; nays, 24; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Just	Nasset	Stroup
Berube	Kautzmann	Nothing	Swedlund
Chesrown	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Holand	Melland	Sanstead	

Those voting in the negative were:

Anderson	Goldberg	Morgan	Schultz
Butler	Hernett	Mutch	Sorlie
Coughlin	Jacobson	Page	Strinden
Doherty	Jones	Pyle	Thane
Erdman	Larson, G.	Ringsak	Thoreson
Freed	Litten	Robinson	Wilhite

Absent and not voting:

Christensen Lowe

So the bill was declared lost.

Senate Bill No. 2399. A Bill for an Act to provide for the disclosure and reporting of moneys expended on lobbying activities, and providing a penalty.

Which has been read.

Senator Litten moved that Senate Bill No. 2399 be amended as follows:

On page 1, line 2, delete the word "and"

On page 1, line 3, after the word "penalty" and before the period insert the following: ", and declaring an emergency"

On page 1, line 10, delete the words "within ninety days of the final" and insert in lieu thereof the following: "on the Tuesday

following each week in which the legislative assembly is in session, furnish to the secretary of state, to the president of the senate, to the speaker of the house of representatives, and to the majority and minority leaders of both houses, a detailed written report which shall include the total amount of money expended during the previous week on behalf of his principal or principals, the names of the legislators and other persons upon whom the money was spent, the amount of money spent on each legislator or other person, and the purpose for which the money was spent, including the bill number or numbers of any legislation which was discussed and in which such person, corporation, or association has an interest”

On page 1, delete lines 11 through 13

On page 1, line 14, delete the words “is set forth”

On page 1, after the last printed line of the bill, 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.

Senator Ringsak moved that the proposed amendments to Senate Bill No. 2399 be laid on the table.

The motion of Senator Ringsak was ruled out of order by the Chair.

The question being on the motion of Senator Litten, which motion prevailed.

Senator Ringsak moved that the Senate reconsider the action by which Senate Bill No. 2399 was amended, and the motion to reconsider be laid on the table, which motion prevailed.

RULING RELATIVE TO SENATE BILL No. 2399

The Chair ruled that Senate Bill No. 2399 will appear on the calendar, as amended from the floor.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4019. A Concurrent Resolution urging the appropriate federal agencies to undertake a feasibility study relative to the development and improvement of the Missouri River for the purpose of utilizing that waterway for barge traffic and other navigational purposes.

Which has been read.

Senator Van Horn moved that Senate Concurrent Resolution No. 4019 be amended as follows:

On page 2, line 17, after the word “within” insert the words “and through”.

Which motion prevailed.

Senator Van Horn moved that the rules be suspended and that Senate Concurrent Resolution No. 4019 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

Senator Van Horn moved that Senate Concurrent Resolution No. 4019 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2004. A Bill for an Act to appropriate money for the expenses of departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 389 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Christensen Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation; and to repeal section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property, and declaring an emergency.

Which has been read.

Senator Butler moved that Senate Bill No. 2045 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2160. 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, as contained in house bill no. 1045, as approved by the forty-second legislative assembly, relating to changing the county reorganization committee to a regional committee.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2160 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2178. A Bill for an Act to amend and reenact section 15-36-11 of the North Dakota Century Code, relating to teachers' certificates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 390 of the Senate Journal, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Stroup
Butler	Just	Nothing	Swedlund
Chesrown	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh

Erdman	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite
Hernett	Melland	Sanstead	

Those voting in the negative were:

Forkner	Freed	Strinden
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Absent and not voting:

Christensen	Lowe	Roen
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 8, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2097

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, February 8, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1018

House Bill No. 1030

House Bill No. 1097

House Bill No. 1104

House Bill No. 1115

House Bill No. 1201

House Bill No. 1244

House Bill No. 1280

House Bill No. 1293

House Bill No. 1319

House Bill No. 1320

House Bill No. 1353

House Bill No. 1369

House Bill No. 1376

House Bill No. 1380

House Bill No. 1391

House Bill No. 1411

House Bill No. 1421

House Bill No. 1432

House Bill No. 1433

House Bill No. 1434

House Bill No. 1446

House Bill No. 1475

House Bill No. 1491

House Bill No. 1509

House Bill No. 1522

House Bill No. 1530

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, February 8, 1971

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. 2199,

Representatives

Stone

Dick

Dotzenrod

Very respectfully,
ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the president presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 2211. A Bill for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 392 and 393 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Netthing	Strinden
Butler	Jones	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Liften	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite

Absent and not voting:

Christensen	Just	Larson, L.	Lowe
Coughlin			

So the bill passed and the title was agreed to.

Senate Bill No. 2272. A Bill for an Act to amend and reenact section 40-45-09 of the North Dakota Century Code, relating to policemen's pensions and who may be retired.

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, 8.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Sanstead
Barth	Holand	Nasset	Schultz
Berube	Jacobson	Netthing	Sorlie
Butler	Jones	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Liften	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Morgan	Roen	Wilhite
Gronhovd			

Absent and not voting:

Christensen	Just	Lowe	Strinden
Coughlin	Larson, L.	Melland	Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2280. 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, 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, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Melland	Sanstead
Barth	Just	Morgan	Sorlie
Berube	Kautzmann	Mutch	Stroup
Butler	Larson, G.	Nothing	Swedlund
Coughlin	Larson, L.	Rait	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite
Hernett			

Those voting in the negative were:

Chesrown	Jacobson	Pyle	Strinden
Doherty	Jones	Redlin	Thane
Erdman	Nasset	Schultz	Thoreson
Forkner	Page		

Absent and not voting:

Christensen	Lowe
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So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 61-16-46 of the North Dakota Century Code, relating to the cost of constructing and maintaining openings for drains constructed by districts through railroads and highways.

Which has been read.

Senator Pyle moved that Senate Bill No. 2281 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2284. A Bill for an Act to amend and reenact subsection 1 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 393 of the Senate Journal, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Sanstead
Barth	Holand	Longmire	Sorlie
Berube	Jacobson	Melland	Stroup
Butler	Jones	Nasset	Swedlund
Chesrown	Kautzmann	Page	Unruh
Erdman	Larson, G.	Pyle	Van Horn
Freed	Larson, L.	Rait	Wenstrom
Goldberg	Lips	Roen	Wilhite

Those voting in the negative were:

Coughlin	Just	Redlin	Strinden
Doherty	Morgan	Ringsak	Thane
Forkner	Mutch	Robinson	Thoreson
Hernett	Nothing	Schultz	

Absent and not voting:

Christensen	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2362. A Bill for an Act to provide for the dissolution of city housing authorities and to amend and reenact subsection 2 of section 23-11-01 and section 23-11-30 of the North Dakota Century Code relating to the definition of a city and the reports of housing authorities.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Schultz
Barth	Hernett	Longmire	Sorlie
Berube	Holand	Melland	Stroup
Butler	Jacobson	Morgan	Swedlund
Chesrown	Jones	Nasset	Thane
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, G.	Redlin	Van Horn
Forkner	Larson, L.	Robinson	Wenstrom
Goldberg	Lips	Roen	Wilhite

Those voting in the negative were:

Freed	Nething	Ringsak	Strinden
Mutch	Pyle		

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2365. A Bill for an Act to amend and reenact sections 40-22-24 of the North Dakota Century Code, relating to filing, sealing, endorsing, opening and considering bids.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2373. A Bill for an Act to amend and reenact sections 57-23-03 of the North Dakota Century Code, relating to the abatement of an invalid, inequitable or unjust assessment; 57-23-03 of the North Dakota Century Code, relating to abatement or refund of taxes; 57-23-05 of the North Dakota Century Code, relating to applications for abatement and refund of taxes; 57-23-06 of the North Dakota Century Code, relating to hearings on applications for abatement and refund of taxes; 57-23-07 of the North Dakota Century Code, relating to the compromise of a real estate tax; 57-23-08 of the North Dakota Century Code, relating to the effective date of abatement actions; 57-23-09 of the North Dakota Century Code, relating to the procedure for refund of taxes, and 57-23-10 of the North Dakota Century Code, relating to appeals from abatement actions.

Which has been read.

Senator Rait moved that Senate Bill No. 2373 be amended as follows:

On page 1 of the engrossed bill, in line 4, delete the numeral "57-23-03" and insert in lieu thereof the numeral "57-23-04"

Which motion prevailed.

Senator Rait moved that the rules be suspended, that Senate Bill No. 2373 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 373 of the Senate Journal, and from the floor, the roll was called and there were ayes, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Swedlund
Coughlin	Jones	Rait	Thane
Doherty	Just	Robinson	Thoreson
Erdman	Larson, G.	Schultz	Unruh
Forkner	Lips	Sorlie	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Barth	Holand	Mutch	Ringsak
Berube	Jacobson	Nasset	Roen
Butler	Kautzmann	Nothing	Strinden
Chesrown	Larson, L.	Page	Stroup
Freed	Litten	Pyle	Van Horn
Hernett	Melland	Redlin	Wenstrom

Absent and not voting:

Christensen	Lowe	Sanstead
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Senator Butler changed his vote from aye to nay for the purpose of reconsideration.

So the Bill was declared lost.

Senate Bill No. 2376. A Bill for an Act to amend and reenact section 16-13-16 of the North Dakota Century Code, relating to compensation for members of the county canvassing 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2380. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code, relating to definition of a telephone company.

Which has been read.

Senator Doherty moved that Senate Bill No. 2380 be amended as follows:

Page 1, line 21 after the ending triple parentheses delete "three" and insert in lieu thereof "two"

Senator Sorlie moved that the amendments to Senate Bill No. 2380 be laid on the table, which motion prevailed.

Senate Bill No. 2407. A Bill for an Act to provide for distribution of premium tax on motor vehicle insurance companies to cities for police training, law enforcement activities, or the purchase of equipment related thereto.

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, 26; absent and not voting, 3.

Those voting in the affirmative were:

Chesrown	Jacobson	Melland	Pyle
Forkner	Kautzmann	Morgan	Redlin
Freed	Lips	Nasset	Roen
Goldberg	Litten	Nething	Stroup
Holand	Longmire	Page	Wenstrom

Those voting in the negative were:

Anderson	Gronhovd	Rait	Swedlund
Barth	Hernett	Ringsak	Thane
Berube	Jones	Robinson	Thoreson
Butler	Just	Schultz	Unruh
Coughlin	Larson, G.	Sorlie	Van Horn
Doherty	Larson, L.	Strinden	Wilhite
Erdman	Mutch		

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill was declared lost.

Senate Bill No. 2426 A Bill for an Act to amend and reenact section 54-49-01 of the North Dakota Century Code, relating to the name of the Natural Resources 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, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Sorlie
Barth	Just	Nasset	Stroup
Berube	Kautzmann	Nething	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Schultz	Wilhite
Holand			

Those voting in the negative were:

Butler	Goldberg	Mutch	Robinson
Chesrown,	Jones	Page	Strinden
Doherty			

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2427. A Bill for an Act to repeal section 61-02-74 of the North Dakota Century Code, relating to the disposition of certain moneys received by 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Chesrown	Low	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2452. A Bill for an Act to amend and reenact section 15-22-02 of the North Dakota Century Code, relating to qualifications of the county superintendent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 394 of the Senate Journal, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nething	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Roen	Wenstrom
Gronhovd	Longmire	Schultz	Wilhite
Hernett			

Those voting in the negative were:

Butler	Melland	Mutch	Robinson
Goldberg			

Absent and not voting:

Christensen	Low	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2489. A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to notice by applicant for a water 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, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Robinson
Barth	Holand	Melland	Roen
Berube	Jacobson	Morgan	Schultz
Butler	Jones	Mutch	Sorlie

Chesrown	Just	Nasset	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Gronhovd			

Those voting in the negative were:

Goldberg	Strinden	Unruh	Wilhite
Nothing			

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2491. A Bill for an Act to amend and reenact sections 60-03-01 and 60-03-04 of the North Dakota Century Code, relating to the definition of roving grain or hay buyers and the amount of the bond required thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 395 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Christensen	Lowe	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2500. A Bill for an Act to provide an appropriation for expenses of the education fact finding commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 395 of the Senate Journal, the roll was called and there were ayes, 32; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Lips	Roen
Barth	Holand	Litten	Sorlie
Berube	Jacobson	Longmire	Strinden
Chesrown	Jones	Melland	Stroup
Erdman	Just	Nasset	Swedlund
Forkner	Kautzmann	Nothing	Unruh
Goldberg	Larson, G.	Pyle	Van Horn
Gronhovd	Larson, L.	Rait	Wenstrom

Those voting in the negative were:

Butler	Morgan	Ringsak	Thane
Coughlin	Mutch	Robinson	Thoreson
Doherty	Page	Schultz	Wilhite
Freed	Redlin		

Absent and not voting:

Christensen Lowe Sanstead

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1147. A Bill for an Act to provide for a uniform standard code of construction, for methods of inspection of construction for mobile homes, and for remedies and penalties for violation of the construction 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, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Strinden
Butler	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Coughlin	Just	Nething	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Wenstrom
Freed	Lips	Redlin	Wilhite
Goldberg	Litten	Robinson	

Those voting in the negative were:

Ringsak Schultz Van Horn

Absent and not voting:

Christensen Lowe Sanstead

So the bill passed and the title was agreed to.

House Bill No. 1163. A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to the registration of farm vehicles.

Which has been read.

Senator Butler moved that House Bill No. 1163 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2056, 2198, 2248, 2328, 2443, 2496, 2506, and House Bills Nos. 1093, 1122, 1136, 1165 and 1173, that the Senate recess until 1:15 p.m., February 9, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

**THIRTIETH DAY AFTER RECESS AND
THIRTY-FIRST DAY**

Bismarck, February 9, 1971

The Senate convened at 1:15 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. 2056

Senate Bill No. 2248

Senate Bill No. 2263

Senate Bill No. 2328

Senate Bill No. 2443

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2399

And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

Senator Morgan moved that the Senate reconsider the action by which Senate Bill No. 2280 was passed, which motion was lost.

Senator Butler moved that the Senate reconsider the action by which Senate Bill No. 2373 was lost, which motion prevailed.

Senator Butler moved that Senate Bill No. 2373 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Christensen moved that the Senate reconsider the action by which Senate Bill No. 2136 was lost, which motion prevailed.

Senator Christensen moved that the rules be suspended and that Senate Bill No. 2136 be placed at the head of the calendar, which motion prevailed.

REPORTS OF STANDING COMMITTEES

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 do pass.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2234 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2295 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2303 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2343 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2363 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2371 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.

Senator Holand:

At this time I would like to summarize some of the testimony received by the Senate Education Committee, and to review the thinking of the Committee in our consideration of this subject and our recommendation for indefinite postponement.

First, may I compliment both the proponents and the opponents for the quality of their respective presentations. Our committee hearings were well attended and there was no display of emotionalism. The committee appreciates the thought, preparation, and organization that went into the assembling of information for its consideration.

The nonpublic schools of North Dakota are, for the most part, experiencing financial strain. Their support comes largely from tuitions, church contributions, and from money-making projects of various kinds. Their costs have increased dramatically recently mainly for the reason that they have been forced to hire more lay teachers at salaries that are competitive with those in the public schools. In spite of the fact that they have been able to keep their average "cost per pupil" at a low level, they are experiencing difficulty in raising the money that is necessary to keep the schools open.

Largely because of this increased cost in recent years, numerous nonpublic schools have been closing. In North Dakota the current enrollment is in the neighborhood of 12,000 students. This is a reduction from somewhere in the neighborhood of 18,000 just a few years ago.

The proponents of this legislation have set forth several arguments in support of their position. Some are as follows:

They argue that general aid to education is not unconstitutional. The approach that is used in this particular bill contemplates the "purchase of services." This suggests that the state would be buying from the nonpublic schools the same kind of service that students are receiving in the public schools. Such purchased services, they say, would not include religious training or teaching and would therefore not be in conflict with the constitution.

They say that they should have freedom of choice in education. They suggest that because the nonpublic school systems are in danger of financial collapse, there is a moral duty for the state to assist in preserving them in order to guarantee that freedom of choice.

It is argued that the quality of education being offered in the nonpublic schools is equal to that of the public schools, and that the children who are receiving such instruction are getting at least as much as they would from the public schools.

It is contended that mass closing of nonpublic schools would cost the state a great deal more in support of education and that it would actually be a saving to the state of North Dakota to contribute in part to the maintenance of existing nonpublic schools in order to avoid the financial burden that would be involved should all nonpublic students enter the public schools.

It is further argued that parents of students who are attending nonpublic schools are taxpayers who do not receive the benefits of much of their taxes which go to the support of public schools, and are entitled to the consideration of some relief of cost in nonpublic schools.

It is pointed out that aid in some form or another is now being granted in 36 states; and that even though, for the most part, this aid relates to special services such as transportation, hot lunches, and library services, there should be no real distinction between this kind of service and the general aid that is being sought in this bill.

Responding to these arguments the opponents of the bill have not quarreled with the quality of education being offered in the nonpublic schools, nor have they argued in our hearings that there is anything particularly wrong with the kind of limited aids that are now being given in various states for special services. They also acknowledge that were all of the nonpublic schools to close, there would be an additional financial burden on the state of North Dakota.

But the opponents have made other assertions that are noteworthy.

First, they suggest that parents of students attending nonpublic schools do have a choice. They have a choice of sending their children to the public schools without cost or of sending them to private schools at their own expense.

Opponents further contend that to open the door in this respect would definitely be unconstitutional. They insist that the constitutional provisions respecting support of public schools mean exactly that there should be no public funds put into nonpublic schools.

Seventh Day Adventists, who also operate nonpublic schools in North Dakota, appeared in opposition to this bill. They insist that all parochial schools are operated for the purpose of maintaining religious control and for religious indoctrination, and that those who demand private religious oriented education should separately pay for it. They further indicated that if the bill were to become law, they would not make application for payment of the benefits provided by the proposed law.

Our committee has tried to take all of the arguments, pro and con, into consideration in arriving at its conclusion. After having done so, we have decided to recommend that further consideration should be deferred.

We feel that the bill proposes a bold new step in the area of the

relationship of church and state. Nearly all of the states have faced the problem and have thus far steered away from it.

The Governor in his message has suggested that he would not be adverse to the favorable consideration of this subject, but he has given no guidance as to how far he would go or where the money would come from.

There has been no shortage of mail on the subject. One day I received over 300 letters. While the overwhelming preponderance of mail was for the bill, nevertheless, there were many who registered strong opposition. Some of this opposition came from people who are sending their own children to nonpublic schools but who still feel that they should pay for this privilege.

One other thought deserves mention. The Legislature referred to the people and the people approved a measure to establish a Constitutional Convention. This convention will soon have its first meeting. That body will be looking at this question, among others, in its assignment to propose a new constitution for North Dakota. We are inclined to await their deliberations and recommendations in regard to the Constitutional question before making a judgment as to whether or not the state should enter the field of general aid to nonpublic schools. Also, it should be pointed out that there is currently pending in the United States Supreme Court a decision on this very subject which could provide law of the land on the constitutional question.

I believe it is fair to say that in the view of a majority of your committee the question is not being decided in the main on "money," "quality of teaching," or even "constitutionality," but rather, as stated above, upon a reluctance at this time to abandon long accepted views on the separation of church and state.

The question being on the motion of Senator Holand, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2405 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2412 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 7 delete beginning triple parentheses before the word "A"

Page 2 line 10 delete ending triple parentheses after the period

Page 2 line 16 after "person" delete the remainder of the line

Page 2 line 17 delete "or audiologists"

Page 2 line 22 delete beginning triple parentheses before "2"

Page 2 line 23 delete ending triple parentheses after the period

Page 6 line 2 after "board" underline the following "shall be primarily engaged as a hearing aid"

Page 6 line 3 underline the following "dealer and fitter," and delete the second word "and"

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2422 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2444 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2446 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2450 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2456 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 6 after the word "compensation" add the following: ", and declaring an emergency"

On page-1, line 21 after the word "duty" delete the following: "or on active duty for training"

On page 6, line 34 after the "." add the following: "The adjutant general shall authorize payment for prisoners of war upon their release and return."

On page 8, after line 6 add the following: "SECTION 14. 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.

Statement of Purpose of the Amendment: The intent of the amendments is to allow bonus payments only to those volunteers or inductees with full time military services during the Vietnam crisis; to authorize the adjutant general to compensate returning prisoners of war for their period of service even though it may extend beyond the cessation of hostilities; and to create an emergency to allow the adjutant general to start to implement provisions of this act upon its passage.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2476 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2479 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted.

Senator Page moved that Senate Bill No. 2479 be re-referred to the Committee on Judiciary, which motion was lost.

The question being on the motion of Senator Chesrown, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2480 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Coughlin 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. 2488 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2495 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2497 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4007 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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. 1086 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 13 of the engrossed bill after the second comma delete the beginning triple parentheses.

Page 1 line 14 insert beginning triple parentheses before "and"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1187 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1198 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1208 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 9 of the engrossed bill after the second comma delete "one hundred" and insert in lieu thereof "sixty"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1227 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1245 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1264 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

RECOGNITION

Senator Wilhite announced that Boy Scout representatives from the four councils of North Dakota that have given their 1970 Scout Activity reports to the Governor were in the chamber and asked that Clinton Sheffield, III, Missouri Valley Council, Bismarck; Paul Tomasek, Lake Agassiz Council, Grand Forks; Roger Grim, Red River Valley Council, Fargo; and LeRoy Gravseth, Great Plains Council, Minot, be recognized by the Senate, and the Boy Scouts and their leaders were recognized by the Senate.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2003, 2180, 2183, 2202, 2344, and 2367 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2003 as recommended by the Committee on Appropriations, and printed on page 435 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2180 as recommended by the Committee on Agriculture, and printed on pages 435, 436 and 437 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2180 be re-referred to the Committee on Appropriations.

Senator Sorlie moved that the amendments to Senate Bill No. 2183 as recommended by the Committee on Appropriations, and printed on page 437 of the Senate Journal, be adopted, which motion lost and Senate Bill No. 2183 was placed on the calendar.

Senator Butler moved that the amendments to Senate Bill No. 2202 as recommended by the Committee on Finance and Taxation,

and printed on pages 438 and 439 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2344 as recommended by the Committee on Political Subdivisions, and printed on page 439 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2367 as recommended by the Committee on Appropriations, and printed on page 439 of the Senate Journal, be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIRST DAY

Bismarck, February 9, 1971

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Chaplain Captain Thomas Lewis, Salvation Army, Bismarck.

"Eternal God: As we are gathered here in this assembly we implore that Your Spirit of guidance will give our leaders the wisdom to make the right decisions that will improve our State and care for our fellowman. As the nation is blessed whose trust is in Thee, may we continue to place our faith and trust in Thee and in so doing may we receive Your blessings. Amen."

Roll call: All Senators present except Senator Lowe.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-eighth day after recess, twenty-ninth day and thirtieth day and recommends that the same be corrected as follows:

On page 440, in line 28, delete the figure "2338" and insert in lieu thereof the figure "2328"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MOTION

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, the President presiding.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator G. Larson introduced:

Senate Concurrent Resolution No. 4035. A Concurrent Resolution directing the Legislative Council to study and revise the statutes relating to the game and fish laws of North Dakota.

Was read the first time and referred to the committee on Natural Resources.

FIRST READING OF HOUSE BILLS

House Bill No. 1016. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the game and fish department, and to repeal section 20-02-07 of the North Dakota Century Code.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1018. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota according to chapter 43-12 of the North Dakota Century Code.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1020. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the bank of North Dakota and of the Judge A. M. Christianson Project.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1030. A Bill for an Act making an appropriation to the department of public instruction for the purpose of defraying the expenses of public schools.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1036. A Bill for an Act making an appropriation to the director of institutions for the purpose capitol grounds improvements.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1097. A Bill for an Act to create and enact section 14-05-09.1 of the North Dakota Century Code and to amend and reenact section 14-05-03 of the North Dakota Century Code, relating to allowing irreconcilable differences as grounds for divorce.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1104. A Bill for an Act to create and enact section 57-55-01.1 of the North Dakota Century Code, and to amend and reenact sections 57-55-01, 57-55-02, 57-55-03, 57-55-04, 57-55-05, 57-55-06, 57-55-07, 57-55-08, 57-55-10, 57-55-11, and 57-55-12 of the North Dakota Century Code, relating to the taxation of mobile homes, providing that county directors of tax equalization shall administer such tax, and providing penalties.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1115. A Bill for an Act providing for a bank advisory board consisting of seven members appointed by the industrial commission to act in an advisory capacity to the Bank of North Dakota, and to repeal chapter 6-09.1 of the North Dakota Century Code.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1118. A Bill for an Act to amend and reenact section 21-10-07 of the North Dakota Century Code, relating to legal investments of the state investment board.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1132. A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to the building, repair, and rebuilding of county bridges.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1201. A Bill for an Act to provide that all motor vehicle liability policies written in this state must contain uninsured motorist coverage.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1224. A Bill for an Act to amend and reenact subsection 2 of section 40-10-06, section 40-40-04 and subsection 2 of section 40-40-06 of the North Dakota Century Code, relating to the preparation and submission of a preliminary budget in city manager cities, the dates of preparation of a preliminary budget in all other municipalities and the date the governing body is to meet for the purpose of adopting the final budget and making the annual tax levy.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1233. A Bill for an Act to amend and reenact subsection 5 of section 41-09-34 of the North Dakota Century Code relating to the priority of a real estate interest in fixtures.

Was read the first time and referred to the committee on Judiciary.

House Bill No. 1244. A Bill for an Act to amend and reenact subsections 3, 4, 5, 6, 7, 8, 9, 10 and 20 of section 64-02-10 of the North Dakota Century Code, relating to the fees to be charged for inspecting weighing and measuring devices, including devices for measuring liquid fertilizer.

Was read the first time and referred to the committee on Agriculture.

House Bill No. 1280. A Bill for an Act to amend and reenact subsection 59 of section 40-05-01 of the North Dakota Century Code, relating to the powers of municipalities to participate with the federal government on public works projects.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1293. A Bill for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to the advertisement of bids by counties for the purchase and rental of heavy equipment.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1311. A Bill for an Act to authorize the state board of higher education to approve construction of a sugar beet research and service center on or off the campus of North Dakota state university, and repealing chapter 198 of the 1969 Session Laws of North Dakota.

Was read the first time and referred to the committee on Education.

House Bill No. 1319. A Bill for an Act to amend and reenact section 14-03-22 of the North Dakota Century Code, and to repeal section 14-03-23 of the North Dakota Century Code, relating to keeping marriage records.

Was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1320. 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.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1353. A Bill for an Act relating to excess mill levies in townships.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1369. A Bill for an Act to amend and reenact section 15-08-26 of the North Dakota Century Code, relating to the

time in which a lessee may remove improvements he has placed on the land when the land is sold.

Was read the first time and referred to the committee on Agriculture.

House Bill No. 1376. A Bill for an Act to amend and reenact section 20-03-37 of the North Dakota Century Code, relating to suspension of hunting and fishing licenses, and providing a penalty.

Was read the first time and referred to the committee on Natural Resources.

House Bill No. 1380. A Bill for an Act to amend and reenact subsection 8 of section 29-24-02 of the North Dakota Century Code, relating to grounds for a new trial, and declaring an emergency.

Was read the first time and referred to the committee on Judiciary.

House Bill No. 1391. A Bill for an Act to amend and reenact section 57-15-28 of the North Dakota Century Code, relating to county emergency funds.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1411. A Bill for an Act to amend and reenact section 39-04-36 of the 1969 supplement to the North Dakota Century Code, relating to the transfer of registration and number plates.

Was read the first time and referred to the committee on Transportation.

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1421. A Bill for an Act to amend and reenact section 18-10-06 of the North Dakota Century Code, relating to the powers and duties of directors of rural fire protection districts, and section 18-10-10 of the North Dakota Century Code, relating to contracts of rural fire protection districts.

Was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1432. A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the 1969 Supplement to the North Dakota Century Code, relating to motor vehicles exempt from registration fees.

Was read the first time and referred to the committee on Transportation.

House Bill No. 1433. A Bill for an Act to provide for the suspension or revocation of certificates of title to motor vehicles.

Was read the first time and referred to the committee on Transportation.

House Bill No. 1434. A Bill for an Act to amend and reenact section 39-04-44 of the 1969 supplement to the North Dakota Century Code relating to registration credits on destroyed vehicles.

Was read the first time and referred to the committee on Transportation.

House Bill No. 1445. A Bill for an Act to amend and reenact section 26-14-10 of the North Dakota Century Code, relating to the right of members of a mutual insurance company to vote by proxy.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1446. 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 imposing a penalty.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1467. A Bill for an Act to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to tax receipts for property tax purposes.

Was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1472. A Bill for an Act to create and enact section 49-07-05.1 of the North Dakota Century Code, relating to violations of gas safety standards and providing monetary penalties therefor.

Was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1475. A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-38-66 of the North Dakota Century Code, relating to the business privilege tax imposed on individuals, estates, trusts, and corporations.

Was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1479. A Bill for an Act to amend and reenact sections 15-03-04 and 15-06-01, subdivision h of subsection 2 of section 15-39-01, sections 15-47-02, 25-07-01, 25-07-05, and 25-07-07 of the North Dakota Century Code, and to amend and reenact section 15-34.1-02 as contained in section 5 of House Bill No. 1045, as approved by the forty-second legislative assembly, deleting the words "and dumb" from the phrase "deaf and dumb" and substituting the word "deaf" for the word "mute", and to amend and reenact section 25-07-04 of the North Dakota Century Code, relating to the age at which deaf children shall be allowed to attend the school for the deaf.

Was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1482. A Bill for an Act to amend and reenact section 53-04-02; section 53-04-03; section 53-04-04; and section 53-04-06 of the North Dakota Century Code, relating to licensing of amusement games and devices.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1491. A Bill for an Act to amend and reenact sections 15-18-03 and 15-18-04.1 of the North Dakota Century Code, relating to tuition and fees at junior colleges and off-campus educational centers, and to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to bond issues for junior colleges and off-campus educational centers.

Was read the first time and referred to the committee on Appropriations.

House Bill No. 1496. A Bill for an Act to amend and reenact section 10-31-04 of the North Dakota Century Code, relating to the professional incorporation of architects and engineers.

Was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1505. A Bill for an Act to amend and reenact sections 54-36-01 and 54-36-05 of the North Dakota Century Code relating to the North Dakota Indian affairs commission and its powers and duties.

Was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1509. A Bill for an Act to create and enact subsection 9 of section 15-35-02 of the North Dakota Century Code, relating to standards for the construction of school buildings.

Was read the first time and referred to the committee on Education.

House Bill No. 1513. A Bill for an Act to amend and reenact sections 54-03-06 and 54-35-04 of the North Dakota Century Code, providing that all hearings of the legislative assembly and its committees shall be open to the public.

Was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1522. A Bill for an Act to amend and reenact subsection 6 of section 25-01-01, sections 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-10.1, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, sections 25-05-33, 25-05-34, 25-09-01, subsection 1 of section 25-09-10, and section 54-23-01 of the North Dakota Century Code, relating to changing the name of the North Dakota state tuberculosis sanatorium to the San Haven state hospital, and providing the state director of institutions with authority to accept federal funds and programs on behalf of the hospital.

Was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1530. A Bill for an Act to create and enact section 35-11-01.1 of the North Dakota Century Code, relating to farm laborers' liens.

Was read the first time and referred to the committee on Agriculture.

SECOND READING OF SENATE BILLS

Senate Bill No. 2136. A Bill for an Act making an appropriation for the educational commission of the 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, 24; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hernett	Longmire	Sanstead
Berube	Holand	Melland	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Unruh
Erdman	Kautzmann	Rait	Van Horn
Gronhovd	Lips	Redlin	Wenstrom

Those voting in the negative were:

Anderson	Goldberg	Page	Sorlie
Butler	Jacobson	Pyle	Strinden
Coughlin	Larson, G.	Ringsak	Thane
Doherty	Litten	Robinson	Thoreson
Forkner	Morgan	Schultz	Wilhite
Freed	Mutch		

Absent and not voting:

Larson, L.	Lowe	Roen
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So the bill was declared lost.

Senate Bill No. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation; and to repeal section 57-02-05 of the North Dakota

Century Code, relating to the definition of personal property, and declaring an emergency.

Which has been read.

Senator Butler moved that Senate Bill No. 2045 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2056. A Bill for an Act to permit the consolidation of county welfare boards into multicounty welfare districts, for determinations, for hearings, and for a plan.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 409 of the Senate Journal, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Melland	Sorlie
Berube	Jacobson	Morgan	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Freed	Lips	Ringsak	Unruh
Goldberg	Litten	Roen	Van Horn
Gronhovd	Longmire	Sanstead	Wenstrom

Those voting in the negative were:

Barth	Hernett	Redlin	Schultz
Chesrown	Mutch	Robinson	Wilhite
Forkner	Page		

Absent and not voting:

Butler	Larson, L.	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2160. 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, as contained in house bill no. 1045, as approved by the forty-second legislative assembly, relating to changing the county reorganization committee to a regional committee.

Which has been read.

Senator Holand moved that Sente Bill No. 2160 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2198. A Bill for an Act to amend and reenact section 15-53.1-07 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, relating to the contracting by a school board prior to the effective day of annexation.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson

Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Larson, L. Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2248. A Bill for an Act to create and enact section 15-55-05.1 of the North Dakota Century Code, relating to the issuance of interim bonds for revenue producing projects at the state institutions of higher learning.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 409 of the Senate Journal, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
Barth	Gronhovd	Longmire	Sorlie
Berube	Holand	Melland	Stroup
Chesrown	Jacobson	Morgan	Swedlund
Christensen	Jones	Nasset	Thane
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, G.	Ringsak	Wenstrom
Forkner	Lips	Roen	Wilhite
Freed			

Those voting in the negative were:

Hernett	Pyle	Robinson	Strinden
Mutch	Redlin	Schultz	Van Horn
Nothing			

Absent and not voting:

Butler Larson, L. Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 61-16-46 of the North Dakota Century Code, relating to the cost of constructing and maintaining openings for drains constructed by districts through railroads and highways.

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, 19; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Nothing	Sanstead
Barth	Jacobson	Page	Schultz
Berube	Jones	Pyle	Swedlund
Christensen	Just	Rait	Thane
Erdman	Kautzmann	Ringsak	Thoreson
Forkner	Longmire	Robinson	Van Horn
Gronhovd	Nasset	Roen	Wenstrom

Those voting in the negative were:

Butler	Goldberg	Melland	Strinden
Chesrown	Holand	Morgan	Stroup
Coughlin	Larson, G.	Mutch	Unruh
Doherty	Lips	Redlin	Wilhite
Freed	Litten	Sorlie	

Absent and not voting:

Larson, L. Lowe

So the bill passed and the title was agreed to.

Senate Bill No. 2328. A Bill for an Act to amend and reenact section 39-04-17, of the 1969 supplement to the North Dakota Century Code, relating to Notary Certificates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 410 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Schultz
Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L.	Lowe	Strinden
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So the bill passed and the title was agreed to.

Senate Bill No. 2399. A Bill for an Act to provide for the disclosure and reporting of moneys expended on lobbying activities, providing a penalty and declaring an emergency.

Which has been read.

Senator Litten moved that Senate Bill No. 2399 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2443. A Bill for an Act authorizing the director of institutions to lease certain property now owned by the state and under the control of the state industrial school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 411 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Larson, L.	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2496. A Bill for an Act to amend and reenact section 15-47-05 of the 1969 Supplement to the North Dakota Century Code, relating to the qualifications of a school district clerk.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Holand	Nething	Strinden
Butler	Jacobson	Page	Stroup
Chesrown	Jones	Pyle	Swedlund
Christensen	Just	Rait	Thane
Coughlin	Kautzmann	Redlin	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Larson, L.	Lips	Lowe
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So the bill passed and the title was agreed to.

Senate Bill No. 2506. A Bill for an Act to amend and reenact section 23-11-28 and 23-11-29 of the North Dakota Century Code, relating to exemption of real property of a housing authority created under Indian laws recognized by the federal government from execution sales, taxes and special 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland		

Absent and not voting:

Larson, L.	Lowe	Schultz
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So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 9, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2004
 Senate Bill No. 2178
 Senate Bill No. 2211
 Senate Bill No. 2272
 Senate Bill No. 2280
 Senate Bill No. 2284
 Senate Bill No. 2362
 Senate Bill No. 2365
 Senate Bill No. 2376
 Senate Bill No. 2426
 Senate Bill No. 2427

Senate Bill No. 2452
 Senate Bill No. 2489
 Senate Bill No. 2491
 Senate Bill No. 2500
 Senate Concurrent Resolution No. 4019

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 9, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1147
 Which the Senate has passed unchanged

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1093. A Bill for an Act to provide for a uniform group insurance program for state employees, for its administration, and for a state contribution; to amend and reenact section 54-52-04 of the North Dakota Century Code, relating to powers and duties of the state employees' retirement board; and to repeal chapter 52-12 of the North Dakota Century Code, relating to state employees' medical and life insurance 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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Barth Larson, L. Lowe

So the bill passed and the title was agreed to.

House Bill No. 1122. A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, relating to the extent of automobile damages required to be considered a reportable accident.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 412 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane

Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:
Larson, L. Lowe

So the bill passed and the title was agreed to.

House Bill No. 1136. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to membership on 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:
Larson, L. Lowe

So the bill passed and the title was agreed to.

House Bill No. 1165. A Bill for an Act authorizing the state of North Dakota acting by the North Dakota employment security bureau to sell and convey lots twenty-two, twenty-three, and twenty-four in block fifty-two, original plat of the city of Bismarck, Burleigh County, State of North Dakota, according to the plat thereof on file and of record in the office of the register of deeds of said county and state and recorded in book "A" of plats in Burleigh County, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:
Larson, L. Lowe

So the bill passed and the title was agreed to.

House Bill No. 1173. A Bill for an Act to amend and reenact sections 1 and 2 of chapter 408 of the 1969 Session Laws of North Dakota, relating to authorization of the sale and transfer of certain real property owned by the state for the benefit of the state 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nething	Strinden
Butler	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, G.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Holand Larson, L. Lowe

So the bill passed and the title was agreed to.

House Bill No. 1223. A Bill for an Act to create and enact section 64-02-05.1 of the North Dakota Century Code, relating to changing the title of the chief inspector of the department of weights and measures.

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Larson, L. Lowe

So the bill passed and the title was agreed to.

Senator Wilhite moved that after reading of Senate Bills Nos. 2003, 2010, 2183, 2202, 2234, 2303, 2343, 2344, 2363, 2367, 2405, 2446, 2480, Senate Concurrent Resolution No. 4007, and House Bills Nos. 1187, 1198, 1227, 1245, and 1264, that the Senate recess until 1:30 p.m., February 10, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIRST DAY AFTER RECESS AND
THIRTY-SECOND DAY

Bismarck, February 10, 1971

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. 2003
Senate Bill No. 2180
Senate Bill No. 2202
Senate Bill No. 2344
Senate Bill No. 2367

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2412, 2456, and House Bills Nos. 1086 and 1208, be dispensed with, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 2412 as recommended by the Committee on Industry, Business and Labor, and printed on page 462 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2456 as recommended by the Committee on Appropriations, and printed on page 463 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1086 as recommended by the Committee on State and Federal Government, and printed on page 464 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1208 as recommended by the Committee on State and Federal Government, as printed on page 465 of the Senate Journal, be adopted.

Senator Stroup moved that House Bill 1208 be re-referred to the Committee on State and Federal Government, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2024 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2302 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 after the third comma delete "or"

Page 1 line 17 after "drugs" insert "or dangerous drugs"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2305 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2308 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2311 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2312 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2316 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2322 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2331 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2351 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources 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 3, line 4, following the period, insert the following new subsection:

"11. "Waste" means the inefficient utilization of reserves of oil, gas, subsurface minerals, or coal, as the case may be."

On page 3, line 25, after the word "interest", delete the words "so the", and insert in lieu thereof the following: "to eliminate waste, to the end that the producer, landowner, and mineral owner realize"

On page 3, line 26, delete the words "landowner or mineral owner realizes"

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.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2370 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2384 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after "drugs" insert "or dangerous drugs"

Page 1 line 16 after "drug" insert "**or dangerous drug**"

Page 1 line 18 insert beginning triple parentheses before the first word "shall" and after "felony" delete the comma and insert ending triple parentheses after "and"

Page 2 line 1 after "**drug**" insert "**or dangerous drug**"

Page 2 line 3 after "**chapter**" delete "**shall be guilty of a felony, and**"

Page 2 line 4 after "**imprisonment**" delete "**in the**"

Page 2 line 5 delete "**penitentiary**" and after "**not**" delete "**less than five nor**"

Page 2 line 10 after "**years,**" delete the remainder of the line

Page 2 delete all of lines 11 through 17

Page 2 line 18 delete "**12-55-19**"

Page 2 line 20 after "**drug**" insert "**or dangerous drug**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2410 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2419 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. 2420 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 State and Federal Government to whom was referred Senate Bill No. 2451 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 4 after the word "auditor" insert the following ", and providing an effective date"

Page 5 line 24 insert the following new section

"SECTION 4. EFFECTIVE DATE. The provisions of this Act shall become effective July 1, 1973"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2478 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 2499 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Jacobson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2501 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

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 SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1029 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1031 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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. 1081 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1154 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1261 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1347 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SECOND DAY

Bismarck, February 10, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John Kuhn, Christ the King Church, Mandan.

"Eternal and Omniscient Triune God, we thank you for granting to our Founding Fathers the wisdom and foresight of establishing this democratic form of American government. May our legislature, the voice of its people, be dedicated to the cause of mankind's common goal — the general welfare. Grant to these legislators, the courage of their convictions — the insight to the proposed and sponsored bills — the prudence of their judgment — for the goodness and enlightenment of the people, whom they so loyally represent.

"Grant unto this legislature, to the assembled, august and noble Senators, the openness of mind — to study — to discuss — to exchange ideas — not in the heat of anger and self-centeredness, but in the light of understanding and justice. To respect at all times their opposing adversaries, as fellow human beings — for the primary purpose of aiding and preserving the common cause of all our people in the great land and State in which we live.

We ask this, O heavenly Father, under the guidance of the Holy Spirit, and in the Name of Your Son, Jesus Christ, our Lord. Amen!"

Roll call: All Senators present except Senators Lowe and Mutch. A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirtieth day after recess and thirty-first day and recommends that the same be corrected as follow:

On page 478, line 5 from the bottom, delete the figure "2180"

On page 478, line 5 from the bottom, after the figure "2202" insert the figure "2234"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 10, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2121

Senate Bill No. 2213

Which the House has amended as follows:

AMENDMENTS TO SENATE BILL No. 2121

On page 2, line 26, delete the triple parentheses before the word "for"

On page 2, line 27, delete the triple parentheses after the word "be" and also delete the triple parentheses before and after the words "twenty-one"

On page 2, line 27, delete the word "once"

On page 2, line 28, delete the following language: "not less than seven"

And renumber the lines and pages accordingly.

AMENDMENTS TO SENATE BILL No. 2213

On page 1, delete all of the language on lines 21 through 24, and insert in lieu thereof the following:

"No state-owned property shall be annexed without the written consent of the state agency or department having control thereof."

On page 2, line 1, delete the following language:

"agency or department."

And renumber the lines and pages accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 10, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1355

House Bill No. 1373

House Bill No. 1435

House Bill No. 1437

House Bill No. 1439

House Bill No. 1444

House Bill No. 1450

House Bill No. 1459

House Bill No. 1527

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Stroup, Roen, Rait and Swedlund introduced:

Senate Concurrent Resolution No. 4036. A Concurrent Resolution requesting the Congress of the United States to appropriate funds for the reclamation and the restoration of lands disturbed by lignite strip mining.

Was read the first time and referred to the committee on Natural Resources.

The Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4037. A Concurrent Resolution relating to the intent of the Legislative Assembly in the allocation of monies appropriated for salaries of employees of the State.

Was read the first time and referred to the committee on Appropriations.

Senators Wenstrom and Longmire introduced:

Senate Concurrent Resolution No. 4038. A Concurrent Resolution requesting a Legislative Council study of the reorganization of state agencies providing social and rehabilitation services prior to the convening of the North Dakota Constitutional Convention.

Was read the first time and referred to the committee on State and Federal Government.

SECOND READING OF SENATE BILLS

Senate Bill No. 2003. A Bill for an Act to appropriate money for the expenses of the regulatory departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 435 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Larson, L.	Robinson	Van Horn
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe	Mutch	Redlin
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So the bill passed and the title was agreed to.

Senate Bill No. 2010. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the Grafton state school at Grafton, 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Larson, L.	Robinson	Van Horn
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe	Mutch	Redlin
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So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside and the President Pro Tem presided.

SECOND READING OF SENATE BILLS

Senate Bill No. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation; and to repeal section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 371 of the Senate Journal, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Sorlie
Barth	Just	Nasset	Swedlund
Berube	Larson, G.	Page	Thane
Butler	Larson, L.	Rait	Thoreson
Christensen	Lips	Redlin	Unruh
Doherty	Litten	Robinson	Van Horn
Erdman	Longmire	Sanstead	Wenstrom
Goldberg	Melland	Schultz	Wilhite
Gronhovd			

Those voting in the negative were:

Chesrown	Hernett	Nething	Roen
Coughlin	Holand	Pyle	Strinden
Forkner	Jones	Ringsak	Stroup
Freed	Kautzmann		

Absent and not voting:

Lowe	Mutch
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So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2160. 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, as contained in house bill no. 1045, as approved by the forty-second legis-

lative assembly, relating to changing the county reorganization committee to a regional committee.

Which has been read.

Senator Nasset moved that Senate Bill No. 2160 be re-referred to the Committee on Education, which motion prevailed.

MOTION

Senator Robinson moved that Senate Bill No 2343 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2343. A Bill for an Act making an appropriation to the North Dakota state water commission for the purposes of conducting a feasibility study of diverting Missouri River waters into western 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2183. A Bill for an Act establishing an advisory council on agriculture and agri-business, defining its powers and duties, 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, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Stroup
Barth	Jacobson	Nasset	Swedlund
Berube	Jones	Pyle	Thane
Chesrown	Just	Rait	Thoreson
Christensen	Kautzmann	Redlin	Unruh
Doherty	Larson, G.	Robinson	Van Horn
Erdman	Larson, L.	Roen	Wenstrom
Forkner	Lips	Schultz	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Butler	Holand	Nothing	Sanstead
Coughlin	Litten	Page	Sorlie
Freed	Melland	Ringsak	Strinden
Goldberg			

Absent and not voting:

Lowe Mutch

So the bill passed and the title was agreed to.

JOURNAL OF THE SENATE

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2056

Senate Bill No. 2198

Senate Bill No. 2248

Senate Bill No. 2281

Senate Bill No. 2328

Senate Bill No. 2443

Senate Bill No. 2496

Senate Bill No. 2506

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 10, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1093

House Bill No. 1136

House Bill No. 1165

House Bill No. 1173

House Bill No. 1223

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 10, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1122

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 2202. A Bill for an Act to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to purchasing of cigarette stamps at a discount.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 438 and 439 of the Senate Journal, the roll was called and there were ayes, 12; nays, 35; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Christensen	Just	Ringsak
Berube	Erdman	Larson, L.	Van Horn
Butler	Gronhovd	Rait	Wilhite

Those voting in the negative were:

Barth	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Forkner	Lips	Redlin	Thane
Freed	Litten	Robinson	Thoreson
Goldberg	Longmire	Roen	Unruh
Hernett	Melland	Sanstead	Wenstrom
Holand	Morgan	Schultz	

Absent and not voting:
Lowe Mutch

So the bill was declared lost.

Senate Bill No. 2234. A Bill for an Act to amend and reenact section 4-30-47 of the 1969 Supplement to the North Dakota Century Code, relating to official butterfat tests, other tests and the fees therefor.

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, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Roen
Barth	Gronhovd	Longmire	Sanstead
Berube	Hernett	Melland	Sorlie
Butler	Holand	Morgan	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Redlin	Van Horn
Forkner	Larson, L.	Ringsak	Wenstrom
Freed	Lips	Robinson	Wilhite

Absent and not voting:

Lowe	Rait	Schultz	Thoreson
Mutch			

So the bill passed and the title was agreed to.

Senate Bill No. 2303. A Bill for an Act to create and enact section 12-60-13.1 of the North Dakota Century Code, relating to the furnishing of crime statistics by certain city and county officials to the superintendent of the state bureau of criminal identification and apprehension.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Redlin	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Larson, L.	Robinson	Van Horn
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe	Mutch	Rait
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So the bill passed and the title was agreed to.

Senate Bill No. 2344. A Bill for an Act to provide for the filing of a photographic or photostatic copy of an instrument required to be recorded by a county official.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 449 of the Senate Journal, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nething	Strinden
Butler	Just	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Christensen	Larson, G.	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Those voting in the negative were:

Forkner Freed

Absent and not voting:

Lowe Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2363. A Bill for an Act to amend and reenact section 30-14-10 of the North Dakota Century Code, relating to the report and account of guardians regarding the estate of a ward and the times at which such reports must be rendered.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Nasset	Strinden
Butler	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Lowe Mutch

So the bill passed and the title was agreed to.

Senate Bill No. 2367. 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.

Senator Christensen moved that Senate Bill No. 2367 be amended as follows:

On page 1, line 10 delete the figure "40,787,561.00" and insert in lieu thereof of the figure "42,000,000.00"

Which motion lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden

Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Wenstrom
Hernett	Melland	Roen	Wilhite

Those voting in the negative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	

Absent and not voting:

Lowe	Mutch
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So the bill passed and the title was agreed to.

Senate Bill No. 2399. A Bill for an Act to provide for the disclosure and reporting of moneys expended on lobbying activities, providing a penalty and declaring an emergency.

Which has been read.

Senator Melland moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 447 and 448 of the Senate Journal, the roll was called and there were ayes, 10; nays, 36; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Larson, L.	Sanstead	Unruh
Christensen	Longmire	Swedlund	Van Horn
Just	Rait		

Those voting in the negative were:

Anderson	Goldberg	Melland	Roen
Barth	Hernett	Morgan	Schultz
Butler	Holand	Nasset	Sorlie
Chesrown	Jacobson	Nothing	Strinden
Coughlin	Jones	Page	Stroup
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Redlin	Thoreson
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite

Absent and not voting:

Gronhovd	Lowe	Mutch
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So the bill was declared lost.

Senate Bill No. 2405. A Bill for an Act to amend and reenact subsection 1 of section 57-37-29 of the North Dakota Century Code, relating to depositories and retention, transfer and release of decedent's assets for estate 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom

Freed	Longmire	Roen	Wilhite
Goldberg			
Absent and not voting:			
Holand	Lowe	Mutch	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 2446. A Bill for an Act to amend and reenact section 32-19.1-01 the North Dakota Century Code, relating to acreage for use of short term redemption mortgage.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg			

Absent and not voting:			
Holand	Lowe	Mutch	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 2480. A Bill for an Act authorizing the construction of legislative facilities through use of the assets of the capitol building fund; providing for the appropriation from such fund; repealing inconsistent appropriations; and declaring an emergency.

Which has been read.

Senator Hernett moved that Senate Bill No. 2480 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4007. A Concurrent Resolution directing the State Auditor's office to establish a performance post-audit program, and declaring legislative intent regarding the expenditure of funds appropriated to the State Auditor's office for the biennium ending June 30, 1973.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Roen
Barth	Gronhovd	Melland	Sanstead
Berube	Hernett	Morgan	Schultz
Butler	Holand	Nasset	Sorlie
Chesrown	Jacobson	Nothing	Strinden
Christensen	Jones	Page	Swedlund
Coughlin	Just	Pyle	Thane
Doherty	Kautzmann	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite

Absent and not voting:

Larson, G. Mutch Stroup Van Horn
Lowe

So the resolution was declared adopted.

MOTION

Senator Hernettt moved that Senate Concurrent Resolution No. 4022 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Concurrent Resolution No. 4022 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 10, 1971

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 1068 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Hentges, Hensrud and Backes.

Very respectfully,
ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 10, 1971

Mr. President: I have the honor to transmit:
House Concurrent Resolution No. 3032
Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3032. A Concurrent Resolution congratulating Satchel Paige on his election to the Baseball Hall of Fame.

Which was read the first time.

Senator Lips moved that the rules be suspended, that House Concurrent Resolution No. 3032 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. 3032. A Concurrent Resolution congratulating Satchel Paige on his election to the Baseball Hall of Fame.

Was read the second time.

Senator Lips moved that House Concurrent Resolution No. 3032 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1187. A Bill for an Act to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to permits for motor vehicles entering state parks, state recreational areas or certain reserves.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernettt	Morgan	Schultz

Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Those voting in the negative were:
Doherty

Absent and not voting:

Larson, G.	Lowe	Mutch	Van Horn
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So the bill passed and the title was agreed to.

House Bill No. 1198. A Bill for an Act to amend and reenact section 54-46-08 of the North Dakota Century Code, providing for the disposal of records, and to repeal section 46-04-20 of the North Dakota Century Code, relating to the destruction of public records.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg			

Absent and not voting:

Larson, G.	Lowe	Mutch	Van Horn
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So the bill passed and the title was agreed to.

House Bill No. 1227. A Bill for an Act to create and enact section 39-03A-27 of the North Dakota Century Code establishing the legislative intent and relating to effect of amendment of the highway patrolmen's retirement system; to amend and reenact sections 39-03A-09, 39-03A-10, 39-03A-12, 39-03A-14, 39-03A-16, 39-03A-17, 39-03A-21 and 39-03A-21.1 relating to the highway patrolmen's retirement system, payment by contributors, contributions of the state, retirement allowance, optional retirement allowance, disability retirement allowance, severance allowance, payments in case of death and children's benefits and to repeal subsection 7 of section 39-03A-01 relating to the definition of average monthly salary.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup

Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg			

Absent and not voting:
 Larson, G. Lowe Mutch Van Horn

So the bill passed and the title was agreed to.

House Bill No. 1245. A Bill for an Act to amend and reenact section 21-06-03 of the North Dakota Century Code, relating to a defaced or lost obligation and granting the state or political subdivision the right to elect to accept either a surety bond or a written agreement as indemnification before a duplicate obligation is issued.

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, 4.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sanstead
Barth	Gronhovd	Morgan	Schultz
Berube	Hernett	Nasset	Sorlie
Butler	Holand	Nething	Strinden
Chesrown	Jacobson	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite

Those voting in the negative were:
 Jones

Absent and not voting:
 Larson, G. Lowe Mutch Van Horn

So the bill passed and the title was agreed to.

House Bill No. 1264. A Bill for an Act to amend and reenact section 24-02-39 of the North Dakota Century Code, relating to a limitation on building cost incurred by 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Nasset	Sorlie
Butler	Jacobson	Nething	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg			

Absent and not voting:
 Larson, G. Lowe Mutch Van Horn

So the bill passed and the title was agreed to.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2024, 2305, 2311, 2316, 2322, 2331, 2351, 2370, 2412, 2419, 2420, 2456, and House Bills Nos. 1010, 1029, 1031, 1081, 1086, and 1261, that the Senate recess until 1:15 p.m., February 11, 1971.

LEO LEIDHOLM, Secretary

**THIRTY-SECOND DAY AFTER RECESS
AND THIRTY-THIRD DAY**

Bismarck, February 11, 1971

The Senate convened at 1:15 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. 2412

Senate Bill No. 2456

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2302, 2364, 2384, and 2451, be dispensed with, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2302 as recommended by the Committee on Judiciary, and printed on page 480 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that consideration of the amendments to Senate Bill No. 2364, be laid over one legislative day, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2384 as recommended by the Committee on Judiciary, and printed on page 481 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2451 as recommended by the Committee on State and Federal Government, and printed on page 482 of the Senate Journal, be adopted, 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. 1068, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1068,

Senators

Doherty

Anderson

Rait

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House, amendments to Senate Bill No. 2121, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2121 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2121. A Bill for an Act to amend and reenact sections 48-02-02 and 48-02-03 of the North Dakota Century Code, relating to the prerequisite to building or repair of public buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire	Roen	

Absent and not voting:

Coughlin	Lowe	Stroup	Thoreson
Forkner	Ringsak		

So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2213, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2213 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2213. A Bill for an Act to amend and reenact subsection 2 of section 40-51.2-07 of the North Dakota Century Code, relating to annexation of territory to cities and protests thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Coughlin	Lowe	Ringsak	Stroup
Holand			

So the bill passed and the title was agreed to.

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 22 delete the figure "186,886.00" and insert in lieu thereof the figure "189,886.00"

On page 2, line 26 delete the figure "225,486.00" and insert in lieu thereof the figure "228,486.00"

On page 2, line 30 delete the figure "101,000.00" and insert in lieu thereof the figure "98,000.00"

On page 2, line 31 delete the figure "104,500.00" and insert in lieu thereof the figure "101,500.00"

On page 2, line 34 delete the figure "511,066.00" and insert in lieu thereof the figure "501,066.00"

On page 2, line 35 delete the figure "160,400.00" and insert in lieu thereof the figure "90,400.00"

On page 2, after line 35 add the following new line: "Independent Certified Audits "80,000.00"

On page 3, line 14 delete the figure "438,336.00" and insert in lieu thereof the figure "563,881.00"

On page 3, line 15 delete the figure "48,480.00" and insert in lieu thereof the figure "85,480.00"

On page 3, line 16 delete the figure "11,210.00" and insert in lieu thereof the figure "13,410.00"

On page 3, line 17 delete the figure "2,000.00" and insert in lieu thereof the figure "5,250.00"

On page 3, line 18 delete the figure "500,026.00" and insert in lieu thereof the figure "668,021.00"

On page 3, line 27 delete the figure "68,000.00" and insert in lieu thereof the figure "118,000.00"

On page 3, line 28 delete the figure "1,798,608.00" and insert in lieu thereof the figure "1,848,608.00"

On page 4, line 1 delete the word "Personnel system" and insert in lieu thereof the words "Employment Classification Study"

On page 4, line 1 delete the figure "200,000.00" and insert in lieu thereof the figure "50,000.00"

On page 4, line 2 delete the figure "957,580.00" and insert in lieu thereof the figure "807,580.00"

On page 4, line 3 delete the figure "4,644,473.00" and insert in lieu thereof the figure "4,712,468.00"

Renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

In the Secretary of State budget an increase of \$3,000.00 was allowed to increase a half time position to full time for increased work. In Public Printing the decrease under supplies and materials was made because funds appeared sufficient for the next biennium. In the Attorney General budget the licensing department was included in the general budget to allow better coordination of licensing agents and crime bureau agents. An increase of \$2,250.00 in equipment was allowed for laboratory equipment for the crime bureau.

In the Director of Institutions budget \$50,000.00 was added for improvements in the capitol and governor's residence. The retitling of Personnel System as Employment Classification Study and reduction to \$50,000.00 will allow continuing study of state employment practices. The Department of Accounts and Purchases is authorized to secure federal funds for this study from the Inter-governmental Personnel Act of 1970. The change in the State Au-

ditor budget directs the department to employ certified public accountants to conduct performance audits for the larger institutions and departments.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations 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 1, line 11 delete the figure "2,155,653.00" and insert in lieu thereof the figure "2,172,653.00"

On page 1, line 15 delete the figure "1,208,523.00" and insert in lieu thereof the figure "1,225,523.00"

On page 1, line 20 delete the figure "2,155,653.00" and insert in lieu thereof the figure "2,172,653.00"

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 increase in salaries and wages to provide for additional costs of processing the business privilege tax.

SENATOR SORLIE, Chairman

Senator Lips 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. 2089 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 11 after the numerals "37-14-13" delete "37-14-14."

Page 2 line 8 after the first "the" delete "employment service" and insert in lieu thereof "executive"

Page 10 line 13 delete the triple parentheses before and after "may" and delete "shall"

Page 10 line 16 delete the triple parentheses before and after "advice" and delete "consent"

Page 16 line 12 after the numerals "37-14-13" delete "37-14-14,"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2144 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner 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. 2206 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 2221 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 after "additional" insert "pertinent"

Page 1 line 20 delete "ten" and insert in lieu thereof "thirty"

Page 2 line 9 after "additional" insert "pertinent"

Page 2 line 12 after the word "within" delete "ten" and insert in lieu thereof "thirty"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2222 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2236 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 delete the word "section" and insert in lieu thereof "sections 24-08-01 and"

Page 1 line 2 after "to" insert "construction of bridges by board of county commissioners, and"

Page 1 following line 7 insert the following new section

"SECTION 1. AMENDMENT.) Section 24-08-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-08-01. CONSTRUCTION OF BRIDGES BY BOARD OF COUNTY COMMISSIONERS — PETITION — BIDS — REJECTION.) Whenever a majority of the freeholders of a civil township, or a majority of the freeholders living within a radius of three miles of the proposed location, shall petition the board of county commissioners for a bridge at a specified location within such township, or within any incorporated city, if the cost of such bridge shall exceed the sum of one hundred dollars, the board of county commissioners shall view and investigate the necessity of such proposed bridge. If the board approves the petition, it shall proceed to advertise in the official paper of the county, for a period of thirty days, the plans and specifications of the proposed bridge, asking for sealed bids for the building of such bridge, to be submitted to it at the next regular or special meeting, at which the board shall proceed to examine all proposals or bids for the building of such bridge. The board shall award the contract to the lowest responsible bidder, requiring such bidder to give a bond in a sum not less than the amount stipulated in the bid or contract, conditioned for the faithful compliance with the terms of such bid or contract, such bond to be approved by the board and filed in the office of the county auditor but the board may reject all bids. If all bids are rejected, the board shall readvertise as provided herein. Provided, however, that in any case where the amount of the lowest responsible bid is less than ((seven)) fifteen thousand dollars, the board shall have the authority to refuse all bids received, and to proceed to construct such bridge under its own supervision, and in the manner deemed by its most expedient, and to enter into contracts for the labor or material to be used in the construction of the same."

And renumber the pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner 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. 2237 has had the same

under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 2242 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2264 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2286 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2287 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

PAGE 1

1 A BILL for an Act to amend and reenact section 14-03-13 of
2 the North Dakota Century Code, to provide that the standard
3 serological test for syphilis required for filing of applica-
4 tion for marriage license may be performed by any laboratory
5 approved by the state health officer

6
7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
8 STATE OF NORTH DAKOTA:

9
10 SECTION 1. AMENDMENT.) Section 14-03-13 of the 1969
11 Supplement to the North Dakota Century Code is hereby
11a amended
12 and reenacted to read as follows:

13 14-03-13. "STANDARD SEROLOGICAL TEST" DEFINED.
13a — A

14 standard serological test shall be a laboratory test for
15 syphilis approved by the state health officer and shall
16 be performed by the state department of health, or by any
17 other (((state public health))) laboratory approved by
18 the state health officer. The county judge shall collect
19 a fee of not to exceed fifty cents for each serological
20 test performed in this state, which shall be paid by
21 him into the state treasury on the first day of July.
22 The fee shall be collected from each applicant for a
23 marriage license upon whom the test has been performed.
24 State public health laboratories outside of the state of

PAGE 2

1 North Dakota which have been approved by the state health
2 officer shall make their own arrangements as to the amount
3 and manner of collecting their fees for the service.

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2325 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Korkner 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:

Page 2 line 15 after "to" insert "**the chief accounting officer of**"

Page 2 line 24 after the first comma delete "**personal property,**"

Page 2 line 25 after "**disposition**" insert "**or until 60 days elapse after receipt of the notice**"

Page 2 line 27 after "**within**" delete "**five**" and insert in lieu thereof "**ten**"

Page 2 line 29 after the period delete the remainder of the line

Page 2 delete all of lines 30 through 35

Page 3 delete all of lines 1 and 2

Page 3 line 5 after "**credits**" delete "**or personal property**"

Page 3 line 9 after "**upon**" delete "**an**" and insert in lieu thereof "**the registered**"

Page 3 delete all of line 20 through 29

Renumber the pages and lines accordingly.

And when so amended recommends the same do pas.

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. 2381 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 8 after the closing parentheses delete "There" and insert in lieu thereof "The"

Page 1 delete all of lines 9 through 17 and insert in lieu thereof the following: "superintendent of the bureau of criminal identification and apprehension shall establish within the bureau and under his authority and control, a narcotics and dangerous drug division whose responsibility and duties shall be to investigate crimes and enforce all state laws with respect to marijuana and narcotic, hallucinogenic, depressant, stimulant and dangerous drugs as set out in title 19 of the North Dakota Century Code; and to cooperate with and assist all other law enforcement officials of this or any other state and of the federal government in establishing and carrying out a system of narcotic and dangerous drug control."

Page 2 line 8 after "from" delete "narcotics law enforcement division" and insert in lieu thereof "bureau"

Page 2 line 9 after "to" delete "drugs,"

Page 2 line 10 delete "narcotics, and" and after "marijuana" insert "narcotic, hallucinogenic, depressant, stimulant drugs, and dangerous drugs"

Page 2 line 15 delete "drugs, narcotics, or" and after "marijuana" insert "and narcotic, hallucinogenic, depressant, stimulant drugs, and dangerous drugs."

Page 2 line 20 delete the numerals "\$80,000.00" and insert in lieu thereof the numerals "160,000.00"

Page 2 line 24 delete the numerals "40,000.00" and insert in lieu thereof the numerals "120,000"

Page 2 line 25 delete the numerals "\$80,000.00" and insert in lieu thereof the numerals "\$160,000.00"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2394 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2416 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after "deaf" delete "and dumb"

Page 1 line 13 after "DEAF" insert beginning triple parentheses before "AND" and insert ending triple parentheses after "DUMB"

Page 1 line 17 after "deaf" insert beginning triple parentheses before "and" and insert ending triple parentheses after "dumb"

Page 3 line 5 after "deaf" delete "and dumb"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2458 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 12 insert beginning triple parentheses before "IN"

Page 1 line 13 insert ending triple parentheses after "TAX"

Page 2 line 5 delete the comma at the end of the line

Page 2 line 8 delete the beginning triple parentheses before "but" and insert triple parentheses around "fifteen" and insert in lieu thereof "nineteen" and insert beginning triple parentheses before "ten"

Page 2 line 11 insert ending triple parentheses after the period at the end of the line

Page 2 line 15 delete the triple parentheses after the period

Page 2 line 21 insert beginning triple parentheses before "be"

Page 2 line 22 insert ending triple parentheses after "shall" and delete "proclude" and insert in lieu thereof "preclude"

Renumber the pages, lines and subsections accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2459 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 12 after "agreed" delete "or"

Page 1 line 13 delete "otherwise ordered by a court of competent jurisdiction," insert in lieu thereof "and subject to Chapter 28-29 of the North Dakota Century Code as amended."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2463 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2464 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2470 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2472 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 15 insert a period after "meetings" and delete the remainder of the line

Page 1, delete all of lines 16 and 17

Page 2 line 2 delete the beginning and ending triple parentheses and delete "each"

Page 2 line 5 delete the beginning and ending triple parentheses

Page 2 line 7 delete the beginning triple parentheses

Page 2 line 8 delete the ending triple parentheses

Page 2 line 10 delete the beginning triple parentheses

Page 2 line 11 delete the ending triple parentheses

Page 2 line 12 delete the beginning triple parentheses

Page 2 line 15 delete the ending triple parentheses and add the following "Notwithstanding the provisions of this subsection, the governing body of any city or township may by resolution provide that all real property within the city or township shall be listed and assessed annually with reference to its value on January second of each year; the board of county commissioners may by resolution provide that all real property in unorganized townships and in townships that have dissolved the office of township assessor if authorized by law shall be listed and assessed annually with reference to its value on January second of each year. The assessments of real property assessed annually shall be equalized and corrected annually in the manner and subject to the same requirements as are provided for equalizing the assessments of real property that is listed and assessed every odd-numbered year. The provisions of subsection 3 and 5 of this section shall not be applicable to any real property that is assessed annually."

Page 9 delete lines 18 through 20

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 Natural Resources to whom was referred Senate Bill No. 2490 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 Appropriations to whom was referred Senate Concurrent Resolution No. 4003 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1041 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. 1057 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 12 insert beginning parentheses before the word "contains"

Page 1 line 13 delete triple parentheses before and after the word "five" and delete the word "ten" and insert ending triple parentheses after the word "which"

Renumber the pages 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 Agriculture to whom was referred House Bill No. 1084 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. 1088 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. 1143 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 State and Federal Government to whom was referred House Bill No. 1156 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 after the word "subsection" delete "12" and insert in lieu thereof "11"

Page 1 line 8 after the word "Subsection" delete "12" and insert in lieu thereof "11"

Page 1 line 11 delete "12" and insert in lieu thereof "11"

Renumber the pages and lines and subsections accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1191 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1195 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 House Bill No. 1300 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 House Bill No. 1359 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 Transportation to whom was referred House Bill No. 1365 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1376 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.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-THIRD DAY

Bismarck, February 11, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Thomas Kramer, Catholic Education Office, Bismarck.

"Let us pray. Almighty God and Father, we acknowledge Your majesty and implore Your assistance. In Your gracious goodness we ask You to look down upon these senators and guide them in their deliberations today.

"May Your wisdom guide their thinking, may Your honesty and charity guide their speaking, and may Your justice guide their voting.

"May their decisions be for the benefit of Your people and for Your honor and glory. Amen."

Roll Call: All Senators present except Senators Lowe and Stroup. A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-first day after recess and thirty-second day and finds the same correct.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 11, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1001

House Bill No. 1065

House Bill No. 1101

House Bill No. 1161

House Bill No. 1235

House Bill No. 1368

House Bill No. 1374

House Bill No. 1395

House Bill No. 1398

House Bill No. 1399

House Bill No. 1452

House Bill No. 1526

House Bill No. 1542

House Bill No. 1551

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 11, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2168

Senate Bill No. 2216

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators G. Larson and Christensen introduced:

Senate Concurrent Resolution No. 4039. A Concurrent Resolution directing the Natural Resources Council to study and prepare legislation to create a Department of Natural Resources.

Was read the first time and referred to the committee on Natural Resources.

Senators Erdman, Christensen and Rait introduced:

Senate Concurrent Resolution No. 4040. A Concurrent Resolution requesting consideration by the United States Civil Aeronautics Board of the need for providing alternatives to presently established east-west air transportation services for the people of North Dakota.

Was read the first time and referred to the committee on Transportation.

Senator Melland introduced:

Senate Concurrent Resolution No. 4041. A Concurrent Resolution for the amendment of section 215 of the Constitution of the state of North Dakota and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to public institutions and to institutions under the Board of Higher Education, and to repeal section 216 of the Constitution of the state of North Dakota, relating to educational and charitable institutions.

Was read the first time and referred to the committee on State and Federal Government.

Senators Stroup, Ringsak and Page introduced:

Senate Concurrent Resolution No. 4042. A Concurrent Resolution directing the Legislative Council to study the problems of buried transmission lines and how best to protect them from damage.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senator Longmire introduced:

Senate Concurrent Resolution No. 4043. A Concurrent Resolution urging counties and cities which have college campuses within their jurisdictions to deputize campus policemen.

Was read the first time and referred to the committee on Judiciary.

FIRST READING OF HOUSE BILLS

House Bill No. 1355. A Bill for an Act to provide for the protection of any scenic area found on land allowed to be leased by this state, and providing a penalty.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1373. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to the homestead credit, and providing a penalty.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1435. A Bill for an Act to amend and reenact section 39-04-13 of the 1969 supplement to the North Dakota Century Code, relating to number plates, tabs, stickers or registration card for motor vehicles.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1437. A Bill for an Act to amend and reenact section 39-04A-03 of the North Dakota Century Code relating to motor vehicle ton fee tags.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1439. A Bill for an Act to provide for the issuance of a duplicate certificate of title to a motor vehicle.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1444. A Bill for an Act to amend and reenact section 39-05-09 of the 1969 supplement to the North Dakota Century Code, relating to the issuance of a title to a motor vehicle.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1450. A Bill for an Act to create and enact a new subsection to section 34-13-01 of the North Dakota Century Code, relating to the licensing of employment agencies and to the establish-

ment of maximum fees which may be charged for services, and to amend and reenact sections 34-13-02, 34-13-03, 34-13-04, 34-13-05, 34-13-07, 34-13-08, 34-13-09, 34-13-10, 34-13-11, and 34-13-12, and subsection 4 of section 34-13-15 of the North Dakota Century Code, relating to the transfer of the regulation of employment agencies from the attorney general to the commissioner of labor.

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 create and enact subsection 17 of section 54-12-01 of the North Dakota Century Code, relating to duties of the attorney general.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1527. A Bill for an Act to create and enact subsection 4 of section 20-08-01 of the North Dakota Century Code, relating to emergency closing of hunting seasons; and to amend and reenact section 20-08-04 of the North Dakota Century Code, relating to an exception in the publication of governor's orders.

Which was read the first time and referred to the committee on Natural Resources.

SECOND READING OF SENATE BILLS

Senate Bill No. 2024. A Bill for an Act making an appropriation for salaries and expenses of the state 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2305. A Bill for an Act providing for the adoption of an interstate agreement on detainers and for the implementation 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson

Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe	Sanstead	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2311. A Bill for an Act to create and enact subsection 4 of section 29-29-02 of the North Dakota Century Code, relating to grounds for the issuance of a search warrant.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Lowe	Stroup
------	--------

So the bill passed and the title was agreed to.

Senate Bill No. 2316. A Bill for an Act to amend and reenact subsection 4 of section 34-06-06 of the North Dakota Century Code, relating to the hours of employment of female workers during emergency periods.

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, 3.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Robinson
Barth	Gronhovd	Longmire	Roen
Berube	Hernett	Morgan	Schultz
Butler	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite

Those voting in the negative were:

Sanstead	Van Horn
----------	----------

Absent and not voting:

Lowe	Melland	Stroup
------	---------	--------

So the bill passed and the title was agreed to.

Senate Bill No. 2322. A Bill for an Act to amend and reenact section 12-60-01 of the North Dakota Century Code relating to changing the name of the North Dakota state bureau of criminal identification and apprehension.

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, 3.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
Barth	Gronhovd	Longmire	Schultz
Berube	Hernett	Melland	Sorlie
Butler	Holand	Morgan	Strinden
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nething	Thane
Coughlin	Just	Pyle	Thoreson
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, G.	Redlin	Van Horn
Forkner	Larson, L.	Robinson	Wenstrom
Freed	Lips	Roen	Wilhite

Those voting in the negative were:

Mutch Ringsak

Absent and not voting:

Lowe Page Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2331. A Bill for an Act to provide for administrative supervision by the supreme court over all courts and to implement the superintending control of the supreme court provided under section 86 of the Constitution 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe Page Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2351. A Bill for an Act making an appropriation for the purpose of defraying the expenses of operating and maintaining the judicial 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, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Sanstead
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Barth	Gronhovd	Longmire	Schultz
Berube	Hernett	Melland	Sorlie
Butler	Holand	Morgan	Strinden
Chesrown	Jacobson	Nothing	Swedlund
Christensen	Jones	Page	Thane
Coughlin	Just	Pyle	Thoreson
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, G.	Redlin	Van Horn
Forkner	Larson, L.	Ringsak	Wenstrom
Freed	Lips	Robinson	Wilhite

Those voting in the negative were:
Mutch Roen

Absent and not voting:
Lowe Nasset Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2370. A Bill for an Act to repeal sections 29-06-08 and 29-06-16 of the North Dakota Century Code relating to arrests at night by a peace officer.

Which has been read.

Senator Chesrown moved that Senate Bill No. 2370 be re-referred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 2412. A Bill for an Act to create and enact a new subdivision of subsection 1 of section 43-33-09, a new subsection of section 43-33-10, two new subdivisions of subsection 4 of section 43-33-12, and a new subsection of section 43-33-12 of the North Dakota Century Code, relating to the scope of the hearing aid dealers examination, duties of the licensing department, and grounds for suspension of licenses; and to amend and reenact subsection 6 of section 43-33-01, section 43-33-04, section 43-33-07, subsection 2 of section 43-33-08, subdivision e of subsection 4 of section 43-33-12, and subsection 2 of section 43-33-15 of the North Dakota Century Code, relating to definitions, persons and practices not affected, educational qualifications of applicants, frequency of examinations, temporary trainee supervision, and qualifications of members of the board of hearing aid dealers and fitters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 462 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Strinden
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:
Freed Lowe Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2419. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code,

relating to income tax definitions 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Butler	Jones	Nasset	Sorlie
Chesrown	Just	Nething	Strinden
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Berube	Freed	Lowe	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2420. A Bill for an Act to amend and reenact subsection 1 of section 57-38-40 of the North Dakota Century Code, relating to income tax revisions.

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, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Lowe	Sorlie	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2456. A Bill for an Act to provide for Vietnam veterans' adjusted compensation, method of payment, duties of adjutant general, exemption from taxation and execution, time limits for filing, for a penalty, and for appropriations; and to create and enact section 37-24-08 of the North Dakota Century Code, relating to deduction of adjusted compensation, and declaring an emergency.

Senator Lips moved that Senate Bill No. 2456 be amended as follows:

In line 16 of page 4, following the period, insert the following: Applications for adjusted compensation may be filed with the adjutant general after the date of October 1, 1971."

And renumber the lines accordingly.

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2456 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 463 of the Senate Journal and from the floor, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Butler

Absent and not voting:

Lowe Stroup

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2480. A Bill for an Act authorizing the construction of legislative facilities through use of the assets of the capitol building fund; providing for the appropriation from such fund; repealing inconsistent appropriations; and declaring an emergency.

Which has been read.

Senator Hernett moved that Senate Bill No. 2480 be laid over two legislative days, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 11, 1971

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2003
- Senate Bill No. 2010
- Senate Bill No. 2045
- Senate Bill No. 2183
- Senate Bill No. 2234
- Senate Bill No. 2303
- Senate Bill No. 2343
- Senate Bill No. 2344
- Senate Bill No. 2363
- Senate Bill No. 2367
- Senate Bill No. 2405
- Senate Bill No. 2446
- Senate Concurrent Resolution No. 4007

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 11, 1971

Mr. Speaker: I have the honor to return:

- House Bill No. 1187
- House Bill No. 1198

House Bill No. 1227
 House Bill No. 1245
 House Bill No. 1264
 House Concurrent Resolution No. 3032
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 11, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1154
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 11, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2121 and 2213.

Very respectfully,
 LEO LEIDHOLM, Secretary

Senate Chamber
 Bismarck, February 11, 1971

Mr. Speaker: I have the honor to inform you that the President has appointed

Senators:
 Doherty
 Anderson
 Rait

To serve with a like committee from the House, on House Bill No. 1068.

Very respectfully,
 LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1010. A Bill for an Act making an appropriation for the maintenance and operation of the North Dakota soldiers' home at Lisbon.

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, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:
 Lowe Stroup

So the bill passed and the title was agreed to.

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the Call of the Chair, the President Pro Tem presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 1029. A Bill for an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

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, 2; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Kautzmann	Page	Strinden
Christensen	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd			

Those voting in the negative were:

Butler Coughlin

Absent and not voting:

Holand	Lowe	Stroup	Wilhite
Just	Nething		

So the bill passed and the title was agreed to.

House Bill No. 1031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the services of the state-wide communications fund in the office of the director of institutions.

Which has been read.

Senator Wenstrom moved that House Bill No. 1031 be laid over one legislative day, which motion prevailed.

House Bill No. 1081. 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 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, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire		

Absent and not voting:

Coughlin	Lowe	Schultz	Wilhite
Holand	Nething	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1086. A Bill for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the membership of the state investment board.

Which has been read.

Senator Hernet moved that House Bill No. 1086 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

House Bill No. 1347. A Bill for an Act to amend and reenact section 23-02-05 of the North Dakota Century Code, relating to the fees collected by the state registrar for birth and death certificates.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Butler	Jones	Nething	Swedlund
Chesrown	Just	Page	Thane
Christensen	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire	Roen	

Those voting in the negative were:

Coughlin	Doherty	Mutch	Schultz
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Absent and not voting:
Lowe Stroup

So the bill passed and the title was agreed to.

EXECUTIVE SESSION

Senator Wilhite moved that the Senate resolve itself into an Executive Session to consider confirmation of appointments by the Governor, which motion prevailed.

The Senate in Executive Session, after receiving the reports of the committees, thereupon advised and consented to the following appointments and confirmed the same.

- Director of Institutions** (S. B. 425, 1969 Session Laws)
Walter Fiedler, Ryder, July 1, 1969 - January 1, 1973
- Commissioner of Banking and Financial Institutions**
(6-01-01 — Title changed by the 1969 Legislature)
G. W. (Gil) Ellwein, Bismarck, October 1, 1969 - July 1, 1973
- North Dakota Council on the Arts and Humanities**
(Chapter 397, Article 3, 1967 Session Laws)
Dr. Frank C. Pearson, Dickinson, July 1, 1969 - July 1, 1972
Mrs. Richard Beckmen, Bismarck, July 1, 1970 - July 1, 1975
- State Board of Higher Education** (15-10-02)
Mrs. Arthur (Ailsa) Simonson, Crosby,
July 1, 1970 - July 1, 1977
- Higher Education Facilities Commission** (15-10-29)
Dr. J. Kenneth Galloway, Devils Lake,
July 1, 1969 - July 1, 1972
Kenneth Urdahl, Jamestown, July 1, 1970 - July 1, 1973
- State Historical Board** (55-01-01 as amended)
Ben H. Innis, Williston, July 1, 1969 - July 1, 1972

Robert Cory, Minot, July 1, 1969 - July 1, 1972
 Dr. D. Jerome Tweton, Grand Forks,
 July 14, 1970 - July 1, 1972

7. **State Board of Public School Education** (15-21-17 amended)
 Merlyn Miller, Wahpeton, April 7, 1970 - July 1, 1972
 Richard Hilborn, Durbin, July 1, 1970 - July 1, 1976
 Donald Lange, Webster, July 1, 1970 - July 1, 1976
8. **Soldiers Home Trustees** (37-15-03)
 Stephen J. Groth, Enderlin, March 29, 1969 - July 1, 1972
 Arthur E. Ulness, Fargo, July 1, 1970 - July 1, 1975
 Bernard A. Wagner, Sanborn, June 19, 1970 - July 1, 1974

The Executive Session was thereupon dissolved and the Senate resumed its regular session.

MESSAGE TO THE GOVERNOR

The Honorable William L. Guy
 Governor
 State of North Dakota
 State Capitol
 Bismarck, North Dakota

Dear Governor Guy:

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. **Director of Institutions** (S. B. 425, 1969 Session Laws)
 Walter Fiedler, Ryder, July 1, 1969 - January 1, 1973
2. **Commissioner of Banking and Financial Institutions**
 (6-01-01 — Title changed by 1969 Legislature)
 G. W. (Gil) Ellwein, Bismarck, October 1, 1969 - July 1, 1973
3. **North Dakota Council on the Arts and Humanities**
 (Chapter 397, Article 3, 1967 Session Laws)
 Dr. Frank C. Pearson, Dickinson, July 1, 1969 - July 1, 1972
 Mrs. Richard Beckmen, Bismarck, July 1, 1970 - July 1, 1975
4. **State Board of Higher Education** (15-10-02)
 Mrs. Arthur (Ailsa) Simonson, Crosby,
 July 1, 1970 - July 1, 1977

As to the nominee submitted by the Governor and his interim appointment, the North Dakota State Senate does not now deem that a vacancy exists under Article 54 of the North Dakota Constitution for purposes of submitting another name but confirms the interim appointment nominated by the Governor, Mrs. Ailsa Simonson of Crosby.

5. **Higher Education Facilities Commission** (15-10-29)
 Dr. J. Kenneth Galloway, Devils Lake,
 July 1, 1969 - July 1, 1972
 Kenneth Urdahl, Jamestown, July 1, 1970 - July 1, 1973
6. **State Historical Board** (55-01-01 as amended)
 Ben H. Innis, Williston, July 1, 1969 - July 1, 1972
 Robert Cory, Minot, July 1, 1969 - July 1, 1972
 Dr. D. Jerome Tweton, Grand Forks,
 July 14, 1970 - July 1, 1972
7. **State Board of Public School Education** (15-21-17 amended)
 Merlyn Miller, Wahpeton, April 7, 1970 - July 1, 1972
 Richard Hillborn, Durbin, July 1, 1970 - July 1, 1976
 Donald Lange, Webster, July 1, 1970 - July 1, 1976
8. **Soldiers Home Trustees** (37-15-03)
 Stephen J. Groth, Enderlin, March 29, 1969 - July 1, 1972
 Arthur E. Ulness, Fargo, July 1, 1970 - July 1, 1975
 Bernard A. Wagner, Sanborn, June 19, 1970 - July 1, 1974

Sincerely yours,
 Richard F. Larsen
 Lieutenant Governor

Senator Wilhite moved that after the reading of Senate Bills Nos. 2206, 2242, 2264, 2286, 2302, 2325, 2384, 2451, 2463, 2464, and House Bills Nos. 1041, 1084, 1088, 1143, 1191, 1195, 1300, 1359, 1365, and 1376 that the Senate recess until 1:00 p.m., February 12, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

**THIRTY-THIRD DAY AFTER RECESS
AND THIRTY-FOURTH DAY**

Bismarck, February 12, 1971

The Senate convened at 1:00 p.m., pursuant to recess taken, the President Pro Tem 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. 2302

Senate Bill No. 2384

Senate Bill No. 2451

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 12, 1971

Mr. President: The House respectfully requests the return of House Bill No. 1330, which was inadvertently messaged to the Senate on February 4, 1971.

ROY GILBREATH, Chief Clerk

MOTION

Senator Kautzmann moved that House Bill No. 1330 be returned to the House as requested, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1330

Which the House requested.

LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

Senator Melland moved that the reading of the amendments to Senate Bills Nos. 2001, 2033, 2089, 2221, 2236, 2287, 2364, 2379, 2381, 2416, 2458, 2459, 2472, and House Bills Nos. 1057 and 1156, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2001 as recommended by the Committee on Appropriations, and printed on pages 499 and 500 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2033 as recommended by the Committee on Appropriations, and printed on page 500 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2089 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 500 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2221 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on pages 500 and 501 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to Senate Bill No. 2236 as recommended by the Committee on Transportation, and printed on page 501 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2287 as recommended by the Committee on Social Welfare and Veterans' Affairs and printed on page 502 of the Senate Journal, be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2364 as recommended by the Committee on Natural Resources, and printed on page 481 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, and printed on page 503 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2381 as recommended by the Committee on Judiciary, and printed on pages 503 and 504 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2381 was re-referred to the Committee on Appropriations.

Senator Chesrown moved that the amendments to Senate Bill No. 2416 as recommended by the Committee on Judiciary, and printed on page 504 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to Senate Bill No. 2458 as recommended by the Committee on Transportation, and printed on page 504 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2459 as recommended by the Committee on Judiciary, and printed on page 505 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2472 as recommended by the Committee on Finance and Taxation, and printed on pages 505 and 506 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1057 as recommended by the Committee on Agriculture, and printed on page 506 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1156 as recommended by the Committee on State and Federal Government, and printed on page 507 of the Senate Journal, be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

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, line 2 after the word "government" insert a period and delete the following: ", specifying the amount and time"

On page 1, delete all of lines 3, 4, 5, 6, and 7

On page 1, line 18 after the word "specified" insert the following: "such sum as set forth"

On page 2, line 5 delete the figure "624,840.00" and insert in lieu thereof the figure "410,000.00"

On page 2, line 7 delete the figure "15,500.00" and insert in lieu thereof the figure "5,500.00"

On page 2, line 8 delete the figure "9,300.00" and insert in lieu thereof the figure "6,800.00"

On page 2, line 9 delete the figure "661,640.00" and insert in lieu thereof the figure "434,300.00"

On page 2, line 12 delete the figure "36,981.00" and insert in lieu thereof the figure "32,644.00"

On page 2, line 16 delete the figure "76,381.00" and insert in lieu thereof the figure "72,044.00"

On page 2, line 19 delete the figure "1,008,000.00" and insert in lieu thereof the figure "782,212.00"

On page 2, line 21 delete the figure "125,000.00" and insert in lieu thereof the figure "97,104.00"

On page 2, line 22 delete the figure "1,183,000.00" and insert in lieu thereof the figure "929,316.00"

On page 2, line 23 delete the figure "1,921,021.00" and insert in lieu thereof the figure "1,435,660.00"

On page 2, delete lines 24, 25, 26, 27, 28, 29, and 30

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 bring increases in line with increases in other areas of state government at a similar level of compensation and to delete the position of court administrator from this budget. Supplies, materials and equipment were also reduced because this position was not allowed.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

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 in line 2 delete the words ", specifying the amount and" and delete all of lines 3, 4, 5, and 6 and insert the following in lieu thereof: "and declaring an emergency"

On page 1 in line 17 after the word "specified" insert the words: "such sums as set forth"

On page 1 in line 24 delete the words "July 1, 1971," and insert the words: "with the effective date of this Act"

On page 2 in line 3 delete the words "LEGISLATIVE ASSEMBLY" and insert the following in lieu thereof: "FORTY-FIRST AND FORTY-SECOND LEGISLATIVE ASSEMBLIES AND BIENNIUM"

On page 2 delete all words on lines 28 through 34 inclusive and insert the following in lieu thereof:

"SECTION 4. TRANSFERS.) The director of accounts and purchases and the state treasurer shall make such transfers of funds between lined items of appropriation for the legislative council as may be requested by the chairman of such council upon a finding by such chairman that the nature of studies and duties assigned to the council requires such transfers in properly carrying on the council's functions and duties. The director of accounts and purchases and the state treasurer shall similarly make transfers of funds between the lined items for the forty-first and forty-second legislative assemblies upon request of the chairman of the legis-

lative council upon a finding by him that such transfers are required for the legislative assembly to carry on its functions and duties.

On page 2, after line 34 add the following:

“SECTION 5. EMERGENCY.) This measure is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.”

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR SORLIE, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

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 1, line 20 delete the figure “622,700.00” and insert in lieu thereof the figure “274,200.00”

On page 1, after line 20 add the following new line:

“20a Tag and sign plant 348,500.00”

On page 1, line 23 delete the figure “342,800.00” and insert in lieu thereof the figure “642,800.00”

On page 1, line 24 delete the figure “1,944,016.00” and insert in lieu thereof the figure “1,644,016.00”

And renumber the pages accordingly.

And when so amended recommends the same do pass:

Statement of the Purpose of the Amendment: The intent of setting tag and sign plant supplies and materials as a separate line item is to identify costs for that operation. The increase in estimated income results from a change in transfer of funds to pay for license plates which has the net effect of reducing general fund expenditures.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2061 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 15-59.1-01 of the North Dakota Century Code, relating to the county board of special education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-59.1-01 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-59.1-01. COUNTY BOARD OF SPECIAL EDUCATION.) The county superintendent of schools ((may)) shall appoint a county board of special education which shall consist of ((one member)) from three to five members from ((each county commissioner district)) within the county, and each member thus appointed shall be subject to approval by the board of county commissioners. Terms of office shall be for two years and shall be arranged ((, as nearly as possible, so that fifty percent of the members' terms expire each year)) as follows:

1. If three members are appointed, no more than two terms shall expire in any one year.
2. If four members are appointed, no more than two terms shall expire in any one year.

3. If five members are appointed, no more than three terms shall expire in any one year.

At the time of the initial appointment, the decision as to which terms are to expire at the end of the first year shall be determined by lot by the county superintendent of schools. Vacancies shall be filled in the same manner as original appointment. The county superintendent of schools shall serve as secretary and executive officer of the board. Expenses of members of the board shall be paid in the same manner as expenses of other county officials are paid. The board of county commissioners may in its discretion provide for additional per diem compensation."

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 Senate Bill No. 2128 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 15-47-14 of the North Dakota Century Code, relating to attendance at education association meetings by superintendents, principals, and teachers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-47-14 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-14. EDUCATION ASSOCIATION MEETINGS — ATTENDANCE BY SUPERINTENDENTS, PRINCIPALS, AND TEACHERS) The school board of any school district shall allow the superintendent, principal, and teachers of the schools (((, without loss of salary,))) to attend any meeting of the North Dakota education association and other educational associations held within the state while the schools of the district are in session, **and such absences shall be without loss of salary for actual attendance at such meetings.** (((Be it further provided that the))) **The period during which teachers are in attendance at a North Dakota education association meeting not to exceed two days shall be included as days of classroom instruction for purposes of sections 15-47-33, 15-41-06, and subsection 1 of 15-29-08."**

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 Political Subdivisions to whom was referred Senate Bill No. 2182 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 delete "and section 27-08-08"

Page 1 line 22 delete "1968" and insert in lieu thereof "1970"

Page 2 line 6 insert beginning triple parentheses before "eight" and delete the beginning triple parentheses before the semicolon and after the ending triple parentheses insert "six thousand five hundred"

Page 2 line 9 insert beginning triple parentheses before "eight" and delete the beginning triple parentheses before "population" and after the ending triple parentheses insert "six thousand five hundred"

Page 3 delete all of lines 4 through 27

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Vice-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 Bill No. 2279 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 12 delete the quotation mark before "If"

Page 1 line 24 delete "to" and insert in lieu thereof "it may order that he"

Page 2 line 2 delete the comma

Page 2 line 5 delete "Court" and insert in lieu thereof "board"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2306 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Vice-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 2354 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Vice-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. 2361 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. 2382 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 22 after the period insert "The board shall grant an applicant an additional year in which to attend such education programs if an applicant furnishes the board with sufficient proof that he has been unable to attend such education programs during a year, which proof shall include a physician's certificate stating that the applicant was ill and that it would have been hazardous to the applicant's health to attend such educational programs."

Page 2 line 1 after "regulations" delete "to provide" and insert in lieu thereof "which shall state"

Page 2 line 2 after "of" delete "approved" and after "which" insert "are approved."

Page 2 line 3 delete "meet this requirement, and to provide" and insert in lieu thereof "The board shall also designate"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2389 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Vice 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. 2398 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 1 after "the" delete "provisions" and insert in lieu thereof "provisions"

Page 2 line 9 after "equipment" insert "and land"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Vice 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. 2466 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 12 after the first word "equalization" insert a comma and delete "and" and after the second word "equalization" insert a comma and insert "or county assessor"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR GOLDBERG, Vice-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. 2477 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Vice 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. 2481 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Vice 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 Bill No. 2482 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2493 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR GOLDBERG, Vice 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. 2498 has had the same under consideration and recommends that the same do pass.

SENATOR GOLDBERG, Vice 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 Bill No. 2502 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after **"health"** insert **"and retardation"**

Page 1 line 14 after **"health"** insert **"and retardation"**

Page 2 line 15 after **"health"** insert **"and retardation"**

Page 2 line 18 after **"health"** insert **"and retardation"**

Page 2 line 22 after **"health"** insert **"and retardation"**

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1087 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. 1178 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. 1180 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. 1241 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. 1258 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 11 after the word **"to"** delete the remainder of the line and insert in lieu thereof **"flush or drive any big game from any cover or place of rest as an aid to other persons hunting."**

Page 2 delete all of lines 12 and 13

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 Transportation to whom was referred House Bill No. 1270 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1305 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 14 delete the beginning triple parentheses before "SECRETARY" and delete the ending triple parentheses after "CLERK" and insert a dash

Page 1 line 16 delete the triple parentheses before and after "secretary" and insert "and"

Page 1 line 17 delete the beginning triple parentheses before "chief" and delete the ending triple parentheses after "clerk"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1366 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 Forkner moved that House Bill No. 1070 be returned to the Senate from the Committee on Transportation which motion prevailed.

Senator Forkner moved that House Bill No. 1070 be re-referred to the Committee on Judiciary, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Forkner introduced:

Senate Concurrent Resolution No. 4044. A Concurrent Resolution urging counties and townships to properly mark all "T" intersections.

Was read the first time and referred to the committee on Transportation.

Senator Forkner introduced:

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Department of Accounts and Purchases to consider safety features as well as price in determining the successful bidder when purchasing motor vehicles.

Was read the first time and referred to the committee on Transportation.

Senators Erdman and Rait introduced:

Senate Concurrent Resolution No. 4046. A Concurrent Resolution urging the adoption of a "Public Ombudsman for Transportation" to obtain reasonably priced passenger and freight service for all consumers in the United States.

Was read the first time and referred to the committee on Transportation.

Senators Erdman, Christensen and Rait introduced:

Senate Concurrent Resolution No. 4047. A Concurrent Resolution urging reasonable freight rates for the transportation of North Dakota's agricultural products.

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 Lake Region Junior College, Bismarck Junior College, and the University of North Dakota - Williston Center, and to make a report to the Legislative Assembly.

Was read the first time and referred to the committee on Education.

Senator Longmire introduced:

Senate Concurrent Resolution No. 4049. A Concurrent Resolution designating February 19, 1971, as North Dakota Editors Day at the Forty-second Legislative Assembly and welcoming Mr. Herbert G. Klein, a distinguished journalist and director of the Office of Communications for the Executive Branch, to North Dakota.

Was read the first time.

Senator Longmire moved that the rules be suspended, that Senate Concurrent Resolution No. 4049 be not printed as resolution but printed in the Journal, not referred to committee, but placed on second reading and final passage, which motion prevailed.

PAGE 1

SENATE CONCURRENT RESOLUTION No. 4049

Introduced by Senator Longmire

1 A concurrent resolution designating February 19, 1971, as
2 North Dakota Editors Day at the Forty-second Legislative
3 Assembly and welcoming Mr. Herbert G. Klein, a distinguished
4 journalist and director of the Office of Communications for the
5 Executive Branch, 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, semi-
9 weekly, and weekly newspapers, are dedicated to informing the
10 citizens of the State and thus serve a vital function in the
11 democratic processes; and

12 WHEREAS, the North Dakota professional chapter of Sigma
13 Delta Chi is sponsoring its biennial Editors Day at the Legis-
14 lature February 19, 1971; and

15 WHEREAS, the Editors Day luncheon, to which members of
16 the Forty-second Legislative Assembly have been invited by
17 members of the Press from their respective districts, will
18 feature as speaker Mr. Herbert G. Klein, formerly a dis-
19 tinguished journalist and editor in San Diego and now director
20 of the Office of Communications for the Executive Branch in
21 the Nixon Administration;

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
22a OF THE

23a STATE OF NORTH DAKOTA, THE HOUSE OF REPRE-
23a SENTATIVES CONCURRING

24 THEREIN:

PAGE 2

1 That the Forty-second Legislative Assembly commends
2 North Dakota's editors and reporters for their continuing
3 service to all the citizens of the State, and declares that
4 February 19, 1971, is hereby designated Editors Day at the
5 1971 Legislature; and

6 BE IT FURTHER RESOLVED, that the Forty-second Legis-
6a lative

7 Assembly extends a hearty and sincere North Dakota welcome to
8 Mr. Herbert G. Klein, and hopes that his stay in the State
9 is pleasant and enjoyable; and

10 BE IT FURTHER RESOLVED, that each Senator and Repre-
11 sentative make every effort to attend the luncheon February 19,

- 12 1971, at the invitation of Sigma Delta Chi; and
 13 BE IT FURTHER RESOLVED, that the Secretary of State send
 14 copies of this resolution to the national and North Dakota
 15 presidents of Sigma Delta Chi, the president of the North Dakota
 16 Press Association, and to Mr. Herbert G. Klein, Director,
 17 Office of Communications for the Executive Branch.

SECOND READING OF A
 SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4049. A Concurrent Resolution designating February 19, 1971, as North Dakota Editors Day at the Forty-second Legislative Assembly and welcoming Mr. Herbert G. Klein, a distinguished journalist and director of the Office of Communications for the Executive Branch, to North Dakota.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4049 be adopted, which motion prevailed.

FIRST READING OF A
 SENATE CONCURRENT RESOLUTION

Senators Nasset, Melland, Unruh, Christensen and Holand introduced:

Senate Concurrent Resolution No. 4050. A Concurrent Resolution commending the North Dakota Air National Guard for its victories in the 1970 Aerospace Defense Command's worldwide weapons competition.

Was read the first time.

Senator Nasset moved that the rules be suspended, that Senate Concurrent Resolution No. 4050 be not printed as a resolution, but printed in the Journal, not referred to committee but placed on second reading and final passage, which motion prevailed.

PAGE 1

SENATE CONCURRENT RESOLUTION No. 4050

Introduced by Senators Nasset, Melland, Unruh,
 Christensen and Holand

- 1 A concurrent resolution commending the North Dakota Air
 2 National Guard for its victories in the 1970 Aerospace Defense
 3 Command's worldwide weapons competition.
 4

5 WHEREAS, the Aerospace Defense Command annually holds
 6 a worldwide competition to determine proficiency in the
 7 ability of the United States and Canada to defend themselves
 8 from air attack; and

9 WHEREAS, this competition, nicknamed William Tell,
 10 annually pits the top teams from the Canadian Armed Forces,
 11 the regular United States Air Force, and the Air National
 12 Guard against each other in various categories of flying,
 13 weapons firing, and weapons loading; and

14 WHEREAS, the North Dakota Air National Guard's 119th
 15 Fighter Group, despite having been assigned its current
 16 aircraft for less than a year and having encountered numerous
 17 administrative and training difficulties, came from behind
 18 and on their final foray tallied a perfect four-aircraft
 19 mission to win the competition in the F-101 aircraft category;
 20 and

21 WHEREAS, maintenance crews from the 119th Fighter Group
 22 also took top honors in the F-101 competition; and

23 WHEREAS, the 119th Fighter Group turned in the highest
 24 score tallied by an individual aircrew in any of the three

PAGE 2

- 1 categories of aircraft competition at the 1970 William Tell;
 2 and

3 WHEREAS, a three-man team from the 119th Fighter Group

4 also won the semiannual 24th Air Division Interceptor Weapons
 5 Loading Competition;
 6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE

6a OF THE

7 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES

7a CONCURRING THEREIN:

8 That the Forty-second Legislative Assembly extends to
 9 the North Dakota Air National Guard sincere congratulations
 10 and commendations for the honors it has won not only for
 11 itself but for the State of North Dakota and all of its
 12 citizens, honors which bring forth deep-felt feelings of
 13 pride in all North Dakotans on the high state of readiness
 14 and the quality of training exhibited by the North Dakota
 15 Air National Guard; and

16 BE IT FURTHER RESOLVED, that the Secretary of State
 17 forward

18 copies of this resolution to the Chief of the National Guard
 19 Bureau, Washington, D. C.; the Director of the Air National
 20 Guard, Washington, D. C.; the Adjutant General of the North
 21 Dakota National Guard; and the Commanding Officer, North
 22 Dakota Air National Guard.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4050. A Concurrent Resolution commending the North Dakota Air National Guard for its victories in the 1970 Aerospace Defense Command's worldwide weapons competition.

Was read the second time.

Senator Nasset moved that Senate Concurrent Resolution No. 4050 be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Morgan introduced:

Senate Concurrent Resolution No. 4051. A Concurrent Resolution urging Congress to establish tribunals to examine the reasonableness of the demands of labor and the economic status of companies, and to provide for binding arbitration of labor disputes which seriously threaten the economy and the welfare of the Nation.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senator Christensen introduced:

Senate Concurrent Resolution No. 4052. A Concurrent Resolution urging the United States Department of Agriculture, Soil and Water Conservation Districts, and other appropriate agencies and departments to review the adequacy of current watershed programs and plans to meet the urgent needs of the present and the future.

Was read the first time and referred to the committee on Natural Resources.

MOTION

Senator Melland moved that the Senate reconsider the action by which House Bill No. 1010 was passed, which motion prevailed.

Senator Melland moved that House Bill No. 1010 be re-referred to the Committee on Appropriations.

FIRST READING OF HOUSE BILLS

House Bill No. 1001. A Bill for an Act making an appropriation for the general operation, maintenance and plant improvements of the state institutions of higher learning of the state of North Dakota.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1065. A Bill for an Act to amend and reenact sec-

tion 39-17-07 of the North Dakota Century Code, relating to the unsatisfied judgment fund.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1101. A Bill for an Act to provide for the recounting of ballots in congressional and state elections and to provide procedures for such recounts.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1161. A Bill for an Act to create chapter 14-15 of the North Dakota Century Code, relating to adoptions and constituting the Revised Uniform Adoption Act, and to repeal chapter 14-11 of the North Dakota Century Code.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1235. A Bill for an Act to authorize a person to execute a power of attorney to provide for the care of his person or property while under disability, to provide for the manner of execution of the power, for its termination, and for the appointment of a successor, and prescribing the duties and liabilities of the attorney in fact.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1368. A Bill for an Act authorizing the state board of higher education to pay the revenue bonds of 1969 for the new men's dormitory and the revenue bonds for Hicks Hall and Crabtree Hall at the state teacher's college at Ellendale from the insurance proceeds in the fire replacement fund, and making an appropriation.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1374. A Bill for an Act to amend and reenact section 23-02-35 of the North Dakota Century Code, relating to death without medical attendance.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1395. A Bill for an Act to amend and reenact section 40-18-09 of the North Dakota Century Code, relating to the issuance and service of subpoenas for witnesses by a municipal judge; and providing a penalty.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1398. A Bill for an Act to amend and reenact sections 40-18-07 and 40-18-08 of the North Dakota Century Code, relating to the issuance of warrants by municipal judges, and the service of such warrants.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1399. A Bill for an Act to amend and reenact subsections 1, 4, and 10 of section 27-20-02 of the North Dakota Century Code, relating to the definition of terms used in the Uniform Juvenile Court Act; to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to the compensation of juvenile supervisors; to amend and reenact subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to the powers and duties of juvenile supervisors; to amend and reenact subsections 1, 2, and 4 of section 27-20-16 of the North Dakota Century Code, relating to the place of detention of a child; and to amend and reenact subsection 2 of section 27-20-17 of the North Dakota Century Code, relating to the release of a child from detention.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1452. A Bill for an Act to amend and reenact section 40-21-09 of the North Dakota Century Code, relating to elections in cities.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1526. A Bill to amend and reenact section 20-03-39 of the North Dakota Century Code, relating to non-resident fishing license and providing that it may be divided into two segments of consecutive days; and to provide for an effective date.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1542. A Bill for an Act to amend and reenact section 40-21-02 of the North Dakota Century Code, to provide for the appointment of poll clerks for municipal elections.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1551. A bill for an Act to allow judges to record court proceedings by electronic or mechanical means.

Which was read the first time and referred to the committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 2206. A Bill for an Act to amend and reenact subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to payments to adoptive families for children with special needs.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Those voting in the negative were:

Freed

Absent and not voting:

Holand	Low	Redlin	Roen
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So the bill passed and the title was agreed to.

Senate Bill No. 2242. A Bill for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to the employment of persons under twenty-one years of age in restaurants, where alcoholic beverages are sold.

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, 4.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
----------	----------	----------	----------

Barth	Gronhovd	Melland	Sorlie
Berube	Hernett	Morgan	Strinden
Butler	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Wenstrom
Forkner	Lips	Ringsak	Wilhite
Freed	Litten	Robinson	

Those voting in the negative were:

Schultz Van Horn

Absent and not voting:

Holand Lowe Redlin Roen

So the bill passed and the title was agreed to.

The President resumed the Chair and presided.

ANNOUNCEMENT

The President announced that Mrs. Kenneth Lowe had telephoned and reported that Senator Lowe had suffered a setback and was in the hospital at Rochester, Minnesota.

Senator Wilhite moved that the President of the North Dakota Senate send greetings from this body to Senator Lowe expressing best wishes for a speedy and complete recovery, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FOURTH DAY

Bismarck, February 12, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Donald Hill, St. Mary's Roman Catholic, Bismarck.

"O Lord, Grant that we who serve Your people as their representatives may worthily fulfill the work which we have here before us in the Senate. And that we may be guided by Your Spirit in our thinking and dedication in setting forth the principles and laws of good government without prejudice, being ever mindful of Your presence.

"Through Christ Our Lord, Amen."

The Chaplain offered a special prayer for the recovery of Senator Lowe.

Roll call: All Senators present except Senators Holand, Lowe, Redlin and Roen.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-second day after recess and thirty-third day and finds the same correct.

SENATOR BUTLER, Vice President

Senator Butler moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2264. A Bill for an Act to amend and reenact sections 2 and 4 of chapter 204 of the 1969 Session Laws of North Dakota, relating to buildings and facilities at the university of

North Dakota, Grand Forks, North Dakota, 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, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Forkner	Litten	Sanstead
Barth	Goldberg	Longmire	Sorlie
Berube	Gronhovd	Melland	Strinden
Butler	Hernett	Nasset	Stroup
Chesrown	Jacobson	Nething	Thoreson
Christensen	Jones	Page	Unruh
Coughlin	Kautzmann	Rait	Van Horn
Doherty	Larson, G.	Ringsak	Wenstrom
Erdman	Lips		

Those voting in the negative were:

Freed	Morgan	Robinson	Swedlund
Just	Mutch	Schultz	Thane
Larson, L.	Pyle		

Absent and not voting:

Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 40-51.2-04 of the North Dakota Century Code, relating to excluding and disconnecting land within a city's limits.

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, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom

Absent and not voting:

Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsection 4 of section 29-29-21 of the North Dakota Century Code relating to the temporary questioning and searching of persons in public places suspected of possessing narcotic and other drugs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 480 of the Senate Journal, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
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Barth	Hernett	Melland	Schultz
Butler	Jacobson	Morgan	Sorlie
Chesrown	Jones	Mutch	Strinden
Christensen	Just	Nasset	Stroup
Coughlin	Kautzmann	Nothing	Swedlund
Doherty	Larson, G.	Page	Thane
Erdman	Larson, L.	Pyle	Thoreson
Forkner	Lips	Rait	Unruh
Freed	Litten	Ringsak	Wenstrom
Goldberg			

Those voting in the negative were:

Berube	Sanstead	Van Horn
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Absent and not voting:

Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2325. A Bill for an Act to amend and reenact section 39-24-08 of the North Dakota Century Code, relating to the regulation 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom

Absent and not voting:

Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2384. A Bill for an Act to amend and reenact section 19-03-02 of the North Dakota Century Code, relating to the illegal possession or furnishing of narcotic drugs or dangerous drugs; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 481 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Ringsak	Van Horn

Freed	Litten	Robinson	Wenstrom
Absent and not voting:			
Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

Senate Bill No. 2451. A Bill for an Act to amend and reenact subsection 2 of section 54-10-01, section 54-10-13 and section 54-10-14 of the North Dakota Century Code, relating to charges and actual costs for audits performed by state auditor, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 482 of the Senate Journal, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sanstead
Barth	Gronhovd	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire		

Those voting in the negative were:
Strinden

Absent and not voting:

Hernett	Lowe	Roen	Wilhite
Holand	Redlin		

So the bill passed and the title was agreed to.

Senate Bill No. 2463. A Bill for an Act to amend and reenact section 40-45-02 of the North Dakota Century Code, relating to a tax levy for police pension 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, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Jacobson	Morgan	Stroup
Chesrown	Jones	Mutch	Swedlund
Christensen	Just	Nasset	Thane
Coughlin	Kautzmann	Nething	Thoreson
Doherty	Larson, G.	Page	Unruh
Erdman	Larson, L.	Pyle	Van Horn
Forkner	Lips	Rait	Wenstrom
Freed	Litten	Ringsak	

Those voting in the negative were:

Butler	Robinson	Sorlie	Strinden
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Absent and not voting:

Hernett	Lowe	Roen	Wilhite
Holand	Redlin		

So the bill passed and the title was agreed to.

Senate Bill No. 2464. A Bill for an Act relating to the levy of special assessments for municipal improvements consisting of parking lots, ramps, garages and other facilities for motor vehicles, and enacting section 40-23-23.

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, 6.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Schultz
Barth	Gronhovd	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	

Absent and not voting:

Hernett	Lowe	Roen	Wilhite
Holand	Redlin		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 12, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2024
Senate Bill No. 2305
Senate Bill No. 2311
Senate Bill No. 2316
Senate Bill No. 2322
Senate Bill No. 2331
Senate Bill No. 2351
Senate Bill No. 2412
Senate Bill No. 2419
Senate Bill No. 2420
Senate Bill No. 2456

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1029
House Bill No. 1081
House Bill No. 1347

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 12, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2050
Senate Bill No. 2051

Senate Bill No. 2052
 Senate Bill No. 2053
 Senate Bill No. 2161
 Senate Bill No. 2209
 Senate Bill No. 2226

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, February 12, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2214
 Senate Bill No. 2340

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, February 12, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1217
 House Bill No. 1246
 House Bill No. 1321
 House Bill No. 1328
 House Bill No. 1346
 House Bill No. 1378
 House Bill No. 1449
 House Bill No. 1537
 House Bill No. 1559
 House Bill No. 1560
 House Concurrent Resolution No. 3017
 House Concurrent Resolution No. 3018

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the services of the state-wide communications fund in the office of the director of institutions.

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, 3; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Ringsak
Barth	Gronhovd	Longmire	Sanstead
Berube	Hernett	Melland	Sorlie
Butler	Jacobson	Morgan	Stroup
Chesrown	Jones	Mutch	Swedlund
Christensen	Just	Nasset	Thane
Coughlin	Kautzmann	Nothing	Thoreson
Doherty	Larson, G.	Page	Unruh
Erdman	Larson, L.	Pyle	Wenstrom
Forkner	Lips	Rait	

Those voting in the negative were:

Robinson	Schultz	Strinden
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Absent and not voting:

Freed	Lowe	Roen	Wilhite
Holand	Redlin	Van Horn	

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 Pro Tem presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 1041. A Bill for an Act to amend and reenact section 4-30-12 of the North Dakota Century Code, relating to the increase in the license fee for all milk and cream testers licensed by the department of agriculture, 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, 2; absent and not voting, 17.

Those voting in the affirmative were:

Anderson	Jones	Mutch	Sorlie
Barth	Kautzmann	Nething	Stroup
Butler	Larson, G.	Pyle	Swedlund
Chesrown	Lips	Rait	Thane
Coughlin	Litten	Ringsak	Thoreson
Freed	Longmire	Robinson	Unruh
Gronhovd	Melland	Schultz	Wenstrom
Jacobson	Morgan		

Those voting in the negative were:

Doherty	Goldberg		
Absent and not voting:			
Berube	Holand	Nasset	Strinden
Christensen	Just	Page	Sanstead
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lowe	Roen	Wilhite
Hernett			

So the bill passed and the title was agreed to.

House Bill No. 1084. A Bill for an Act to amend and reenact section 19-07-02 of the North Dakota Century Code, relating to the rule-making power of the state laboratories department; and to repeal section 19-07-03 of the North Dakota Century Code, relating to the egg advisory 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, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Jacobson	Mutch	Stroup
Butler	Jones	Nasset	Swedlund
Chesrown	Kautzmann	Nething	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Lips	Rait	Unruh
Erdman	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Schultz	

Absent and not voting:

Berube	Holand	Page	Sanstead
Christensen	Just	Redlin	Strinden
Forkner	Larson, L.	Roen	Wilhite
Hernett	Lowe		

So the bill passed and the title was agreed to.

House Bill No. 1088. A Bill for an Act to amend and reenact sec-

tion 4-10.1-04 of the North Dakota Century Code, relating to the composition of the state potato 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Kautzmann	Nothing	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Lips	Rait	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Van Horn
Freed	Melland	Sanstead	Wenstrom
Goldberg			

Absent and not voting:

Berube	Holand	Lowe	Roen
Christensen	Just	Page	Schultz
Hernett	Larson, L.	Redlin	Wilhite

So the bill passed and the title was agreed to.

House Bill No. 1143. A Bill for an Act to create and enact section 36-15-08.1 of the North Dakota Century Code, relating to payment of indemnity for brucellosis.

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, 7.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Schultz
Barth	Gronhovd	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire		

Absent and not voting:

Hernett	Lowe	Redlin	Wilhite
Holand	Page	Roen	

So the bill passed and the title was agreed to.

House Bill No. 1191. A Bill for an Act to amend and reenact section 6-03-47 of the North Dakota Century Code, relating to the investment in loans and obligations secured by federal or state government.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Sorlie
Berube	Jones	Mutch	Strinden
Butler	Just	Nasset	Stroup
Christensen	Kautzmann	Nothing	Swedlund

Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Sanstead	Wenstrom
Gronhovd	Melland	Schultz	

Absent and not voting:

Barth	Hernett	Page	Roen
Chesrown	Holand	Redlin	Wilhite
Goldberg	Lowe		

So the bill passed and the title was agreed to.

House Bill No. 1195. A Bill for an Act to amend and reenact section 20-17-04 of the North Dakota Century Code, relating to the number of game birds that a shooting preserve may release.

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, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Butler	Jones	Mutch	Strinden
Chesrown	Just	Nasset	Stroup
Christensen	Kautzmann	Nething	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Sanstead	Wenstrom

Absent and not voting:

Barth	Holand	Page	Roen
Goldberg	Lowe	Redlin	Wilhite
Hernett			

So the bill passed and the title was agreed to.

House Bill No. 1261. A Bill for an Act to create and enact subsection 8 of section 38-03-07 of the North Dakota Century Code, relating to inspector's powers and duties relating to mine inspections; and to amend and reenact sections 38-03-03, 38-03-04, 38-03-06, subsection 5 of section 38-03-07, subsection 7 of section 38-03-07, sections 38-03-11, 38-03-17, 38-04-04, 38-05-01, 38-06-01, 38-06-02, 38-06-03, 38-07-01, 38-07-03, 38-07-04, 38-07-06, 38-07-07, and 38-07-08 of the North Dakota Century Code, relating to bond of inspector; salary of inspector; vacancy in office; inspector's powers and duties relating to mine inspections; posting inspection statement of mine and posting regulations governing carriage of men posted; inspector to order immediate compliance when provision or rule violated and failure to comply; license fee collections to workmen's compensation bureau; board of examiners for mine foreman; safety rules and regulations may be promulgated and enforced by state coal mine inspector; employment of mine foreman, inability of mine foreman to act and substitutes; map or plan of coal mine; map of seams; maps to include surface description; survey of active mines to be made annually and results of survey shown on map; refusal to furnish map, plan, or extension of mine and inspector to order survey and cost; operator of worked out, abandoned, or indefinitely closed mine to make survey and extension of maps; and to repeal sections 38-01-02, 38-01-03, 38-01-04, 38-01-05, 38-01-09, 38-03-15, 38-03-16, 38-05-02, 38-05-03, 38-05-04, 38-05-05, 38-05-06, 38-05-08, 38-05-09, 38-05-10, 38-05-11, 38-06-04, 38-06-05, 38-06-06, 38-06-07, 38-06-08, 38-06-09, 38-06-10, 38-06-11, 38-06-12, 38-06-13, 38-06-14, 38-06-15, 38-06-16, 38-06-17, 38-06-18, 38-06-19, 38-06-20, 38-06-21, 38-06-22, 38-06-23,

38-06-24, 38-06-25, 38-06-26, 38-06-27, 38-06-28, 38-06-29, 38-06-30, 38-06-31, 38-06-32, 38-06-33, 38-06-34, 38-06-35, 38-06-36, 38-06-37, 38-06-38, 38-06-39, 38-06-40, 38-06-41, 38-06-42, 38-06-43, 38-06-44, 38-06-45, 38-06-46, 38-06-47, 38-06-48, 38-06-49, 38-06-50, 38-06-51, 38-06-52, 38-05-53, 38-06-54, 38-06-58, and 38-06-59 of the North Dakota Century Code, and sections 38-03-12 and 38-05-07 of the 1969 supplement to the North Dakota Century Code are hereby repealed.

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, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Butler	Just	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Sanstead	Wenstrom
Freed	Melland		

Absent and not voting:

Goldberg	Holand	Redlin	Wilhite
Hernett	Lowe	Roen	

So the bill passed and the title was agreed to.

House Bill No. 1300. A Bill for an Act to create and enact subsection 4 of section 61-05-01 of the North Dakota Century Code, and to amend and reenact sections 61-05-13, 61-06-01, 61-06-10, 61-06-17, 61-06-18, 61-07-24, 61-07-31, 61-08-02, 61-08-03, 61-09-01, 61-09-06, 61-10-25, 61-10-28, 61-10-29, 61-10-31, 61-10-33, 61-10-36, 61-10-38, 61-11-02, and 61-11-04 of the North Dakota Century Code, relating to irrigation district procedures.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Sanstead	

Absent and not voting:

Goldberg	Lowe	Roen	Wilhite
Holand	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1359. A Bill for an Act to amend and reenact subsection 6 of section 20-03-11 of the North Dakota Century Code, to provide for the issuance of a locking seal as part of a big game hunting license.

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, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Butler	Jones	Nasset	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire		

Absent and not voting:

Goldberg	Lowe	Redlin	Wilhite
Holand	Pyle	Roen	

So the bill passed and the title was agreed to.

House Bill No. 1365. A Bill for an Act to amend and reenact section 39-05-08 of the North Dakota Century Code, relating to indexes on 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom

Absent and not voting:

Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

House Bill No. 1376. A Bill for an Act to amend and reenact section 20-03-37 of the North Dakota Century Code, relating to suspension of hunting and fishing licenses, 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Butler	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson

Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Absent and not voting:			
Holand	Redlin	Roen	Wilhite
Lowe			

So the bill passed and the title was agreed to.

Senator Litten moved that after the reading of Senate Bills Nos. 2001, 2033, 2089, 2221, 2236, 2287, 2306, 2354, 2364, 2379, 2381, 2389, 2416, 2458, 2459, 2472, 2477, 2481, 2482, 2493, 2498, and House Bills Nos. 1057, 1087, 1156, 1178, 1180, 1241 and 1366, that the Senate recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FOURTH DAY AFTER RECESS,
THIRTY-FIFTH DAY AND THIRTY-SIXTH DAY

Bismarck, February 15, 1971

The Senate convened at the call of the Chair, 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. 2033
Senate Bill No. 2089
Senate Bill No. 2221
Senate Bill No. 2236
Senate Bill No. 2287
Senate Bill No. 2364
Senate Bill No. 2379
Senate Bill No. 2381
Senate Bill No. 2416
Senate Bill No. 2458
Senate Bill No. 2459
Senate Bill No. 2472

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 12, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1122 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Berg
Rice
Giffey

Very respectfully,
ROY GILBREATH, Chief Clerk

MOTION

Senator Forkner 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. 1122, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 1122,

Senators:
Mutch
Page
Erdman

MOTION

Senator Redlin moved that Senate Bill No. 2474 and Senate Concurrent Resolution No. 4022 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Redlin moved that Senate Bill No. 2474 and Senate Concurrent Resolution No. 4022 be re-referred to the Committee on Appropriations, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2005, 2006, 2014, 2061, 2128, 2182, 2279, 2382, 2398, 2466, 2502, and House Bills Nos. 1258 and 1305, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2005 as recommended by the Committee on Appropriations, and printed on pages 522 and 523 of the Senate Journal, be adopted.

Senator Litten moved that Senate Bill No. 2005 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2006 as recommended by the Committee on Appropriations, and printed on pages 523 and 524 of the Senate Journal, be adopted, which motion prevailed.

Senator Melland moved that Senate Bill No. 2006 be reprinted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2014 as recommended by the Committee on Appropriations, and printed on page 524 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2061 as recommended by the Committee on Education, and printed on pages 524 and 525 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2128 as recommended by the Committee on Education, and printed on page 525 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2182 as recommended by the Committee on Political Subdivisions, and printed on page 525 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2279 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 526 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2382 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 526 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2398 as recommended by the Committee on Political Subdivisions, and printed on page 527 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2466 as recommended by the Committee on Political Subdivisions, and printed on page 527 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2502 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 528 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1258 as recommended by the Committee on Natural Resources, and printed on page 528 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1305 as recommended by the Committee on Transportation, and printed on page 529 of the Senate Journal, be adopted.

Senator Wilhite moved that consideration of amendments to House Bill No. 1305 be laid over one legislative day, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2115 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

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. 2191 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2253 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2273 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. 2374 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2378 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 6, delete the word "six", and insert in lieu thereof the word "four", and in the same line, delete the word "sixty", and insert in lieu thereof the word "forty"

On page 4, line 20, after the word "issue" and before the period, insert the words "of the permit"

On page 4, line 32, after the word "shall", delete the words "consult with", and insert in lieu thereof the word "have"

On page 4, line 33, after the word "landowner", delete the remainder of the line, and insert in lieu thereof the words "designate his preference for a reclamation plan covering his"

On page 4, line 34, delete the words **"the rehabilitation of"**

On page 8, line 3, following the word **"who"**, delete the words **"forfeits a bond"**, and insert in lieu thereof the words **"refuses or wilfully fails to comply with the provisions of this chapter"**

And 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 Finance and Taxation to whom was referred Senate Bill No. 2415 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 Senate Bill No. 2445 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 20 after **"for"** delete **"teachers, employees and"**

Renumber 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 Judiciary to whom was referred Senate Bill No. 2448 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2449 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2468 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 Concurrent Resolution No. 4030 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

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 CHESROWN, Chairman

Senator Chesrown 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. 4032 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 after "institutions" insert the following "in cooperation with the North Dakota Indian Affairs Commission"

Page 1, line 3 after "in" delete "authentic"

Page 1 line 4 after "guide" insert "or hostess"

Page 1 line 20 after "in" delete "authentic"

Page 1 line 21 after "guide" insert "or hostess"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 4038 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4038 was re-referred to the Committee on Legislative Council Resolutions Committee.

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 do pass.

SENATOR SORLIE, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1071 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1472 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1479 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1505 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1513 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

MOTION

Senator Ringsak moved that the Senate reconsider the action by which consideration of the amendments to House Bill No. 1305 was laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

The question being on the motion of Senator Forkner, that the amendments to House Bill No. 1305 as recommended by the Committee on Transportation, and printed on page 529 of the Senate Journal, be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIFTH DAY

Bismarck, February 15, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain David Knecht, McCabe United Methodist, Bismarck.

"Dear Lord of life and love, we must begin our day with a confession of our difficulty in establishing life's priorities. Our own wills and desires loom so large; the pressures of time and circumstance and people are so great; that which seems important to us is so so often measured in terms of what seems important to prestige and position rather than what is true and right.

"So we seek your wisdom, not merely to confirm our own opinions, but that we may find a way in which Your people can grow strong, and be blessed, and be a blessing to all mankind. Endow these, Thy servants, with Your guidance and Your strength that life, through them, might become more human, and Your Will more perfectly done. Amen."

Roll call: All Senators present except Senators Lowe and Morgan. A quorum was declared by the President.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Pyle and Sanstead introduced:

Senate Concurrent Resolution No. 4053. A Concurrent Resolution requesting local levels of State Government to assume responsibility in controlling the development of flood plains.

Was read the first time and referred to the committee on Natural Resources.

Senators Page and Ringsak introduced:

Senate Concurrent Resolution No. 4054. A Concurrent Resolution requesting the State Board of Higher Education to revert to the former vacation schedules for the University of North Dakota and Ellendale Branch-UND.

Was read the first time and referred to the committee on Education.

Senators Rait, Christensen, Stroup and G. Larson introduced:

Senate Concurrent Resolution No. 4055. A Concurrent Resolution urging the United States Congress to appropriate adequate funds to speed the development of the science of magneto-hydro-dynamics (MHD) electrical power generation.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senator Lips introduced: /

Senate Concurrent Resolution No. 4056. A Concurrent Resolution directing a study by the State Health Council to determine the feasibility of implementing multiphasic screening for detection of early disease.

Was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

Senators Anderson and Swedlund introduced:

Senate Concurrent Resolution No. 4057. A Concurrent Resolution requesting the Congress of the United States to provide additional funds for expanding the Green Thumb Program.

Was read the first time and referred to the committee on Natural Resources.

Senator Sanstead introduced:

Senate Concurrent Resolution No. 4058. A Concurrent Resolution directing the Legislative Council to study methods of providing property tax relief to persons with low incomes.

Was read the first time and referred to the committee on Finance and Taxation.

Senators Doherty, Redlin, Page, Forkner and Thane introduced:

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Was read the first time and referred to the committee on State and Federal Government.

Senator Mutch introduced:

Senate Concurrent Resolution No. 4060. A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the debt limits of political subdivisions and providing that only real property owners shall vote in elections related to such debt limits, and providing an effective date.

Was read the first time and referred to the committee on Finance and Taxation.

Senator Morgan introduced:

Senate Concurrent Resolution No. 4061. A Concurrent Resolution urging Congress and other federal and state agencies and departments to study the effects of various chemicals on humans, and to consider banning the use of harmful chemicals in the growing and processing of foods.

Was read the first time and referred to the committee on Agriculture.

Senator Sanstead introduced:

Senate Concurrent Resolution No. 4062. A Concurrent Resolution directing the Legislative Council to conduct a study of the feasibility of establishing a state personnel system.

Was read the first time and referred to the committee on State and Federal Government.

Senator Sanstead introduced:

Senate Concurrent Resolution No. 4063. A Concurrent Resolution declaring that considerations other than tenure of service should be used in selecting persons for positions of leadership in the Legislative Assembly and urging Congress to adopt more flexible procedures for selecting persons for leadership positions.

Was read the first time and referred to the committee on State and Federal Government.

Senator Melland introduced:

Senate Concurrent Resolution No. 4064. A Concurrent Resolution requesting the Office of the Executive Budget to present program budget recommendations on a pilot basis to the Forty-third Legislative Assembly.

Was read the first time and referred to the committee on State and Federal Government.

Senators Rait and Erdman introduced:

Senate Concurrent Resolution No. 4065. A Concurrent Resolution directing the Legislative Council to study the need for a board of tax appeals that will provide taxpayers with a speedy, efficient and inexpensive procedure for the review of their grievances with the administration of the tax laws.

Was read the first time and referred to the committee on Finance and Taxation.

Senators G. Larson and Christensen introduced:

Senate Concurrent Resolution No. 4066. A Concurrent Resolution directing the Legislative Council to conduct an interim study relative to the establishment and the boundaries of a water management district, and the powers and duties of a district's board of commissioners.

Was read the first time and referred to the committee on Natural Resources.

Senator Melland introduced:

Senate Concurrent Resolution No. 4067. A Concurrent Resolution for a Legislative Council study of the feasibility and desirability of a merger of the States of North Dakota and South Dakota, and a study of new and more effective means of promoting interstate cooperation, study, and action regarding governmental programs and goals wherein the interests of the governments and citizenry of the two States are similar, and wherein the goals could be accomplished and the programs could function more effectively on an interstate basis.

Was read the first time and referred to the committee on State and Federal Government.

Senator Mutch introduced:

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution expressly prohibiting the government of the United States from engaging in enterprise in competition with its citizens, the supreme law of the land, and repealing the sixteenth amendment.

Was read the first time and referred to the committee on State and Federal Government.

Senator Sanstead introduced:

Senate Concurrent Resolution No. 4069. A Concurrent Resolution urging the Congress of the United States to increase its financial support of elementary and secondary educational programs.

Was read the first time and referred to the committee on State and Federal Government.

Senator Rait introduced:

Senate Concurrent Resolution No. 4070. A Concurrent Resolution directing an interagency study for the development of a comprehensive mined-land reclamation policy.

Was read the first time and referred to the committee on Natural Resources.

Senator Van Horn introduced:

Senate Concurrent Resolution No. 4071. A Concurrent Resolution urging Congress to support a bill introduced in the United States

Senate by Senator Milton R. Young to convey certain federal land in Mountrail County to the Mountrail County Park Commission.

Was read the first time and referred to the committee on State and Federal Government.

Senators Wilhite, Butler, Freed, Kautzmann and Melland introduced:

Senate Concurrent Resolution No. 4072. A Concurrent Resolution urging the Congress and the Secretary of Transportation to take action to ensure continued rail passenger service along the former Northern Pacific Railroad route.

Was read the first time and referred to the committee on State and Federal Government.

Senators Barth and Christensen introduced:

Senate Concurrent Resolution No. 4073. A Concurrent Resolution directing state agencies in the executive branch of government to adopt the "Standard Personnel Policies for Administrative Agencies" issued under Executive Order No. 43.

Was read the first time and referred to the committee on State and Federal Government.

Senators Holand and Jones introduced:

Senate Concurrent Resolution No. 4074. A Concurrent Resolution for a study by the Legislative Council of levels of support, duplication in course and degree offerings, cooperation, fiscal practices, uniform accounting practices, uniform academic terms, and space utilization in the field of higher education.

Was read the first time and referred to the committee on Education.

Senators G. Larson and Christensen introduced:

Senate Concurrent Resolution No. 4075. A Concurrent Resolution urging the Department of the Interior to ensure that the Bureau of Sport Fisheries and Wildlife operate according to its agreements and contracts.

Was read the first time and referred to the committee on Natural Resources.

Senators Wilhite and Christensen introduced:

Senate Concurrent Resolution No. 4076. A Concurrent Resolution commending the American Oil Company Mandan Refinery for its contribution to the economy of the State and urging the continuation of North Dakota crude oil purchasing practices.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senators Freed and Erdman introduced:

Senate Concurrent Resolution No. 4077. A Concurrent Resolution urging the Bank of North Dakota and the Board of University and School Lands to terminate certain mineral leases.

Was read the first time and referred to the committee on Finance and Taxation.

Senators Roen, Ringsak, Freed and Stroup introduced:

Senate Concurrent Resolution No. 4078. A Concurrent Resolution urging the Congress of the United States to enact legislation permitting States to disclose information relative to assistance received by welfare recipients.

Was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

Senators Wenstrom and Swedlund introduced:

Senate Concurrent Resolution No. 4079. A Concurrent Resolution directing the Legislative Council to study the criminal correctional and rehabilitational facilities and programs of the State of North Dakota.

Was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

FIRST READING OF HOUSE BILLS

House Bill No. 1217. A Bill for an Act to amend and reenact sections 39-20-01, 39-20-04, 39-20-05 and subsection 3 of section 39-20-07 of the North Dakota Century Code, relating to the implied consent law on chemical testing of motor vehicle drivers for the purpose of determining the alcoholic content of the driver's blood.

Was read the first time and referred to the committee on Judiciary.

House Bill No. 1246. A Bill for an Act to repeal subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions.

Was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1321. A Bill for an Act to create and enact subsections 11, 12, and 13 of section 27-08-24 of the North Dakota Century Code; to amend and reenact sections 27-07-28, 27-07-36, and 27-08-10 of the North Dakota Century Code; and to repeal section 27-07-32 of the North Dakota Century Code, all relating to keeping and destroying various records of county courts and county courts having increased jurisdiction.

Was read the first time and referred to the committee on Judiciary.

House Bill No. 1328. A Bill for an Act to create and enact section 4-10.1-18 of the North Dakota Century Code; to amend and reenact sections 4-10.1-03, 4-10.1-04, 4-10.1-08, 4-10.1-09, 4-10.1-14, 4-10.1-15, 4-10.1-16, and 4-10.1-17 of the North Dakota Century Code, relating to the Potato Industry Promotion Act, defining potato council powers and duties, memberships and elections, levying an assessment, and providing that records be open for inspection; and to repeal sections 4-10.1-11, 4-10.1-12, and 4-10.1-13.

Was read the first time and referred to the committee on Agriculture.

House Bill No. 1346. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to public school entrance age.

Was read the first time and referred to the committee on Education.

House Bill No. 1378. A Bill for an Act to amend and reenact section 11-17-08 of the North Dakota Century Code, relating to destruction of certain court records by clerks of court.

Was read the first time and referred to the committee on Judiciary.

House Bill No. 1449. A Bill for an Act to amend and reenact section 35-03-04 of the North Dakota Century Code, relating to Prerequisites For Recording.

Was read the first time and referred to the committee on Judiciary.

House Bill No. 1537. A Bill for an Act to amend and reenact sections 57-17-01, 57-17-02, 57-17-03, and 57-17-04 of the North Dakota Century Code, relating to excess levies in counties, cities, and townships, to notice of election, and to the form of election ballots.

Was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1560. A Bill for an Act to transfer one million dollars from the accumulated profits of the state mill and elevator association to the North Dakota general fund.

Was read the first time and referred to the committee on Appropriations.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SIXTH DAY

Bismarck, February 15, 1971

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Marvin Klemmer, Catholic Chancery Office, Bismarck.

Roll call: All Senators present except Senators Lowe and Morgan.

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 thirty-fourth day and finds the same correct.

SENATOR BUTLER, Vice-Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1971

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. 1122,

Senators:
Mutch
Page
Erdman

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2206

Senate Bill No. 2242

Senate Bill No. 2264

Senate Bill No. 2286

Senate Bill No. 2302

Senate Bill No. 2325

Senate Bill No. 2384

Senate Bill No. 2451

Senate Bill No. 2463

Senate Bill No. 2464

Senate Concurrent Resolution No. 4049

Senate Concurrent Resolution No. 4050

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 15, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1031

House Bill No. 1041

House Bill No. 1084

House Bill No. 1088

House Bill No. 1143
 House Bill No. 1191
 House Bill No. 1195
 House Bill No. 1261
 House Bill No. 1300
 House Bill No. 1359
 House Bill No. 1365
 House Bill No. 1376

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 15, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1270

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 15, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1272
 House Bill No. 1286
 House Bill No. 1306
 House Bill No. 1313
 House Bill No. 1358
 House Bill No. 1364
 House Bill No. 1410
 House Bill No. 1515
 House Bill No. 1523

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, February 15, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2069
 Senate Bill No. 2134
 Senate Bill No. 2149
 Senate Bill No. 2177
 Senate Bill No. 2220
 Senate Bill No. 2232
 Senate Bill No. 2336
 Senate Bill No. 2341
 Senate Bill No. 2359
 Senate Bill No. 2360
 Senate Bill No. 2424
 Senate Bill No. 2429

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, February 15, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2017
 Senate Bill No. 2018
 Senate Bill No. 2028
 Senate Bill No. 2035
 Senate Concurrent Resolution No. 4011

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, February 15, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1024
House Bill No. 1043
House Bill No. 1146
House Bill No. 1250
House Bill No. 1335
House Bill No. 1342
House Bill No. 1394
House Bill No. 1409
House Bill No. 1418
House Bill No. 1422
House Bill No. 1436
House Bill No. 1441
House Bill No. 1442
House Bill No. 1473
House Bill No. 1487
House Bill No. 1503
House Bill No. 1510
House Bill No. 1529
House Bill No. 1532
House Bill No. 1553
House Concurrent Resolution No. 3009
House Concurrent Resolution No. 3013
House Concurrent Resolution No. 3023

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of Senate Bills Nos. 2006, 2014, 2061, 2115, 2128, 2182, 2253, 2279, 2382, 2398, 2415, 2448, 2449, 2466, 2502, and House Bills Nos. 1007, 1258, 1305, 1472, 1479, 1505 and 1513, that the Senate recess until 1:15 p.m. February 16, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



**THIRTY-SIXTH DAY AFTER RECESS AND
THIRTY-SEVENTH DAY**

Bismarck, February 16, 1971

The Senate convened at 1:15 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. 2006
Senate Bill No. 2014
Senate Bill No. 2061
Senate Bill No. 2128
Senate Bill No. 2182
Senate Bill No. 2279
Senate Bill No. 2382
Senate Bill No. 2398
Senate Bill No. 2466
Senate Bill No. 2502

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

IN HONOR AND MEMORY OF SENATOR LOWE

Senator Wilhite announced that Senator Kenneth Lowe passed away last evening after a courageous and gallant fight for recovery, and requested that the Senate stand in silence for one minute in honor and memory of Senator Kenneth Lowe, and the Senate stood for one minute in silence in honor and memory of Senator Kenneth Lowe.

Senator Wilhite moved that a committee of three be appointed to arrange for a Memorial Service for Senator Lowe next week, which motion prevailed.

The President appointed as such Committee, Senators Longmire, Wenstrom and G. Larson.

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senators Longmire and Unruh introduced:

Senate Concurrent Memorial Resolution No. 4080. A Concurrent Memorial Resolution in memory of the late Senator Kenneth C. Lowe and extending sympathy and condolences to his wife and family.

Was read the first time.

Senator Longmire moved that the rules be suspended, that Senate Concurrent Memorial Resolution No. 4080 be not printed as a bill, but printed in the journal, not referred to committee but placed on second reading and final passage, which motion prevailed.

SENATE CONCURRENT MEMORIAL RESOLUTION No. 4080
Introduced by Senators Longmire and Unruh

1 A concurrent memorial resolution in memory of the late
1a Senator Kenneth C.
2 Lowe and extending sympathy and condolences to his wife and
3 family.
4

5 WHEREAS, our divine Creator, in His grand design of life
6 and death, has called from our midst during the Forty-second
7 Legislative Assembly Senator Kenneth C. Lowe, a man much
8 admired in his community and one held in the highest esteem
9 and regard by his legislative colleagues; and

10 WHEREAS, Senator Lowe's service to North Dakota and
11 its citizens has been well chronicled in the Legislative
12 Journals, beginning with his election to the House of Repre-
13 sentatives in 1956 and continuing through his election to the
14 Senate in 1967 to the current session; and

15 WHEREAS, Senator Lowe's long and distinguished record
16 of service to his community includes service as an alderman
17 and as President of the Grand Forks City Council, and member-
18 ship on the State Electrical Board; and

19 WHEREAS, he also worked actively with the Shriners,
20 the Elks, and served as a district officer for the United
21 Lutheran Church;

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE

22a OF THE

23 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTA-
23a TIVES CONCURRING

24 THEREIN:

Page No. 2

1 That the Forty-second Legislative Assembly expresses
2 its most sincere sympathies and sorrow to Senator Lowe's wife,
3 the former Senator Rosamond O'Brien Lowe, and to his family,
4 on his passing, and conveys to them the deep sense of loss
5 it too feels upon losing one of its ablest and most well-liked
6 members; and

7 BE IT FURTHER RESOLVED, that an original copy of this
8 resolution be presented personally by members of the Forty-
9 second Legislative Assembly to Mrs. Lowe as a token of the
10 respect and sympathy felt by this Assembly.

SECOND READING OF A
SENATE CONCURRENT MEMORIAL RESOLUTION

Senate Concurrent Memorial Resolution No. 4080. A Concurrent Memorial Resolution in memory of the late Senator Kenneth C. Lowe and extending sympathy and condolences to his wife and family.

Was read the second time.

Senator Longmire moved that Senate Memorial Resolution No. 4080 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 16, 1971

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Memorial Resolution No. 4080

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

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 EDUCATION

1. **North Dakota Council on the Arts and Humanities** — (54-54-02)
 1. Mrs. Abner Larson, Fargo, July 1, 1970 - July 1, 1975
 2. Mr. Edward Milligan, Bottineau, July 1, 1970 - July 1, 1975
 3. Mr. Harold Aleshire, Minot, July 1, 1970 - July 1, 1975
 4. Mr. Robert Nelson, Grand Forks, July 1, 1970 - July 1, 1975
- COMMITTEE ON STATE AND FEDERAL GOVERNMENT**
2. **State Historical Board** — (55-01-01 as amended)
 1. T. S. Kopseng, Bismarck, July 1, 1970 - July 1, 1973
 2. La Vern Neff, Williston, July 1, 1970 - July 1, 1973
 3. Snorri Thorfinnson, Fort Ransom, July 1, 1970 - July 1, 1973

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 11 delete the figure "14,528,492.00" and insert in lieu thereof the figure "13,421,649.00"

On page 1, line 19 delete the figure "582,000.00" and insert in lieu thereof the figure "559,000.00"

On page 1, line 20 delete the figure "2,014,200.00" and insert in lieu thereof the figure "1,867,200.00"

On page 1, line 24 delete the figure "11,285,786.00" and insert in lieu thereof the figure "11,115,786.00"

On page 2, line 1 delete the figure "6,877,086.00" and insert in lieu thereof the figure "6,707,086.00"

On page 2, delete all of lines 14, 15, and 16

On page 2, line 17 delete the figure "2,532,256.00" and insert in lieu thereof the figure "1,595,413.00"

On page 2, line 18 delete the figure "6,957,536.00" and insert in lieu thereof the figure "6,787,536.00"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: Fees and services were reduced by \$23,000.00 in addition to those reductions made in the executive budget primarily in the area of professional fees and patient labor. In supplies and materials, an additional \$147,000.00 was taken out in the areas of food supplies, clothing, drugs and coal, oil and gas. The 98,000.00 allowed as a ventilating system is intended to be used in the medical building for general improvements. The amounts recommended in the executive budget for the alcohol program at the state hospital in fees and services, supplies and materials and equipment were deleted and put into vocational rehabilitation budget because of federal regulations.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2054 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 of the engrossed bill after "40-57.1-01" insert, "40-57.1-02"

Page 2 line 16 insert the following new section:

Section 2. **AMENDMENT.**) Section 40-57.1-02 of the 1969 supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-57.1-02. "PROJECTS" AND "MUNICIPALITIES" DEFINED.) As used in this chapter, unless a different meaning clearly appears from the context, the term "municipality" shall include counties as well as municipalities of the types listed in section 40-01-01, subsection 1, and the term "project" shall mean any real property, buildings, and improvements on real property or the buildings thereon, and any equipment permanently located on such real property or in such buildings, which are used or useful in connection with revenue-producing enterprises, or any combination of two or more such enterprises, engaged or to be engaged in:

1. Assembling, fabricating, manufacturing, mixing, **storing, warehousing**, or processing of any agricultural, mineral, or manufactured products, or any combination thereof.
- ((2. Storing warehousing, distributing, or selling any products of agriculture, mining, or manufacture
3. Any other industry or business not prohibited by the constitution or laws of the state of North Dakota.)))

And renumber the lines and sections 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. 2122 has had the same under consideration and recommends that the same be amended as follows:

On page 3, delete lines 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 and insert in lieu thereof the following: "**be filed against the guardianship or the estate of such patient after his death or against the estate of a responsible relative after his death, at any time prior to final distribution thereof, by the supervising department with the same priority as claims of general creditors which are filed against estates of decedents. Any claim denied or rejected by an administrator, executor, or guardian, shall clearly state the reason or cause for such denial or rejection, written notice of which shall be served upon the supervising department. Every administrator or executor upon the granting of letters of administration or testamentary shall, at the same time that publication of notice to creditors is required, forward to the supervising department a copy of the petition or application commencing probate, heirship proceedings, or joint tenancy tax clearance proceedings in the respective county court, together with a copy or list of the names of the legatees, devisees, surviving joint tenants, and heirs at law of such estate. If no notice to creditors is required by the proceedings, such administrator, executor, or other petitioning party shall forward to the supervising department a copy of the petition or application commencing such proceedings, together with a list of the names of the legatees, devisees, surviving joint tenants, and heirs at law of such estate.**"

On page 5, line 10, delete the word "had" and insert in lieu thereof the following "**as if**"

On page 5, line 16, after the word "school", insert the following: "**and may be filed at any time prior to the final distribution thereof by the supervising department**"

On page 5, line 16, delete the words "**Such claims may be**"

On page 5, delete line 17

On page 5, line 28, after the word "determined", insert the following: "**by law**"

On page 5, line 29, insert triple parentheses before the word "in" and delete the triple parentheses before the word "sections"

On page 5, line 30, delete the word "**law.**"

On page 5, line 32, insert triple parentheses before the word "father" and after the word "children"

On page 5, line 32, before the period, insert the following: **"father, or mother. In no event, however, shall responsible relatives be required to pay such costs for children upon reaching their twenty-first birthday"**

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 amendments is to clarify language relating to estates and to clarify responsible relative's liability.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2160 has had the same under consideration and recommends that the same be amended as follows:

Page 6 of the engrossed bill delete lines 16 through 35 and insert in lieu thereof the following:

1. **Region number one shall consist of the counties of Nelson, Grand Forks, Griggs, Steele, Barnes, Traill, and Cass.**
2. **Region number two shall consist of the counties of Pembina, Walsh, Towner, Cavalier, Rolette, Pierce, Benson, Ramsey, Bottineau, Renville, and McHenry.**
3. **Region number three shall consist of the counties of Richland, Ransom, Sargent, Dickey, LaMoure, McIntosh, Logan, and Emmons.**
4. **Region number four shall consist of the counties of Stutsman, Wells, Foster, Eddy, McLean, Sheridan, Burleigh, and Kidder.**
5. **Region number five shall consist of the counties of Divide, Burke, Ward, Mountrail, Williams, and McKenzie.**
6. **Region number six shall consist of the counties of Bowman, Adams, Hettinger, Slope, Golden Valley, Mercer, Oliver, Morton, Stark, Grant, Dunn, Billings, and Sioux."**

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.

Mr. President: The Majority of your Committee on State and Federal Government to whom was referred Senate Bill No. 2162 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Majority:

Senator Longmire
Senator Jacobson
Senator Morgan
Senator Forkner

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2162 has had the same under consideration and recommends that the same do pass.

For the Minority:

Senator Christensen
Senator Just

Senator Christensen moved that the report of the minority be substituted for the report of the majority, which motion lost.

The question being on the motion of Senator Longmire that the report of the majority be adopted.

Senator Christensen requested a division, which request was granted.

ROLL CALL

The question then being on the motion of Senator Longmire, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 2: Lowe deceased.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Butler	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Coughlin	Kautzmann	Nething	Thane
Doherty	Larson, G.	Pyle	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Melland	Roen	

Those voting in the negative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	

Absent and not voting:

Page Stroup

So the motion was declared carried.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2188 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, insert a comma after the word "institutions" and delete the word "and"

On page 1, line 2, after the word "associations", insert a comma and the words "and other persons, corporations, and financial institutions"

On page 1, line 8, insert the following new section:

"SECTION 1. PAYMENT OF INTEREST ON ESCROW ACCOUNTS — DECLARATION OF LEGISLATIVE INTENT — RATE OF INTEREST.) It is the intent of the Legislative assembly that all mortgagors, whether persons or corporations, making payments on mortgages on real estate situated in the state of North Dakota and who are making payments to a mortgage bank, building or savings and loan association, other lending institutions, or other corporation or person, of funds into escrow for the payment of real estate taxes, assessments, insurance premiums, or other charges against the real estate, shall be paid interest on such escrow deposits.

It is the further intent of the legislative assembly that, in cases in which mortgage payments are made on a monthly basis to a mortgagee which handles passbook savings accounts, such interest payments shall be credited monthly to the mortgagor's escrow account and shall be computed at a rate not less than one-half of one percent lower than the current rate of interest being paid by such mortgagee on passbook savings accounts. Where mortgage payments are being made on a monthly basis to a mortgagee which does not handle passbook savings accounts, or where payments are made on a time basis other than monthly, such mortgagee shall credit the mortgagor's account at a rate not less than one half of one percent lower than the current rate of interest being paid by North Dakota banks on passbook savings accounts, on the average of such account balance for the time period for which such interest is computed."

On page 1, line 12, after the word "estate", insert the following: "which is located in the state of North Dakota"

On page 1, line 13, delete the words "the lowest rate currently paid by banking" and insert in lieu thereof the following: "one-

half of one percent lower than the current rate of interest being paid by such institution on passbook savings accounts"

On page 1, line 14, delete the words "associations on deposits pursuant to section 6-03-63"

On page 1, line 20, after the period, insert the following sentence: "For the purposes of this Act, the situs of all contracts, mortgages, and other agreements for the financing of real estate located in the state of North Dakota shall be in this state."

On page 2, line 1, after the word "estate", insert the following: "which is located in the state of North Dakota"

On page 2, line 2, delete the words "the lowest rate currently" and insert in lieu thereof the following: "one-half of one percent lower than the current rate of interest being paid by such institution on passbook savings accounts"

On page 2, delete line 3

On page 2, line 4, delete the words "shares pursuant to section 7-02-02"

On page 2, line 10, after the period, insert the following sentence: "For the purposes of this Act, the situs of all contracts, mortgages, and other agreements for the financing of real estate located in the state of North Dakota shall be in this state."

On page 2, after the last printed line of the bill, insert the following new section:

"SECTION 4. INTEREST ON CERTAIN ESCROW ACCOUNTS — RATE PAYABLE.) All corporations, persons, insurance companies, and financial institutions other than banks and building and loan associations which hold funds of mortgagors or creditors in escrow for the payment of taxes, assessments, insurance premiums, and other charges upon real estate which is located in the state of North Dakota shall pay interest on such funds at a rate not less than the rate of interest provided for in section 1 of this Act. Such interest shall be paid not less than annually and may be paid on a daily or monthly basis. Each such corporation, person, insurance company, or other financial institution shall not less than annually furnish each such creditor with a detailed statement showing all debits and credits to such escrow account and describe the method used in computing such interest. For the purposes of this Act, the situs of all contracts, mortgages, and other agreements for the financing of real estate located in the state of North Dakota shall be in this state.

Renumber the lines and sections 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. 2215 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2225 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2370 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 after "to" delete "repeal sections" and insert in lieu thereof "amend and reenact section" and after "and" insert "to repeal section"

Page 1 line 2 after "arrests" delete "at" and insert a period

Page 1 delete all of line 3

Page 1 delete all of lines 8 and 9 and insert in lieu thereof the following: "SECTION 1. AMENDMENT.) Section 29-06-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

29-06-08. WHEN ARREST MADE FOR FELONY — MISDEMEANOR.) An arrest for a felony or misdemeanor may be made on any day and at any time of the day or night. (((An arrest for a misdemeanor can be made at night only upon the direction of the magistrate endorsed upon the warrant.)))

SECTION 2. REPEAL.) Section 29-06-16 of the North Dakota Century Code is hereby repealed.

Reumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2409 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 15-04-09, 15-06-25, and"

On page 1, line 2, after the word "leasing", insert the words "and sale"

On page 1, line 2, after the word "of", insert the word "certain"

On page 1, after the enacting clause, insert the following new sections:

"SECTION 1. AMENDMENT.) Section 15-04-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-04-09. NOTICE OF LEASING — PUBLICATION — POSTING.) Each year at such time as in its judgment is for the best interests of the state, the board of university and school lands shall advertise and offer for lease the lands to be leased. All lands to be leased or offered for lease within the respective counties shall be advertised for lease by the board of publication once each week for a period of three weeks prior to the day of leasing in a legal newspaper published nearest the land and in the newspaper designated for the publication of the official proceedings and legal policies within the county in which said land is situated. A list of the lands to be offered for leasing shall be filed with the county treasurer of the county wherein such lands are situated at least ten days prior to the day of leasing. If, in the opinion of the board, the land that will be leased in any county will not be sufficient to warrant the expense of advertisement in a newspaper by description of each tract or parcel, the notice may be given by general advertisement. **Should publication of any notice required by this chapter be inadvertently omitted by any newspaper or should such notice as published contain typographical errors, the board of university and school lands may, in its discretion, proceed with the scheduled leasing where it appears that the omission or error is not prejudicial to the state's interest.**

SECTION 2. AMENDMENT.) Section 15-06-25 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-06-25. NOTICE OF SALE — CONTENTS — PUBLICATION.) The board of university and school lands shall cause a notice of sale

of such tract to be published once each week for a period of three weeks prior to the day of sale in a legal newspaper published nearest the land, and in the newspaper designated for the publication of the official proceedings and legal notices within the county in which said land is situated. Such notice shall describe the land to be sold, and shall state the amount bid therefor, and the terms and conditions of sale. **Should publication of any notice required by this chapter be inadvertently omitted by any newspaper or should such notice as published contain typographical errors, the board of university and school lands may, in its discretion, proceed with the scheduled sale where it appears that the omission or error is not prejudicial to the state's interest.**

And renumber the lines and section accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2418 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, after the word "as" insert the word "otherwise" and after the word "in" insert the words "this subsection and"

On page 1, line 13, delete the words "for taxpayers other than corp-" and in line 14 delete at the beginning of the line the following: "orations,"

On page 1, line 16, delete the underlined comma after the word "tax" and delete the following: "and for corporations,"

On page 1 delete lines 17 and 18

On page 1, line 19, delete the following: "later, assess the tax"

On page 1, line 20, delete the underlined comma after "taxpayer" and delete the following: "including corporations,"

On page 1 at the end of line 21 insert the following: "provided, that as to any corporation whose principal place for managing or directing its business is outside North Dakota the tax commissioner shall have six years after the due date of the return or six years after the return was filed, whichever period expires later, to audit the return of such corporation and assess any additional tax found due and to notify such corporation in detail as to the reason for the assessment of the additional tax;"

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. 2462 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2492 has had the same under consideration and recommends that the same be amended as follows:

On page 5, line 21, delete the word "nine" and insert in lieu thereof the words "eleven and one-half"

On page 9, line 34, delete the word "RATES" and insert in lieu thereof the word "RATE"

On page 9 delete line 35 and insert in lieu thereof the following:

"1. Prior to November first of each year the director of the de-

partment of accounts and purchases shall review the estimated amount of income tax revenue that he advised the most recent legislative assembly would be collected from individuals, estates and trusts during the fiscal year that began on July first of that year, and he shall determine the amount by which that estimated amount will be increased because of changes in the provisions of the United States Internal Revenue Code of 1954, as amended, or the regulations thereunder that were not taken into account in making the estimate. On or before November first he shall certify to the state board of equalization the amount of the estimate that he furnished to the legislative assembly and the amount of the increase over that estimate which he determined will be collected during that fiscal year because of the changes in the Internal Revenue Code or regulations.

"2. On or before November fifteenth of each year the state board of equalization shall meet and review the amounts certified to it pursuant to subsection 1 of this section. If the board finds that the estimated collections of income tax during that fiscal year from individuals, estates and trusts will increase because of changes in the United States Internal Revenue Code or regulations by more than five percent of the estimated amount that was furnished to the legislative assembly, it shall determine the rate to which the flat percentage rate prescribed in section 57-38-29 must be reduced in order that those estimated collections during that fiscal year will not be more than five percent greater than the estimated amount that was furnished to the legislative assembly. The reduced rate as so determined by the board shall then be immediately certified by it to the state tax commissioner and that rate shall be the flat percentage rate that shall be applied for any taxable year beginning on or after January first of that year for the purpose of computing the tax imposed by section 57-38-29 on any individual, estate or trust."

On page 10 delete lines 1 through 26

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 Concurrent Resolution No. 4028 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 delete "automobile insurance" and insert in lieu thereof "safety responsibility and revocation of driver's licenses"

Page 1 delete all of line 4 through 7

Page 1 line 11 after the second comma insert "and" and after "reports" delete the comma

Page 1 delete all of line 12

Page 1 line 13 delete "mobile liability insurance"

Page 1 line 22 delete "automobile" and insert in lieu thereof safety responsibility and revocation of drivers' licenses"

Page 1 line 23 delete "insurance"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1131 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1208 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of page 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6-09-15 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09-15. BANK MAY ((TRANSFER FUNDS TO OTHER STATE DEPARTMENTS — LOANS))) MAKE LOANS — REAL ESTATE LOANS LIMITED.) The Bank of North Dakota may ((transfer funds))) **make loans** to other ((departments, institutions, utilities, industries, enterprises, or business projects))) **instrumentalities** of the state, and such ((funds))) **loans** shall be ((returned))) **repaid** with interest to the Bank. It may make loans to ((counties, cities, or other))) **and purchase securities issued by** political subdivisions of the state, or to state or national banks, and may participate with state or national banks, **savings and loan associations, and credit unions,** in loans being made by them, on such terms and under such rules and regulations as the industrial commission may determine. **It may buy and sell federal funds, or excess reserves, bankers acceptances, participation loans, and all securities issued by the United States government or its instrumentalities.** It may invest its funds in bonds, notes, or debentures of any corporation duly incorporated under the laws of any state of the United States rated at "A" or higher by a nationally recognized rating service approved by the industrial commission, provided that such investments shall not be made to exceed ((forty))) **for any one corporation, ten percent** of the combined capital, and surplus ((and undivided profit))) of the Bank. **It may make loans, to holders of Bank of North Dakota certificates of deposit and savings accounts, up to ninety percent of the value of the certificates and savings accounts offered as security.** It shall not otherwise make loans or give its credit to any individual, association, or private corporation, except that it may make loans to actual farmers who are residents of this state, if such loans are secured by duly recorded first mortgages on real estate in the state of North Dakota in amounts not to exceed one-half the value of the security and except United States insured and guaranteed loans as specifically authorized by law. The Bank, however, shall not loan more than thirty percent of its capital, nor in addition thereto, more than twenty percent of its deposits on real estate security."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1304 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion lost and House Bill No. 1304 was placed on the calendar.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1459 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 1522 has had the same under consideration and recommends that the same be amended as follows:

Page 6 line 14 after the word "institutions" delete ", after receiving"

Page 6 delete all of line 15

Page 6 line 16 delete all of line except "is"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2378, 2445, and House Concurrent Resolution No. 4032 be dispensed with, which motion prevailed.

Senator Roen moved that consideration of the amendments to Senate Bill No. 2378 be laid over one legislative day, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2445 as recommended by the Committee on Education, and printed on page 550 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution No. 4032, as recommended by the Committee on State and Federal Government, and printed on page 551 of the Senate Journal, be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 2507. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement funds to counties and political subdivisions.

Was read the first time and referred to the committee on Finance and Taxation.

The Committee on Delayed Bills introduced:

Senate Bill No. 2508. A Bill for an Act to require the filing of a certification of consideration of property recorded in the office of the county register of deeds, and providing a penalty.

Was read the first time and referred to the committee on Political Subdivisions.

The Committee on Delayed Bills introduced:

Senate Bill No. 2509. A Bill for an Act to provide for state legislative apportionment, and to repeal section 1 of chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

Was read the first time and referred to the committee on State and Federal Government.

The Committee on Delayed Bills introduced:

Senate Bill No. 2510. A Bill for an Act to amend and reenact sections 16-04-01, 16-04-16, and 16-06-03 of the North Dakota Century Code, and to repeal section 16-01-14 of the North Dakota Century Code, all relating to the reduction of the number of North Dakota members of the United States house of representatives from two to one.

Was read the first time and referred to the committee on State and Federal Government.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SEVENTH DAY

Bismarck, February 16, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain A. R. Aleson, First United Methodist, Bismarck.

"Almighty God, unto whom all hearts are open, and from whom no secrets are hid — be one in our midst today as we share joy and sorrow alike — as we experience pain and sadness at the losing of a friend. We ask You now to bless the memory of our friend and co-worker, **Senator Kenneth Lowe**, who until very recently sat among us to ponder and to share the vital issues we still confront. Would You kindly remember a bereaved family today! Would You allow this moment of deep silence in Your Presence to catch hold of us and remind us all of the solemnity of life and of death!

"Help us now to turn to the business at hand, remembering that much has already been accomplished — and much remains to be desired. This kind of world demands leadership that understands — that listens to what people say — that shares concern about things in this life that do matter greatly. Remind us again and again that this land we love continues to call for our highest and our best. Help us to know how to release our best for the good of many. Help us to realize that the 'good old days' of which we often speak were 'trying times' to those who lived them. Allow us the chance to survey in our day new landscapes — to chart new courses of action — to live within the limitations of a changing economy. Keep us ever searching for the kind of truth which will endure. Allow no willful contradiction of purpose or interest to interfere with the reaching toward the goal of this body. Inspire us with wisdom sought from each other and from above. Help us to recognize the giver of every good and perfect gift. In the name of Christ, we pray. Amen!"

Roll call: All Senators present except Senator Stroup.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-fourth day after recess, thirty-fifth day and thirty-sixth day and recommends that the same be corrected as follows:

On page 547, from the bottom of the page, delete lines 4, 5, and 6, and insert in lieu thereof the following: "Senator Forkner 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. 1122, which motion prevailed."

On page 1, line 3 after "in" delete "authentic".

On page 552, line 12, after the word Journal insert the following: ", be adopted,"

On page 559, line 5 from the bottom delete the figure "2233" and insert the figure "2253"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

RECOGNITION

Senator Wilhite announced that Congressman Art Link was in the chambers and moved that a committee of two be appointed to escort the Congressman to the rostrum, which motion prevailed.

The President appointed as such Committee, Senators Wilhite and Christensen, and Congressman Link was escorted to the rostrum and invited to address the Senate.

Congressman Link: "Mr. President, Members of the Senate. Thanks for the North Dakota welcome. Washington weather has nothing on us. Perhaps of greater difference than atmospheric climate was the climate in the United States House of Representatives — although this did not come about until January 22 when the 92nd Congress convened.

"As most of you know my former exposure to the legislative process was obtained in the North Dakota House of Representatives, beginning in 1947. I can clearly recall the method of oral roll call — where the Chief Clerk of the House read off in rapid succession the 113 names which was the membership of our House at that time. However, that was the last session of oral roll call in the North Dakota House. Depending on the speed of the clerk the call of the roll would take from five to ten minutes. For more than 20 years now we have utilized the electric roll call and tabulating system.

"To be sure, I knew that the National Congress had not yet recognized the need for conserving countless hours of time and still proceeded to call the roll of its members, which in the House totals 435, by voice. This takes almost 30 minutes. The very first call was for attendance of the new Congress and I felt no impatience — for after all a new group of Congressmen were again convening, with some new, most former, but all I am sure with a new resolve to tackle once again the problems unfinished from the 91st Congress and the new ones of the 92nd. And after all wasn't it important to know that they were all present?

"However, attempts to get on with adoption of rules ran into controversy, necessitating two quorum calls and a roll call. All together, four full oral calls in succession. The afternoon was gone and little had been accomplished but to determine the new Congress was in Session.

"Certainly it was pleasant to visit with many fine men and women and learn to find one's way around. So time did not lag — but, the slowness of this method contrast to our own state legislature had by that time made its full impact on me.

"In response to inquiry of a former member I was told the matter of electronic roll call was under consideration. Research by a member of my staff discloses that while no immediate steps are before Congress we do have a letter indicating the system is being considered. So more than 20 years after our legislature with 113 members, now 98, has used the electric roll call system, the National Congress, with 435 House members, is considering it.

"What would you think if the chairmen of the standing committees of our state legislature were chosen solely on the basis of seniority?

"What would you think if the chairman and ranking minority member of each committee were ex-officio members of each subcommittee with a right to vote thereon? While we have few subcommittees at the state legislature, I doubt this practice would be acceptable. We grant the majority and minority leaders full committee participation on all committees but deny them the right of vote in the committee.

"Subcommittees are an important legislative process at the National level.

"For instance — the committee on Agriculture of which I am a member has ten subcommittees.

"What would you say if proxy voting were permitted in committee at the state legislature? Very recently in Congress, it was possible for the chairman or another committee member to carry the proxies of a number of absent members who had not heard the testimony,

and vote them, thus determining the final decision of a committee, contrary to the decision of the majority present.

"While proxy voting continues to be used it is now required that the member who plans to be absent at a vote sign a statement, showing in whose favor the proxy is given, the bill or resolution it is to be used on and how he intends to vote.

"What would you think if after the education committee or the social welfare committee, or any other standing committees of our state legislature, after having completed hearings, and made its recommendation on a bill, could not report the bill out for action by the House until an all powerful rules committee said it could be reported out? Now there are some logical reasons for the orderly processing of legislation and within limits can be justified.

"To minimize undue delay this session of Congress attempted to adopt the 21 day rule and for a time it seemed we may succeed. This would have given the speaker, after 21 days, to call a bill out if he felt it should be reported. We succeeded in majority caucus and were defeated by the entire house.

"Last Wednesday the District of Columbia Committee upon which I will serve, held its organization meeting. Following a concerted effort by former members who saw the need for reform of the rules of the D. C. Committee, we were successful in providing categorical designation of four subcommittees such as health and safety, education, and so forth. The chairman will now be required to refer bills to their proper committee. Heretofore he had his subcommittee numbered 1, 2, 3, 4, and directed bills at will to committees of his choice. This former method could deny members who had interest and expertise in special areas from considering bills related to their chosen field. And this is the committee that governs our Nation's City — a city with a population greater than the State of North Dakota, 880,000.

"To cap all these shortcomings, two year term — lest you think I am going to spend all my time and energy opposing the "establishment," let me say I have given considerable forethought to these issues with the citizens of North Dakota.

"My decision to do so is based on several reasons.

"First, with State Legislative experience I believe the deficiencies at the Congressional level are more apparent to me than if I had not had such experience and I therefore have a responsibility to point them out.

"Second, it is a human and somewhat natural tendency to give in — or as some have said — "If you want to get along, better learn to go along."

"Ladies and gentlemen — if the Congress of the United States goes along without meaningful, responsive reform and continues to lag in assuming its rightful responsible place in our government, there won't be anything to go along with.

"We will have lost the race which is ever increasing in speed and intensity — a race of coming to grips with the problems before the problems grip the nation with a paralysis from which we cannot recover.

"So, I have decided to speak out, and while you as individuals may feel unable to assist in this effort, only an informed and concerned citizenry can at times bring about difficult and important change.

"No power is stronger in the political arena than the power of public opinion.

"The astute politician unknowingly will find himself in the position of an ancient chieftain who said, 'I must follow my people, for after all, am I not their leader?'

"Abraham Lincoln said — 'Public opinion is everything — with it nothing can fail, without it nothing can succeed.' The message I

want to leave with you this afternoon is threefold. First, though we can take a degree of pride and satisfaction in the knowledge that our North Dakota Legislature ranks 22nd among all states in the nation, we cannot rest on our laurels. Where would you be today with the volume of bills again before you if no electric roll call were used and few if any of the other numerous reforms of procedure had not been adopted? Continue to improve your procedure and arrangements. Second, each of us has a responsibility to expect our Nation's Congress to take the necessary steps to improve and reform its methods of procedure in keeping with the needs of our times. Members of the Congress should assume responsibility for necessary reform. They alone can make the changes and should make their positions known on this vital issue.

"The most important legislation cannot become law without the necessary orderly procedure to transform an idea into a working reality. Whether on the state or national level — this premise holds true.

"I wish all of you the best for a successful session and invite you to visit us in Washington."

Senator Christensen moved that the remarks of Congressman Link be printed in the journal, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1024. A Bill for an Act making an appropriation for the operating and maintenance expenses of the public health department.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1043. A Bill for an Act to provide for a central microfilm unit in the office of the secretary of state; to provide for the transfer of certain microfilm equipment to the secretary of state; and providing an appropriation.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1250. A Bill for an Act to provide for the registration of subdivided lands situate outside of North Dakota for sale or disposition in North Dakota, and providing requirements for such registration; naming the North Dakota real estate commission to administer this Act; providing for certain exemptions; providing for full disclosure of material facts concerning subdivided lands offered for sale or disposal; providing for the payment of registration fees; providing for a bond by the subdivider; providing grounds for revocation of registration; providing for investigation in hearing procedures; providing for judicial review of administrative decisions; providing penalties for violation including civil remedies for damaged parties; providing for service of process; providing for cease and desist orders for certain violations of this Act; providing general powers and duties in the administration of this Act; providing for annual reports by registered subdividers.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1272. A Bill for an Act to amend and reenact subdivision d of subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to firemen's compensation and death payments under workmen's compensation.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1286. A Bill for an Act to amend and reenact section 40-38-01 of the North Dakota Century Code, relating to the dissolution of public libraries.

Which was read the first time and referred to the committee on Education.

House Bill No. 1313. A Bill for an Act directing the state board of higher education to sell and transfer certain land and improvements thereon owned by the state of North Dakota for the use and benefit of the North Dakota state university of agriculture and applied science, and appropriating the proceeds of such sale to the state board of higher education for the purpose of acquiring other land.

Which was read the first time and referred to the committee on Education.

House Bill No. 1335. A Bill for an Act relating to the charging of expenses for the care and maintenance of members of the soldier's home.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1342. A Bill for an Act authorizing the director of institutions to convey certain land owned by the state of North Dakota to the Grafton park district.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1358. A Bill for an Act to amend and reenact subdivision (d) of subsection (9) of section 65-01-02 of the North Dakota Century Code, relating to Workmen's Compensation Coverage for Law Enforcement Officers.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1364. A Bill for an Act to provide for a revolving fund for concessions for the state park service, and to make an appropriation.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1394. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to public dancing on Sunday, and providing a penalty.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1409. A Bill for an Act to amend and reenact section 40-47-04 of the North Dakota Century Code, relating to notice of public hearings in zoning matters.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1410. A Bill for an Act to amend and reenact section 54-27-10 of the North Dakota Century Code, relating to the availability of appropriations and the allocation of same.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1418. A Bill for an Act to amend and reenact section 57-23-04 of the North Dakota Century Code, relating to the abatement or refund of property taxes; section 57-23-06 of the North Dakota Century Code, relating to the hearing on abatement applications; section 57-23-07 of the North Dakota Century Code, relating to the compromise of a property tax, and section 57-23-08 of the North Dakota Century Code, relating to the effective date of abatement actions.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1422. A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to mechanics' liens.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1436. A Bill for an Act to create and enact section 23-01-17 of the North Dakota Century Code, relating to authority for the state health council to make rules and regulations concerning noise that is hazardous to health and safety.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1441. A Bill for an Act to amend and reenact subsection 7 of section 39-04-01 of the North Dakota Century Code, relating to the definition of commercial freighting.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1442. A Bill for an Act to repeal section 39-04-03 of the North Dakota Century Code, relating to furnishing of tire size on application for registration of trucks.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1473. A Bill for an Act to amend and reenact sections 40-01-09 and 40-01-11 of the North Dakota Century Code, relating to publication of legal notices in municipalities without

Political Subdivisions.

House Bill No. 1487. A Bill for an Act to create and enact subsection 3 of section 18-11-15 of the North Dakota Century Code, and to amend and reenact subsection 2 of section 18-11-15 and sections 18-11-18 and 18-11-23 of the North Dakota Century Code, relating to the alternate firemen's relief association plan.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1503. A Bill for an Act setting forth minimum wage standards for employees of the state of North Dakota.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1510. A Bill for an Act to amend and reenact section 12-44-42 of the North Dakota Century Code, relating to county jails and workhouses.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1515. A Bill for an Act to create and enact sections 26-03-48, 26-26-15, 26-27-15, and 26-27.1-20 of the North Dakota Century Code, permitting the use of coordinated benefit provisions in certain group health insurance policies and group nonprofit service contracts, and authorizing the commissioner of insurance to promulgate rules and regulations for their form and content.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1528. A Bill for an Act to create and enact subdivisions 1 and m of subsection 2 of section 26-03A-03 of the North Dakota Century Code; to amend and reenact subdivision c of subsection 2 of section 26-03A-03 and subsection 7 of section 26-03A-03 of the North Dakota Century Code; and to repeal subdivisions d, e, and f of subsection 2 of section 26-03A-03 of the North Dakota Century Code, pertaining to overinsurance under individual accident and sickness insurance policies.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1529. A Bill for an Act to allow for sentencing of public offenders to the director of institutions.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1532. A Bill for an Act to create and enact a new subsection to section 40-22-01 of the North Dakota Century Code, relating to the powers of municipalities; to create and enact a new subsection to section 40-35-02 of the North Dakota Century Code, relating to revenue bonds for the construction of television relay towers; and to amend and reenact sections 40-22-08 and 40-22-09 of the North Dakota Century Code, relating to special assessment improvement districts.

Which was read the first time and referred to the committee on Political Subdivisions:

House Bill No. 1553. A Bill for an Act to amend and reenact subsection 1. of section 39-04-18 of the 1969 Supplement to the North Dakota Century Code, relating to registration requirements of motor vehicles.

Which was read the first time and referred to the committee on Transportation.

House Concurrent Resolution No. 3013. A Concurrent Resolution recognizing the efforts and objectives of those individuals and organizations who are memorializing the history of the U. S. 7th Cavalry during its territorial days' service in North Dakota, and to encourage the activities of those individuals and organizations, and to encourage various state departments, institutions, and agencies to give assistance.

Which was read the first time and referred to the committee on Natural Resources.

House Concurrent Resolution No. 3023. A Concurrent Resolution urging the United States Congress and the Administration to make more funds available for Farmers Home Administration loans.

Which was read the first time and referred to the committee on Agriculture.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 16, 1971

Mr. President: I have the honor to return:
Senate Concurrent Memorial Resolution No. 4080
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1071
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that after the reading of Senate Bills Nos. 2215, 2225, 2445, 2462, Senate Concurrent Resolution No. 4032, and House Bills Nos. 1131, 1304, and 1459, that the Senate recess until 1:00 p.m., on February 17, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-SEVENTH DAY AFTER RECESS
AND THIRTY-EIGHTH DAY

Bismarck, February 17, 1971

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. 2071
Senate Bill No. 2088
Senate Bill No. 2195

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2037
Senate Bill No. 2039
Senate Bill No. 2044
Senate Bill No. 2049
Senate Bill No. 2058
Senate Bill No. 2068
Senate Bill No. 2077
Senate Bill No. 2078
Senate Bill No. 2079
Senate Bill No. 2080
Senate Bill No. 2081
Senate Bill No. 2082
Senate Bill No. 2083
Senate Bill No. 2084
Senate Bill No. 2086
Senate Bill No. 2087
Senate Bill No. 2096
Senate Bill No. 2098
Senate Bill No. 2104
Senate Bill No. 2107
Senate Bill No. 2113
Senate Bill No. 2120
Senate Bill No. 2148

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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 Resolution No. 1

Senate Resolution No. 3
 Senate Resolution No. 4
 Senate Resolution No. 5
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4026
 Senate Concurrent Memorial Resolution No. 4080
 And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2043
 Senate Bill No. 2135
 Senate Bill No. 2146

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Concurrent Memorial Resolution No. 4080

Senate Resolution No. 1
 Senate Resolution No. 3
 Senate Resolution No. 4
 Senate Resolution No. 5
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4026
 Senate Bill No. 2037
 Senate Bill No. 2039
 Senate Bill No. 2043
 Senate Bill No. 2044
 Senate Bill No. 2049
 Senate Bill No. 2058
 Senate Bill No. 2068
 Senate Bill No. 2071
 Senate Bill No. 2077
 Senate Bill No. 2078
 Senate Bill No. 2079
 Senate Bill No. 2080
 Senate Bill No. 2081
 Senate Bill No. 2082
 Senate Bill No. 2083
 Senate Bill No. 2084
 Senate Bill No. 2086
 Senate Bill No. 2087
 Senate Bill No. 2088
 Senate Bill No. 2096
 Senate Bill No. 2098
 Senate Bill No. 2104
 Senate Bill No. 2107
 Senate Bill No. 2113
 Senate Bill No. 2120
 Senate Bill No. 2135
 Senate Bill No. 2146
 Senate Bill No. 2148
 Senate Bill No. 2195

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 17, 1971

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Memorial Resolution No. 4080
Senate Concurrent Resolution No. 4008
Senate Concurrent Resolution No. 4009
Senate Concurrent Resolution No. 4024
Senate Concurrent Resolution No. 4026
Senate Bill No. 2037
Senate Bill No. 2039
Senate Bill No. 2043
Senate Bill No. 2044
Senate Bill No. 2049
Senate Bill No. 2058
Senate Bill No. 2068
Senate Bill No. 2071
Senate Bill No. 2077
Senate Bill No. 2078
Senate Bill No. 2079
Senate Bill No. 2080
Senate Bill No. 2081
Senate Bill No. 2082
Senate Bill No. 2083
Senate Bill No. 2084
Senate Bill No. 2086
Senate Bill No. 2087
Senate Bill No. 2088
Senate Bill No. 2096
Senate Bill No. 2098
Senate Bill No. 2104
Senate Bill No. 2107
Senate Bill No. 2113
Senate Bill No. 2120
Senate Bill No. 2135
Senate Bill No. 2146
Senate Bill No. 2148
Senate Bill No. 2195

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2445
Senate Concurrent Resolution No. 4032
And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

ANNOUNCEMENT

Senator Wilhite announced that the funeral of Senator Lowe will be at 10:00 A.M., Friday morning, and moved that a delegation from the Senate, including the Lieutenant Governor, be appointed to attend this funeral, which motion prevailed.

The Senators were then asked to report to Senator Longmire if they wished to attend.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2076 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the words "sections 40-38-11 and" and insert in lieu thereof the word "section"

On page 1, line 5, delete the comma and words “, and the consolidation or merger of library services”, and insert in lieu thereof a period “.”

On page 1, delete line 6

On page 1, delete lines 11 through 24

On page 2, delete lines 1 through 4

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 State and Federal Government to whom was referred Senate Bill No. 2179 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2180 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10 after the word “penalties” delete the following: “, and providing an appropriation”

On page 12, delete all of lines 2 through 7

And renumber the lines and sections 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 appropriation because funds can be developed locally for implementation of the act and also come from the department of agriculture.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2192 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 26, delete the word “six”, and insert in lieu thereof the word “five”

On page 2, line 30, after the word “township” and the period, insert the following: “If a library service of a school district is merged with an existing library service of a county, township, or city pursuant to section 40-38-11, or if library service is maintained on a cooperative or other basis pursuant to section 40-38-01, or if a merged, consolidated, cooperative, or other joint library service is operated, pursuant to law, by any combination of cities, counties, townships, and school districts, the tax levy for the library fund, notwithstanding any other levy limitation provided by this section, shall not exceed in the aggregate two mills on the net taxable assessed valuation of property encompassed by the cities, counties, townships, and school districts which are parties to the merged, consolidated, cooperative, or joint library service operation.”

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 Senate Bill No. 2194 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 26, after the period insert the following new sentence: **"This section shall not be construed as prohibiting an agreement between political subdivisions for the joint provision of libraries and library services pursuant to chapter 54-40, which agreement does not encompass the merger or consolidation of existing library services."**

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.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2263 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Strinden 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. 2266 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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 be amended as follows:

On page 1, line 2 after the word "board" delete the following: "and providing an appropriation"

On page 4, delete all of lines 24 through 30

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 appropriation because alternative funding for participation is available.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2285 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 Education to whom was referred Senate Bill No. 2324 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 Education to whom was referred Senate Bill No. 2347 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 Education to whom was referred Senate Bill No. 2366 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 Finance and Taxation to whom was referred Senate Bill No. 2373 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 9 of the engrossed bill after the semicolon delete the remainder of the line.

Page 1 delete all of lines 10 and 11

Page 1 line 12 delete "the effective date of abatement actions;"

Page 2 line 30 after "**located**" insert a comma and delete the beginning triple parentheses

Page 2 line 31 delete the ending triple parentheses

Page 5 delete all of line 35

Page 6 delete lines 1 through 35

Page 7 lines 1 through 27

Page 8 line 15 delete the beginning triple parentheses

Page 8 line 16 after "**provided**" insert "**in section 11-11-41**" and place beginning triple parentheses before and after "**other**"

Page 8 line 17 delete the ending triple parentheses and insert "**except that the notice of appeal shall be served on a member of the board which gave the decision**"

Renumber the pages, lines and sections 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. 2395 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2397 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 Finance and Taxation to whom was referred Senate Bill No. 2414 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 6 after the period delete the remainder of the line

Page 2 delete all of lines 7 through 11

Page 2 line 12 delete "**proceed to make a new appointment**" and insert in lieu thereof "**the department of agricultural economics at the North Dakota state university has certified to the board of county commissioners that the appointee has met the minimum requirements of being qualified and experienced in property appraisals and familiar with assessment and equalization procedures and techniques**"

Page 2 line 14 delete beginning triple parentheses before "**and**" and insert triple parentheses before and after "**may**" and insert in lieu thereof "**shall and insert triple parentheses before "or" and insert ending triple parentheses after "part" and before the dash**"

Page 2 line 15 delete the ending triple parentheses after "**basis**" and insert the following "**servng one or more counties or political subdivisions**"

Page 2 line 35 after "than" delete "ten" and insert in lieu thereof "five"

Page 4 line 31 after "law" insert ", provided that such levy shall not apply to taxable property within any city employing a full-time assessor"

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 Education to whom was referred Senate Bill No. 2447 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. 2453 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2461 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 Finance and Taxation to whom was referred Senate Bill No. 2507 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 State and Federal Government to whom was referred Senate Bill No. 2509 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 2510 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 4027 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4027 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Appropriations to whom was

referred House Bill No. 1019 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Larson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1066 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1094 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1107 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1135 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1196 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1197 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1204 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1216 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

MOTION

Senator Forkner moved that Senate Bill No. 2430 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Forkner requested unanimous consent to withdraw Senate Bill No. 2430, which request was granted.

CONSIDERATION OF AMENDMENTS

Senator Melland moved that the reading of the amendments to Senate Bills Nos. 2012, 2054, 2122, 2160, 2188, 2370, 2378, 2409, 2418, 2492, Senate Concurrent Resolution No. 4028, and House Bills Nos. 1208, 1522, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2012 as recommended by the Committee on Appropriations, and printed on page 563 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2054 as recommended by the Committee on Finance and Taxation, and printed on pages 563 and 564 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2122 as recommended by the Committee on Appropriations, and printed on pages 564 and 565 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2160 as recommended by the Committee on Education, and printed on page 565 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2188 as recommended by the Committee on Finance and Taxation, and printed on pages 566 and 567 of the Senate Journal, be adopted.

Senator Strindén moved that the amendments to Senate Bill No. 2188 be laid on the table, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 2370 as recommended by the Committee on Judiciary, and printed on pages 567 and 568 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 2378 as recommended by the Committee on Natural Resources, and printed on pages 549 and 550 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 2409 as recommended by the Committee on State and Federal Government, and printed on pages 568 and 569 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2418 as recommended by the Committee on Finance and Taxation, and printed on page 569 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2492 as recommended by the Committee on Finance and Taxation, and printed on pages 569 and 570 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Concurrent Resolution No. 4028 as recommended by the Committee on Judiciary, and printed on page 570 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1208 as recommended by the Committee on State and Federal Gov-

ernment, and printed on page 571 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1522 as recommended by the Committee on State and Federal Government, and printed on page 572 of the Senate Journal, be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Chairman

THIRTY-EIGHTH DAY

Bismarck, February 17, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Warren K. Johnson, First Lutheran, Bismarck.

"THE DAY'S DEMAND

"God give us men! A time like this demands
 Strong minds, great hearts, true faith and ready hands;
 Men whom the lust of office does not kill;
 Men whom the spoils of office cannot buy
 Men who possess opinions and a will;
 Men who have honor — men who will not lie
 Men who can stand before a demagogue
 and damn his treacherous flatteries without winking;
 Tall men, suncrowned, who live above the fog
 In public duty and in private thinking
 For while the rabble, with his thumb-worn creeds,
 Their large professions and their little deeds,
 Mingle in selfish strife, lo! Freedom weeps,
 Wrong rules the land, and waiting Justice sleeps.

"God, help us to sense the deep prayerful thought of Josiah Holland in these, his words.

"Help us ever to seek your will in all we do this day. Amen."

Roll call: There were 48 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-sixth day after recess and thirty-seventh day and finds the same correct.

SENATOR BUTLER, Vice-Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2001. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations for the same matters or purposes provided for herein.

Which has been read.

Senator Melland moved that Senate Bill No. 2001 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2033. A Bill for an Act making an appropriation for the expenses of the operation of the centralized data processing system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on page 500 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nething	Strinden
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Forkner Stroup

So the bill passed and the title was agreed to.

Senate Bill No. 2089. A Bill for an Act to establish an administrative committee on veterans' affairs and to provide for its powers and duties and organization thereof; to amend and reenact sections 37-01-25.1, 37-14-04, 37-14-05, 37-14-06, 37-14-07, 37-14-08, 37-14-09, 37-14-10, 37-14-11, 37-14-12, 37-14-18, 37-15-03, 37-15-07, 37-15-08, 37-15-10, 37-15-15, 37-15-16, 37-15-19, 37-15-21, and 37-18-07 of the North Dakota Century Code, relating to the veterans' aid fund, the veterans' aid commission, and the soldiers' home, and the administrative procedures thereof; and to repeal sections 37-14-01, 37-14-02, 37-14-03.1, 37-14-03.2, 37-14-03.4, 37-41-03.5, 37-14-13, 37-14-15, 37-14-17, 37-15-04, 37-15-05, 37-15-06, 37-15-09, 37-15-20, 37-18-02, 37-18-03, and 37-18-09 of the North Dakota Century Code, relating to the qualifications, compensation, and terms of members of the veterans' aid commission, appropriations to the veterans' aid fund, the postwar rehabilitation fund, meetings, compensation, powers and duties, oath and bond, approval of contracts, advertisement for bids by the trustees of the soldiers' home, qualifications and appointment of the veterans' service commissioner, and the advisory committee to the department of veterans' affairs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 500 of the Senate Journal, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Swedlund
Chesrown	Jones	Page	Thane
Christensen	Just	Rait	Thoreson
Coughlin	Kautzmann	Redlin	Unruh
Doherty	Larson, G.	Ringsak	Van Horn
Erdman	Larson, L.	Robinson	Wenstrom
Freed	Lips	Sanstead	Wilhite
Gronhovd	Litten		

Those voting in the negative were:

Butler	Melland	Nething	Roen
Forkner	Nasset	Pyle	Strinden
Goldberg			

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside, and the President Pro Tem presided.

Senate Bill No. 2221. A Bill for an Act to require certain persons to report the names of blind persons to the school for the blind and the names of deaf persons to the school for the deaf.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 500 and 501 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 0. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

So the bill passed and the title was agreed to.

Senate Bill No. 2236. A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to construction of bridges by board of county commissioners, and rebuilding or repairing bridges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 501 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Butler	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Forkner	Litten	Ringsak	Wenstrom
Freed	Longmire	Robinson	Wilhite
Goldberg			

Absent and not voting:

Jacobson	Sanstead	Thoreson
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So the bill passed and the title was agreed to.

Senate Bill No. 2287. A Bill for an Act to amend and reenact section 14-03-13 of the North Dakota Century Code, to provide that the standard serological test for syphilis required for filing of application for marriage license may be performed by any laboratory approved by the state health officer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 502 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Butler	Just	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Goldberg			

Absent and not voting:

Holand	Jacobson	Sanstead
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So the bill passed and the title was agreed to.

Senate Bill No. 2306. A Bill for an Act to amend and reenact subsection 7 of section 21-03-06 and sections 21-03-07, 21-03-09, 21-03-15, 21-03-18, 21-03-19, and 21-03-28 of the North Dakota Century Code, relating to municipal bonds, and modifying procedures with respect thereto.

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, 2. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Butler	Just	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Christensen	Larson, G.	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Holand	Jacobson
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 17, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2154

Senate Bill No. 2318

Senate Bill No. 2401

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2154

On page 3, line 18 of the engrossed bill delete the word "or"

On page 3, line 19 delete the word "township"

On page 3, line 20 delete the words "or township"

On page 3, line 22 after the word "year" delete the semi-colon and the words "; the board"

On page 3 delete all of lines 23, 24, 25, 26, and 27

On page 3, line 28 delete all the words before the period
And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2318

On page 1, line 4, delete the period and add the following:
“, and declaring an emergency.”

On page 1, line 20, delete the first word “the” and insert in lieu thereof the word “his”

On page 2 after line 7, add the following:

“(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, pages and sections accordingly.

AMENDMENTS TO SENATE BILL No. 2401

On page 1, line 12, of the engrossed bill, delete the following “in accordance with” and insert in lieu thereof “for not less than”
And renumber the lines and pages accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2140

Senate Bill No. 2291

Senate Concurrent Resolution No. 4049

Senate Concurrent Resolution No. 4050

Which the House passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1971

Mr. President: I have the honor to return:

Senate Concurrent Memorial Resolution No. 4080

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2124

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1271

House Bill No. 1291

House Bill No. 1343

House Bill No. 1382

House Bill No. 1390

House Bill No. 1438

House Bill No. 1455

House Bill No. 1456

House Bill No. 1478

House Bill No. 1538

House Bill No. 1541

House Bill No. 1544

House Bill No. 1556

House Concurrent Resolution No. 3024
House Concurrent Resolution No. 3027
House Concurrent Resolution No. 3073

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 2511. A Bill for an Act to allow the director of institutions to lease land under his control to others.

Was read the first time and referred to the committee on State and Federal Government.

RECOGNITION

Senator Wilhite announced that Congressman Mark Andrews was in the Senate Chambers, and moved that the President appoint a committee of two to escort Congressman Andrews to the rostrum for the purpose of addressing the Senate, which motion prevailed.

The President appointed as such committee, Senators Wilhite and Christensen, and Congressman Andrews was escorted to the rostrum and invited to address the Senate.

Congressman Andrews: "Mr. President. Members of the Senate and guests in the galleries. It is indeed a privilege to be home and addressing the legislative body of my home state. You know those of us who serve in the legislature have a unique rapport one with the other because I think we recognize some of the problems that face legislators and the unique problems that face individuals in this country of ours.

"Ours is a representative form of government, and our representatives who serve in these legislative Houses, irrespective of politics and political persuasion, respect it. This system has worked good for many, many years because these people represent their needs first.

"North Dakota is a rather unique state. Not too long ago I was addressing the graduates at the Wahpeton School of Science. They had a graduating class of 920 students. Fifty years before that institution had a graduating class of 20 students. A fantastic increase in fifty years. Even more so when you realize that North Dakota has less people now than it had fifty years ago — an increase in people in our institutions of higher learning by twenty to thirty-fold in the intervening years.

"Yours indeed, is a serious challenge. Take a look at the state and local property taxes — the percentage of personal income being used — the United States average is 4.1% — here in North Dakota it is 5½%. Look at it in another way. We have a unique separation of the real estate and property taxes because we have a situation where commercial and industrial property in North Dakota amounts to only 11% of all property. In the United States the average is 25%. In New York 38% of property tax is derived from commercial and industrial property. What does that mean? It means that more and more of the load is on our homeowners and farmers and everytime a farmer in North Dakota buys a combine made in Illinois, we help educate the children of Illinois, everytime we buy an automobile made in Michigan, we help to educate the children in Michigan. Everytime we buy goods and services from a New York Company we help to expand their tax base.

"Years ago in North Dakota we had the name of 'equity'. We were fighting for equity. I remember at home we had the Equity Farmers Elevator. Every farmer had a scale on his farm because he wanted to make sure that everything was fair and square and above board. In America today we are trying to fight for a way

so that we in North Dakota can get what is fair and square for the people of North Dakota.

"Another unique situation is the fact that in North Dakota the farm real estate bears the greatest burden of the assessed valuation. Sixty-three percent of the real estate is farm real estate. The average for the nation is 11%, and with the farmers' disadvantages today this doubles the problems you face in the legislature of North Dakota. We need revenue sharing, is the point I am making. We have this type of legislation. You passed a resolution to this effect. This resolution is going to help us in front of Congress.

"The entire principal of representative government is the concept of those privileged to serve as representatives . . . as you do here in the legislature . . . having the deep understanding of the people who honored you by sending you here.

"Along this line, I was interested to see a headline in this morning's paper: "Guy Charges Andrews Misunderstanding Him." You know he's right.

"Since what I had to say Monday night dealt with North Dakota and its future, perhaps it's important here to review the whole matter.

"I was talking about revenue sharing with an effort factor and how important it is to North Dakota's future. I also stressed how we're in a neck and neck battle to have it enacted in Congress. Revenue sharing's chief rival . . . federal take-over of state and local welfare payments . . . has a 50-50 chance of replacing it.

"I said Monday it was unfortunate that the Governor . . . who says he supports revenue sharing . . . also supports the proposal advanced as its chief substitute.

"Agile though he may be, you can't ride two horses at once . . . particularly when they're as mismatched a pair as this.

"The evolution of revenue sharing has been a long process. It has been talked about much during the last decade and I have personally introduced revenue sharing bills in the last three Congresses.

"As with any new concept, those who disagree begin to promote their own approach. The opposition comes from those who do not feel local city, county and state government can be responsible or reliable.

"Two or three years ago, most of the opposition began promoting federal payment of state and local welfare as the substitute to keep control of the money and programs in Washington.

"Mistrust of local government is bad enough, but also it would mean less than half the dollars North Dakota can expect under revenue sharing.

"As this approach began to gain support, imagine my surprise when I saw Governor Guy's statement.

"Shortly thereafter I pointed out in a newsletter that the Governor's position wasn't supported by the people of North Dakota.

"I got an answer from Walt Christensen, one of the Governor's chief apologists, stating that this proposal was really Governor Rockefeller's . . . and Bill Guy was wholeheartedly in support of it.

"I know why Governor Rockefeller likes the idea of federal government taking over welfare payments. New York . . . along with California and Massachusetts would get over 50% of the total funds under such an arrangement. Under the plan, North Dakota's share would be \$9 million . . . \$11 million less than under Revenue Sharing and this would perpetuate our economic disadvantage.

"Bill Guy may say I don't understand his thinking.

"I don't.

"I do understand revenue sharing and what the effects of his action can be on our chances for enacting this vital legislation.

"This is what concerns me because it concerns the future of North Dakota.

"I think also, as we have done before in North Dakota, it is time we forget which side of the aisle we are sitting on. It is time we forget about representative government and get solidly behind the programs that will best benefit North Dakota, because we are in the same boat as the farmers back in the days of the equity elevators — we need protection, and we need a better break than we have gotten in the past, and it will become tougher two years from now, and so on down the line. This is what I am talking about. With the work that you are doing here, your devotion to duty, and the long hours, and the seven-day weeks that you are going to put in before you finally wind up this session, I am sure you will meet the challenge — that we will discuss facts and figures rather than personalities and I am sure that the State of North Dakota will come out ahead.

"Thank you very much for the great welcome you gave me today and for the privilege of speaking to you."

Senator Litten moved that the remarks of Congressman Andrews be printed in the journal, which motion prevailed.

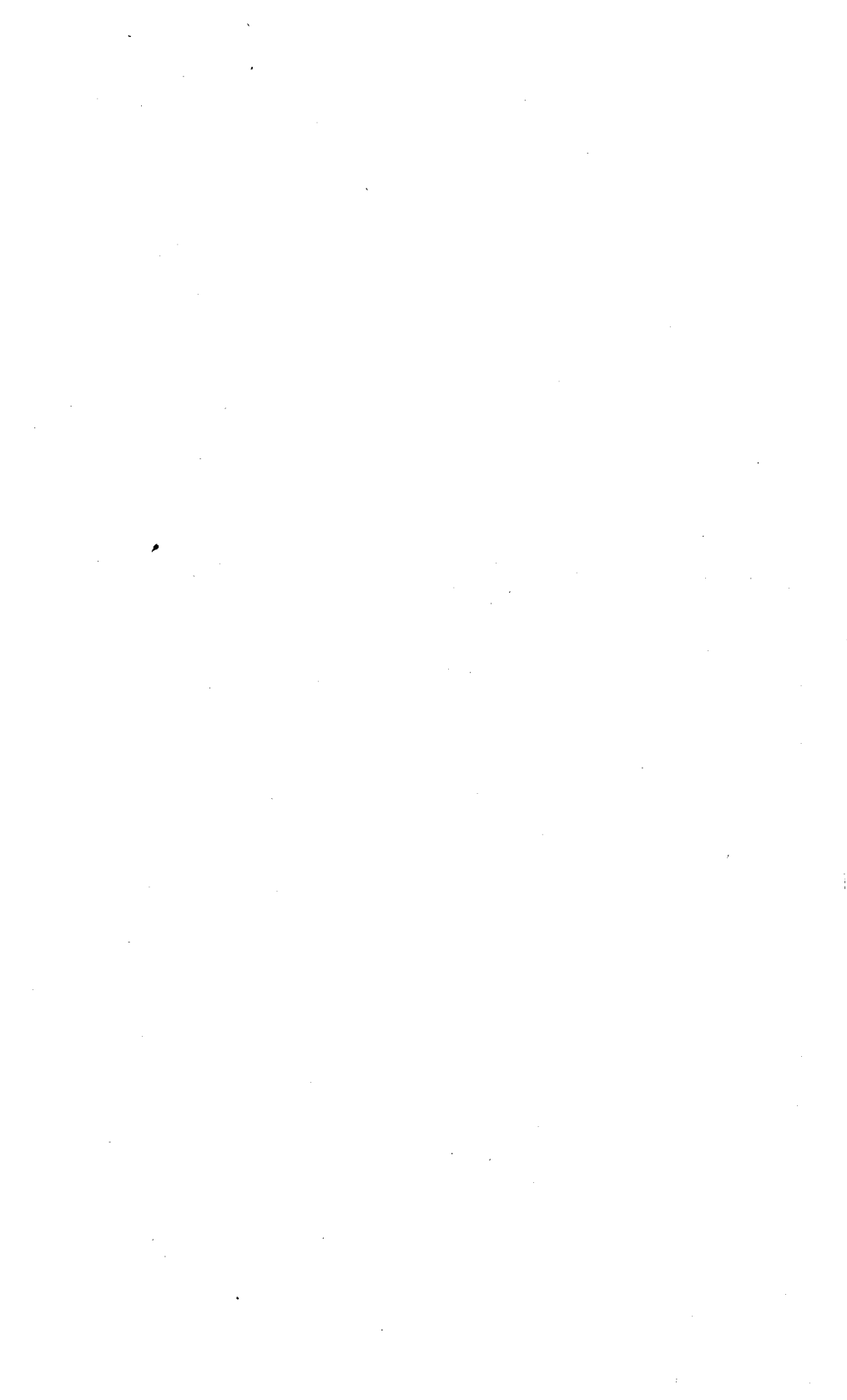
Senator Van Horn moved that Governor Guy be granted equal time, which motion prevailed.

The President appointed Senator Van Horn as a committee of one to notify the Governor.

MOTION

Senator Wilhite moved that after the reading of Senate Bills Nos. 2012, 2054, 2122, 2160, 2285, 2324, 2347, 2366, 2370, 2395, 2397, 2409, 2418, 2447, 2461, 2492, 2507, 2509, 2510, Senate Concurrent Resolution No. 4028, and House Bills Nos. 1019, 1066, 1078, 1094, 1107, 1135, 1204, 1208, 1216, and 1522, that the Senate recess until 1:15 p.m., on February 18, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



**THIRTY-EIGHTH DAY AFTER RECESS
AND THIRTY-NINTH DAY**

Bismarck, February 18, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

REPORTS OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that:

- Senate Resolution No. 1
- Senate Resolution No. 3
- Senate Resolution No. 4
- Senate Resolution No. 5

Were delivered to the Secretary of State at the hour of 1:00 o'clock p.m., February 17, 1971.

SENATOR STRINDEN, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 2012
- Senate Bill No. 2122
- Senate Bill No. 2370
- Senate Bill No. 2378
- Senate Bill No. 2409
- Senate Bill No. 2418
- Senate Bill No. 2492
- Senate Concurrent Resolution No. 4028

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2054
- Senate Bill No. 2160

And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Wilhite moved that the deadline dates set forth on pages 68 and 69 of the Senate Journal be revised so they conform with the rules of the Senate pertaining to legislative days, which motion prevailed.

Senator Morgan moved that Senate Bill No. 2466 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Morgan moved that Senate Bill No. 2466 be placed on the calendar, which motion prevailed.

Senator Butler moved that House Bill No. 1057 be re-referred to the Committee on Agriculture, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Willhite moved that the reading of the amendments to Senate Bills Nos. 2076, 2180, 2192, 2194, 2283, 2373, and 2414 be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2076 as recommended by the Committee on Education, and printed on pages 583 and 584 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2180 as recommended by the Committee on Appropriations, and printed on page 584 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2192 as recommended by the Committee on Education, and printed on page 584 of the Senate Journal, be adopted.

Senator Nasset moved that consideration of the amendments to Senate Bill No. 2192 be laid over one legislative day, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2194 as recommended by the Committee on Education, and printed on pages 584 and 585 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2283 as recommended by the Committee on Appropriations, and printed on page 585 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2373 as recommended by the Committee on Finance and Taxation, and printed on page 586 of the Senate Journal, be adopted, which motion prevailed.

Senator Butler moved that the amendments to Senate Bill No. 2414 as recommended by the Committee on Finance and Taxation, and printed on pages 586 and 587 of the Senate Journal, be adopted, which motion prevailed.

MOTION

Senator Melland moved that the amendments to Senate Bill No. 2188 be removed from the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

The question being on the motion of Senator Butler that the amendments to Senate Bill No. 2188 as recommended by the Committee on Finance and Taxation, and printed on pages 566 and 567 of the Senate Journal, be adopted, which motion lost, and Senate Bill No. 2188 was placed on the calendar.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Robinson moved that the Senate do not concur in the House amendments to Senate Bill No. 2154 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. 2154,

Senators:
Unruh
Anderson
Erdman

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2318, which motion prevailed.

Senator Longmire moved that the rules be suspended and that

Senate Bill No. 2318 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SENATE READING OF SENATE BILLS

Senate Bill No. 2318. A Bill for an Act authorizing the removal or sale of a public building when it is obsolete or a fire hazard or is otherwise unsafe and is of no future use to the state where it is located, and setting out the procedures to be followed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 1. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Butler	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, G.	Redlin	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Mutch

Absent and not voting:

Forkner

So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2401 which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2401 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2401. A Bill for an Act to provide for the sale of city lot managed and controlled by the school for the deaf.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2. (Lowe deceased)

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Wenstrom

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 18, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2318

Senate Bill No. 2401

And refused to concur in the House amendment to:

Senate Bill No. 2154

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:

Unruh

Anderson

Erdman

Very respectfully,
LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEES

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:

Delete the amendments to Senate Bill No. 2005 as printed in the Senate Journal on pages 181 and 182

On page 1, line 2, after the word "government" insert a period and delete the following: ", specifying the amount and time"

On page 1, delete all of lines 3, 4, 5, 6, and 7

On page 1, line 18, after the word "specified" insert the following: "such sum as set forth"

On page 2, line 5, delete the figure "624,840.00" and insert in lieu thereof the figure "415,000.00"

On page 2, line 7, delete the figure "15,500.00" and insert in lieu thereof the figure "14,000.00"

On page 2, line 8, delete the figure "9,300.00" and insert in lieu thereof the figure "6,800.00"

On page 2, line 9, delete the figure "661,640.00" and insert in lieu thereof the figure "447,800.00"

On page 2, line 12, delete the figure "36,981.00" and insert in lieu thereof the figure "36,602.00"

On page 2, line 16, delete the figure "76,381.00" and insert in lieu thereof the figure "76,002.00"

On page 2, line 19, delete the figure "1,008,000.00" and insert in lieu thereof the figure "782,212.00"

On page 2, line 21, delete the figure "125,000.00" and insert in lieu thereof the figure "97,104.00"

On page 2, line 22, delete the figure "1,183,000.00" and insert in lieu thereof the figure "929,316.00"

On page 2, line 23, delete the figure "1,921,021.00" and insert in lieu thereof the figure "1,453,118.00"

On page 2, after line 23, add the following section:

"SECTION 4. APPROPRIATION.) There is hereby appropriated to the supreme court the sum of \$39,750.00 from federal funds available on a grant or matching basis through the law enforcement council, and the sum of \$13,250.00 out of the state general fund, or so much thereof as may be necessary, to perform research and to prepare rules for criminal procedure for final promulgation and

adoption by the supreme court, and for matters relating to the research, implementation, and printing of rules to be promulgated and adopted by the supreme court, for the biennium beginning July 1, 1971, and ending June 30, 1973."

On page 2, delete lines 24, 25, 26, 27, 28, 29, and 30

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 amendments is to provide such moneys as may be necessary to pay the judges' salaries in amounts provided by law, and to compensate present employees of the Supreme Court at such levels as determined necessary by the Court. If part-time assistance is necessary because of sick leave or disability of the secretarial staff, it is the intent of the Legislature that an application be made to the Emergency Commission for additional funds. Fourteen thousand dollars is included in supplies and materials for the printing of criminal rules, civil rules, and probate rules. The \$5,000.00 for the printing of the criminal rules shall be used for such purposes only in the event that federal funds from the Law Enforcement Council are not available for this project.

SENATOR SORLIE, Chairman

Senator Litten 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. 2057 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2130 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of page 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, as contained in section 23 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to tax levy limitations in school districts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 3 of section 57-15-14 of the 1969 Supplement to the North Dakota Century Code as contained in section 23 of House Bill No. 1045, as approved by the forty-second legislative assembly, is hereby amended and reenacted to read as follows:

3. Any school district giving four years of standard high school work may levy taxes not to exceed thirty-four mills; provided that there shall be no limitation upon the taxes which may be levied by any school district having a total population in excess of four thousand according to the last federal decennial census if upon resolution of the school board of any such district the removal of the mill levy limitation has been submitted and approved by a majority of the electors voting at any regular or special election upon such question. In the event such election is held in a reorganized district, it shall be conducted and approved or disapproved in the same manner and subject to the same conditions as provided in section 15-53.1-22 for elections for approval of school district reorganization plans. The question of authorizing or discontinuing

such unlimited taxing authority in any school district shall be submitted to the electorate at the next regular election upon resolution of the school board or upon containing the signatures of not less than ten percent of the electors of the district as determined by the county superintendent for such county in which such school is located; provided, however, that the approval of discontinuing such unlimited taxing authority shall not affect the tax levy in the calendar year in which the election is held. The election shall be held in the same manner and subject to the same conditions as provided in this section for the first election upon the question of authorizing an unlimited mill levy. **Notwithstanding the provisions of this subsection, any district with a high school enrollment of three hundred pupils or less, may, without holding an election, levy an amount equal to the product of multiplying the resident pupil enrollment in the district less the number of pupils for whom payment is claimed under public law 874 by forty-two percent of the state average per-pupil expenditure for current operating expenses of the school year for which the most recent compilation of data is available; and, any district with a high school enrollment of more than three hundred pupils may, without holding an election, levy an amount equal to the product of multiplying the resident pupil enrollment in the district less the number of pupils for whom payment is claimed under public law by forty percent of the state average per-pupil expenditure for current operating expenses of the school year for which the most recent compilation of data is available;**

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 Industry, Business and Labor to whom was referred Senate Bill No. 2227 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion lost and Senate Bill No. 2227 was placed on the calendar.

PERSONAL PRIVILEGE

Senator Doherty: "Mr. President. I rise on a point of personal privilege."

Lt. Governor: "State your privilege, Senator."

Senator Doherty: "Mr. President: I would like to have these comments printed in the journal. These comments, gentlemen, are the direct result of what happened before Senator Hernettt's committee at the hearing the day I was there. I am asking to have these comments entered in the journal because I don't want to be accused of having misstated. It will be in the record.

"There are times when we all run into the impenetrable wall of bureaucracy. I ask you to bear with me for a few minutes while I relate an instance of this kind that should make any serious thinking person rebel at the dictatorial attitude of some of our appointed state employees.

"My remarks today, gentlemen, add further to the remarks made on this floor recently by Senator Strinden and also Senator Freed.

"In the interests of free enterprise and without impairing the work of existing agencies, I introduced a bill that would define and establish guidelines for the operation of the state central duplicating service.

"My efforts have met with the most concentrated effort of providing misinformation that could be imagined. The head of the service involved actually told untruths to other department heads as to the effect of the bill. He provided a fiscal note that was so ridiculous his figures are an insult to any intelligent businessman and particularly to the printing industry of North Dakota.

"To add further to the deliberate attempt to kill the bill, the Director of Accounts and Purchases appeared before the committee and stated flatly he would take vindictive action against all the printers of the state if the bill were approved by the legislature. His outright attempt to blackjack the senate committee into submission is most reprehensible, to say the least.

"Gentlemen, it's only in the best interest of the State of North Dakota that we display our contempt for such high-handed and flagrant abuse of public trust.

"A few weeks ago it was the automobile industry that was subjected to recrimination by these public servants. This time it's the printing industry. What type of business will be next?

"Government has become too large when appointed officials can blackjack an entire industry into submission and I urge you to give serious consideration to every bill coming before this body that will prevent further expansion and further dictating by political appointees in our great state."

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2247 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 Appropriations to whom was referred Senate Bill No. 2276 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10 delete the figure "1,143,700.00" and insert in lieu thereof the figure "1,000,000.00"

On page 1, line 15 after the ")" delete the following: "This appropriation will become"

On page 1, delete all of lines 16 through 22.

On page 1, after line 22 insert the following: "It is the intent of the Legislative Assembly that the sum of \$1,000,000.00, transferred from the accumulated profits of the State Mill and Elevator to the general fund, be used to finance the construction of the food service building at the Grafton State School."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SORLIE, Chairman

Senator Jones 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 amended as follows:

In line 1 of page 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code and section 15-47-27 of the North Dakota Century Code, as contained in section 20 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to the time of renewal of teachers' contracts and defining the term "teacher".

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-47-26 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-26. DEFINITIONS.) The term "teacher" as used in sections 15-47-27 and 15-47-28, shall be construed to include all teachers, principals, and superintendents in all public school districts within this state, and all persons employed in teaching in any state institution, **except institutions of higher education.** ((The term "state institution" as used in section 15-47-27 shall include the state university of North Dakota, state agricultural college, county agricultural and training schools, state normal schools, state teachers colleges, state school of forestry, state school of science, North Dakota school for the deaf, state school at Grafton, and state industrial school.))

SECTION 2. AMENDMENT.) Section 15-47-27 of the 1969 Supplement to the North Dakota Century Code as contained in Section 20 of House Bill No. 1045, as approved by the forty-second legislative assembly, is hereby amended and reenacted to read as follows:

15-47-27. TIME FOR RENEWAL OF TEACHERS' CONTRACTS.) Any teacher who has been employed by any school district (((,))) or the director of institutions (((, or the state board of higher education))) in this state during any school year, shall be notified in writing by the school board (((,))) or the director of institutions, (((or the state board of higher education,))) as the case may be, not earlier than the fifteenth day of February and not later than the fifteenth day of April in the school year in which he or she has been employed to teach, of the determination not to renew the teacher's contract for the ensuing school year, if such determination has been made; and failure to give such written notice on or before said date shall constitute an offer to renew the contract for the ensuing school year under the same terms and conditions as the contract for the then current year. On or before April fifteenth in any year and not earlier than February fifteenth, all teachers shall be notified of a date, which shall not be less than thirty days after the date of such notice, upon which they will be required to accept or reject proffered re-employment, and failure on the part of the teacher to accept said offer within such time shall be deemed to be a rejection of the offer. Any teacher who shall have accepted the offer of re-employment, either by the action or nonaction of the school board (((,))) or the director of institutions, (((or the state board of higher education,))) on or before April fifteenth, as herein provided, shall be entitled to the usual written contract for the ensuing school year, as provided by law and shall notify the school board (((,))) or the director of institutions (((, or the state board of higher education,))) in writing of his or her acceptance or rejection on or before the date specified or before May fifteenth, whichever is earlier. Failure on the part of the teacher to provide such notification shall relieve the school board (((,))) or the director of institutions (((, or the state board of higher education,))) of the continuing contract provision of sections 15-47-26 through 15-47-28. Nothing in this section shall be construed as in any manner repealing or limiting the operation of any existing law with reference to the dismissal of teachers for cause."

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.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2333 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 15 delete the triple parentheses before the word "The"

Page 2 line 30 following the period insert the following: **"The teacher may be represented at the meeting by a person of his own choosing. 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."**

Page 3 line 3 delete the triple parentheses following the period

Page 3 delete lines 4 through 31

Page 4 delete lines 1 through 31

Page 5 delete lines 1 through 31

Page 6 delete lines 1 through 31

Page 7 delete lines 1 through 31

Page 8 delete lines 1 through 3

Renumber 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 Social Welfare and Veterans' Affairs to whom was referred Senate Bill No. 2337 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

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 be amended as follows:

On page 1, line 13 delete the words "property damage to be restored at" and insert in lieu thereof the following: "removal of material used in the construction of temporary emergency flood control protection devices or works and the repair of damages to land, buildings, or personal property caused by the operation of equipment upon the property while in the process of installing or removing such temporary emergency flood protection systems"

On page 1, line 14, delete the words "its expense"

On page 1, line 18, delete the words "restoring the damaged property" and insert in lieu thereof the following: "removing the material used and in repairing the damages caused by the operation of equipment while installing or removing such temporary emergency flood protection systems"

On page 1, line 24, after the period, insert the following new sentence: "Provided, however, that the provisions of sections 40-22-17 and 40-22-18, relating to protests against special assessments, shall not apply to special assessment districts created pursuant to this Act."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 2377 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom

was referred Senate Bill No. 2428 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2455 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Strinden moved that the report be adopted, which motion was lost and Senate Bill No. 2455 was placed on the calendar.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2457 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of page 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DESIGNATION OF BONDS.) Bonds to be issued under the provisions of this Act shall be known as state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series.

SECTION 2. AUTHORITY FOR ISSUING BONDS OF NORTH DAKOTA VIETNAM CONFLICT ADJUSTED COMPENSATION SERIES — PURPOSE OF ISSUE.) An issue of not to exceed fifteen 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 the 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 Act 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. PREPARATION OF BONDS.) Bonds issued under this Act shall be executed by the governor and by the state treasurer under the great seal of the state of North Dakota and shall be attested by the secretary of state. The state auditor and secretary of state shall endorse and sign, on each bond issued, a certificate showing that such bond is issued pursuant to law and is within the state debt limit. The manner and form of execution shall be determined by the industrial commission. The issue of bonds under this Act shall be of serial maturities, and the industrial commission shall fix the maximum rate of interest they shall bear. The first installment of principal of bonds sold at any one time shall fall

due not more than two years from the date of the bonds, and the last intallment shall fall due not more than fifteen years after the date of first issue. Annual intallments of principal shall be such that the increase thereof from year to year approximately shall equal the decrease from year to year of the amount of interest on unpaid bonds, so that the aggregate of principal and interest shall be approximately equal year by year. All bonds issued under this Act shall be in denominations of not more than ten thousand dollars each and shall be fully negotiable with semiannual interest coupons attached, except that the first interest payment shall be one year from and after the date of issuance of the bonds. Bonds issued under this Act from and after the year 1972 until the year 1981, inclusive, shall not be callable prior to maturity. Bonds issued under this Act from and after the year 1982 may be called prior to maturity, in inverse numerical order. All bonds issued under this Act shall contain a provision that interest thereon shall cease at maturity unless the holder thereof shall present the same for payment and payment is refused. The principal and interest of bonds issued under this Act shall be payable at the office of the state treasurer in Bismarck, North Dakota, or at the Bank of North Dakota, or at a bank or trust company in the city of Chicago or New York, as the industrial commission may determine.

SECTION 4. SALE AND DELIVERY OF BONDS BY INDUSTRIAL COMMISSION — DEPOSIT OF PROCEEDS.) The industrial commission shall act as agent of the state for the negotiation, sale, and delivery of all bonds issued under this Act. Such bonds shall be sold in whole or in part from time to time for cash at not less than par and accrued interest to the best advantage of the state. In offering such bonds for sale, the industrial commission shall reserve the right to reject any or all bids therefor. Purchasers and holders of such bonds may have ownership registered in the office of the state treasurer. All of the proceeds of such bonds shall be received by the industrial commission and by it placed in a separate fund in the state treasury in the custody of the state treasurer to be used only for the purpose for which such bonds are issued.

SECTION 5. BONDS TAX EXEMPT.) All bonds issued under the provisions of this Act and interest thereon shall be exempt from all state, county, and municipal taxes.

SECTION 6. BONDS A GENERAL OBLIGATION OF STATE OF NORTH DAKOTA.) Upon receipt of payment therefor, the industrial commission shall deliver to each purchaser of bonds issued under this Act, the bonds purchased by him, and upon the delivery of such bonds the full faith and credit and unlimited taxing resources of the state of North Dakota shall stand pledged for the punctual payment of each and all of such bonds and the interest thereon to the lawful holder and owner thereof as the same become due and are presented for payment.

SECTION 7. SINKING FUND.) The sinking fund for the payment of bonds issued under this Act and interest thereon shall be established and maintained in the office of the state treasurer who shall be custodian of such fund and shall at all times maintain adequate records thereof. The state treasurer shall make reports of the condition of such sinking fund to the industrial commission on request. All sums appropriated and transferred for the payment of bonds issued under this Act shall be deposited in the sinking fund therefor and shall be disbursed by the state treasurer in payment of such bonds and interest thereon directly or through a paying agent to be designated by the industrial commission. On request of the industrial commission, the state treasurer shall supply any deficiency of such sinking fund out of any available monies of the state in his custody, provided that all monies so used shall be returned at the earliest practicable opportunity.

SECTION 8. TRANSFER OF BALANCE.) Upon the retirement of all bonds provided for in this Act, together with the interest there-

on, any balance remaining in the sinking fund shall be transferred by the treasurer to the general fund.

SECTION 9. INVESTMENT OF SINKING FUND.) Monies in the sinking fund for bonds issued under this Act shall be deposited in the Bank of North Dakota. The Bank of North Dakota shall pay interest thereon as directed by the industrial commission, which interest shall be credited to the sinking fund and shall be used for the payment of the principal of the bonds or interest thereon.

SECTION 10. PROTECTION OF PURCHASER.) The purchaser of any bonds issued under this Act shall not be obliged to see to the application of the purchase price thereof but shall be protected fully in paying for such bonds by the receipt of the industrial commission or of its agent delivering such bonds as herein provided.

SECTION 11. LIMITATION OF ACTION.) No action shall be brought or maintained in any court in this state questioning the validity of any bonds issued under this Act unless such action shall have been commenced within sixty days after the adoption of the resolution of the industrial commission awarding the sale of such bonds.

SECTION 12. IRREPEALABLE.) All appropriations and transfers provided to pay bonds issued under the provisions of this Act and interest thereon shall not be repealed until such bonds and interest are fully paid.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,500,000.00, or such lesser amount as may be necessary for transfer upon order of the director of accounts and purchases to the Vietnam veterans' bonus adjusted compensation fund during the biennium beginning July 1, 1971, and ending June 30, 1973, for use in making bonus payments to Vietnam veterans as provided by law.

SECTION 14. APPROPRIATION FOR FUTURE BIENNIUMS — INTENT OF APPROPRIATION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,800,000.00, or so much thereof as may be necessary, for transfer upon order of the director of the department of accounts and purchases to the sinking fund for the payment of Vietnam veterans' bonus bonds during the biennium beginning July 1, 1973, and ending June 30, 1975, and a like amount, or so much thereof as may be necessary, is hereby appropriated during each biennial period beginning after June 30, 1975, to be transferred upon order of the director of the department of accounts and purchases to the sinking fund for the payment of Vietnam veterans' bonus bonds. Such transfers shall be discontinued by the director of the department of accounts and purchases at such time as he shall determine, in consultation with the industrial commission, that sufficient funds are available in the sinking fund for the payment of Vietnam veterans' bonus bonds to retire all bonds outstanding with interest thereon.

It is the intent of the legislative assembly that the amounts appropriated and transferred by this section shall represent the current proceeds of the two cents per-package cigarette tax and the eight cents per-gallon beer tax that was levied for repayment of bonds issued for bonus payments to veterans of the Korean Conflict, which tax was not discontinued following the repayment of such bonds.

SECTION 15. APPROPRIATION TO INDUSTRIAL COMMISSION.) There is hereby appropriated out of any monies in the Vietnam veterans' bonus adjusted compensation fund, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the industrial commission for administrative and legal expenses for the issuance of bonds authorized by this Act, for the biennium beginning July 1, 1971, and ending June 30, 1973.

SECTION 16. APPROPRIATION FOR BONDS.) There is hereby appropriated the funds required for the payment of interest and principal of all bonds issued and sold under this Act.

SECTION 17. 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 SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2471 has had the same under consideration and recommends that the same be indefinitely postponed.

The intent of indefinite postponement is to encourage the proponents to present a more specific and detailed proposal for reform in the operation of the North Dakota State Prison to a future legislature.

SENATOR SORLIE, Chairman

Senator Litten 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. 2307 has had the same under consideration and recommends that the same be amended as follows:

- Page 1 line 2 after "related" insert "medical"
- Page 1 line 12 after "RELATED" insert "MEDICAL"
- Page 1 line 16 after "care" delete "or resident"
- Page 1 line 17 after "or" delete "resident care"
- Page 2 line 1 delete "and resident"
- Page 2 line 6 after "related" insert "medical"
- Page 2 line 10 after "expanded" insert "medical"
- Page 2 line 14 after "related" insert "medical"
- Page 2 line 15 after "that" insert "medical"
- Page 3 line 18 delete the second comma and insert "and" and after "25-16" delete ", and 50-18"
- Page 3 line 27 after "illness" delete "mental retardation" and the comma
- Page 3 line 28 after the first comma delete "or who is crippled,"
- Page 3 line 29 delete "infirm"
- Page 4 line 1 after the period delete the remainder of the line
- Page 4 delete all of lines 2 through 4
- Page 4 line 29 after "related" insert "medical"
- Page 5 delete lines 1 through 9
- Page 5 line 17 after "clinics" delete "long term care"
- Page 5 line 18 delete "facilities (includes"
- Page 5 line 19 after the second "hospitals" delete the parenthesis and after "infirmaries" delete the comma and insert "and"
- Page 5 line 20 delete "maternity homes," and after "hospitals," insert a period and delete the remainder of the line
- Page 5 delete all of lines 21 and 22
- Page 5 line 24 after "related" insert "medical"
- Page 5 line 25 after "medical" delete "or resident"
- Page 6 line 4 after the second word "and" and insert "medical"
- Page 6 line 9 after "patient" delete "or resident"

Page 6 line 10 after "patient" delete "or resident"
 Page 6 line 11 after "related" insert "medical"
 Page 6 line 12 after "patient" delete "or resident"
 Page 6 line 14 after "patients" delete "or residents"
 Page 6 line 18 after "patients" delete "or residents"
 Page 6 line 25 after "expanded" insert "medical"
 Page 6 line 28 after "patient" delete "or resident"
 Page 6 line 31 after "patient" delete "or resident"
 Page 7 line 8 delete "or residents"
 Page 7 line 13 after "patient" delete "or resident"
 Page 7 line 15 after "patients" delete "or residents"
 Page 7 line 17 after "proposed" insert "medical"
 Page 7 line 25 after "the" insert "medical"
 Page 11 line 23 after "patients" delete "or residents"
 Page 13 line 10 after "related" insert "medical"
 Renumber pages, lines and subsections accordingly.
 And when so amended recommend the same do pass.

This Act shall not apply to any person who has filed with the appropriate licensing authority preliminary architectural plans during the calendar year 1970 and has commenced construction by having awarded a general contract for construction prior to July 1, 1971.

SENATOR KAUTZMAN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2474 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2484 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2505 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 a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Commencing July 1, 1972, and at the same date each year thereafter until the sum of \$5,643,551.00 shall have been transferred to the college building fund, the director of the department of accounts and purchases shall determine the cash balance in the general fund of the state. In the event the cash balance in the general fund as of the close of business on the previous thirteenth day of June shall exceed \$15,000,000.00, the director of accounts and purchases shall direct the state treasurer to transfer to the college building fund an amount which shall not exceed \$2,000,000.00, or the amount in excess of \$15,000,000.00 in the general fund, which ever

is the lesser. Such funds shall be expended by the board of higher education for the construction, reconstruction, and equipping of buildings at state-operated institutions of higher learning in accordance with specific appropriations to be made by the legislative assembly. The amount in the college building fund on July 1, 1971, shall remain in the college building fund and be considered a part of the \$5,643,551.0 authorized hereunder.

SECTION 2. APROPRIATIONS.) There is hereby appropriated out of any moneys in the college building fund the sum of \$5,643,551.00, or so much thereof as may be available in such fund, and from federal and private sources the sum of \$1,069,695.00 for the construction, reconstruction, and equipping of buildings and facilities at state-operated institutions of higher learning for purposes as follows and within the limitations of the costs hereafter stated:

Name of Institution Type of Facility	State Funds	Federal and Private Funds	Total Funds
State college, Valley City — science building	\$ 884,063.00	\$ 115,937.00	\$1,000,000.00
Dickinson state college — physical education class room addition and remodeling	\$ 800,000.00	.....	\$ 800,000.00
University of North Dakota at Grand Forks — engineering building	\$ 439,442.00	\$ 600,000.00	\$1,039,442.00
University of North Dakota, Grand Forks — law building addition and renovation	\$ 998,804.00	.....	\$ 998,804.00
Minot state college — classroom building	\$ 800,000.00	.....	\$ 800,000.00
NDSU Bottineau branch — science building	\$ 276,242.00	\$ 203,758.00	\$ 480,000.00
NDSU, Fargo — addition to maintenance building	\$ 225,000.00	.....	\$ 225,000.00
University of North Dakota Grand Forks — service and maintenance building	\$ 450,000.00	.....	\$ 450,000.00
State school of science, Wahpeton — maintenance and laboratory building	\$ 150,000.00	\$ 150,000.00	\$ 300,000.00
Dickinson state college — library addition and renovation	\$ 600,000.00	.....	\$ 600,000.00
NDSU-Bottineau branch — garage-storage building	\$ 20,000.00	.....	\$ 20,000.00
	<u>\$5,643,551.00</u>	<u>\$1,069,695.00</u>	<u>\$6,713,246.00</u>

The construction of a specific building or facility shall not be commenced until the amount of funds indicated by such building or facility in the column "Federal and Private Funds" has been either actually received or irrevocably promised from such sources for such facilities except that should the funds received or to be received from the federal and private funds be less than the amount indicated in that column, the board of higher education shall determine whether the facility should be constructed, basing its determination on whether the facility can, if constructed at a lower cost, reasonably meet the original purposes of the authorized facility. In no event shall any facility exceed the cost indicated in the column "Total Funds" except to the extent funds from the federal and private sources exceed the amount authorized for the specific building

or facility. If federal funds become available for buildings for which no federal funds are listed in this Act, the amount available from state funds shall be reduced accordingly. The order of appearance of the facilities set forth above is not necessarily the order of priority for the construction of such facilities, and the board of higher education, in its discretion, may divert the construction of such buildings and facilities in a different order of priority than that listed in this section. The state funds herein appropriated shall remain available for expenditure for the purposes specified until the buildings and facilities herein authorized shall be constructed, except that upon the completion of the construction, reconstruction, and equipping of any specific building or facility, and unexpended state funds specifically appropriated and designated herein for such building or facility shall revert to the college building fund.

SECTION 3. REPEAL.) Chapter 157 of the 1967 Session Laws of the state of North Dakota is hereby repealed effective July 2, 1971."

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 state funds for college building construction without excessive burden to the general fund.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2508 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2093 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of page 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to legislative intent for foundation aid payments.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, is hereby amended and reenacted to read as follows:

15-40.1-06. DECLARATION OF LEGISLATIVE INTENT.) It is the intent of the legislative assembly to support elementary and secondary education in this state from state and county funds based on the educational cost per pupil, exclusive of the cost of physical facilities, transportation, and current indebtedness. It is hereby found that the educational cost per pupil during the first year of the (((1969-1971))) 1971-1973 biennium is two hundred (((thirty))) **fifty-two** dollars and for the second year of the biennium the educational cost is two hundred (((forty))) **sixty-one** dollars and shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in sections 15-40.1-07 and 15-40.1-08. School districts operating high schools not meeting the minimum curriculum as provided in section 15-41-24 or the teacher qualifications in section 15-41-25 shall have an educational cost of two hundred twenty dollars, which shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in section 15-40.1-07 (((for the school year of 1970-71))).

And renumber the lines and sections 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 Education to whom was referred Senate Bill No. 2094 has had the same under consideration and recommends that the same be indefinitely postponed.

Senator Holand moved that the report be adopted, which motion prevailed.

SENATOR HOLAND, Chairman

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2204 has had the same under consideration and recommends that the same be amended as follows:

In line 16 of page 1, following the word "**psychologist**", insert the following: "**, a medical doctor,**"

In line 2 of page 2, delete the triple parentheses before the word "curriculum" and after the word "the" where it last appears

In line 4 of page 2, delete the triple parentheses before the word "such"

In line 5 of page 2, delete the triple parentheses after the word "to" where it last appears

In line 6 of page 2, delete the word "**shall**"

In line 7 of page 2, delete the word "**receive**"

In line 11 of page 2, following the triples parentheses and before the period, insert the following: "**, provided that such payment shall not exceed the actual per-pupil cost incurred by such private, non-sectarian nonprofit corporation**"

In line 12 of page 2, delete the words "**pay one-third of this amount to the**"

Delete lines 13 through 15, inclusive, of page 2

In line 16, of page 2, delete the words "**for the foundation aid program**" and insert in lieu thereof the following: "**be reimbursed from funds appropriated by the legislative assembly for the foundation aid program, in an amount equal to sixty percent of the payment made to such private, nonsectarian nonprofit corporation**"

In line 19 of page 2, delete the words "**and shared between the**"

Delete line 20 of page 2

In line 21 of page 2, delete the words "**ment had been for a full school year**" and place triple parentheses before the word "For"

In line 26 of page 2, place triple parentheses after the word "districts" and delete the following: "**, provided**"

Delete lines 27 and 28 of page 2, inclusive

In line 29 of page 2, delete the words "**nonprofit corporation**" and insert in lieu thereof the following: "**The reimbursement herein provided to the contracting district from the foundation aid program shall be in lieu of any other foundation aid to which the district might otherwise be entitled**"

And renumber the lines 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 Education to whom was referred Senate Bill No. 2321 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 Education to whom was referred Senate Bill No. 2423 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.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 18, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2037

Senate Bill No. 2039

Senate Bill No. 2043

Senate Bill No. 2044

Senate Bill No. 2049

Senate Bill No. 2058

Senate Bill No. 2068

Senate Bill No. 2071

Senate Bill No. 2077

Senate Bill No. 2078

Senate Bill No. 2079

Senate Bill No. 2080

Senate Bill No. 2081

Senate Bill No. 2082

Senate Bill No. 2083

Senate Bill No. 2084

Senate Bill No. 2086

Senate Bill No. 2087

Senate Bill No. 2088

Senate Bill No. 2096

Senate Bill No. 2098

Senate Bill No. 2104

Senate Bill No. 2107

Senate Bill No. 2113

Senate Bill No. 2120

Senate Bill No. 2135

Senate Bill No. 2146

Senate Bill No. 2148

Senate Bill No. 2195

Which the Speaker has signed

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 18, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4008

Senate Concurrent Resolution No. 4009

Senate Concurrent Resolution No. 4024

Senate Concurrent Resolution No. 4026

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. 2037

Senate Bill No. 2039

Senate Bill No. 2043

Senate Bill No. 2044

Senate Bill No. 2049

Senate Bill No. 2058

Senate Bill No. 2068
 Senate Bill No. 2071
 Senate Bill No. 2077
 Senate Bill No. 2078
 Senate Bill No. 2079
 Senate Bill No. 2080
 Senate Bill No. 2081
 Senate Bill No. 2082
 Senate Bill No. 2083
 Senate Bill No. 2084
 Senate Bill No. 2086
 Senate Bill No. 2087
 Senate Bill No. 2088
 Senate Bill No. 2096
 Senate Bill No. 2098
 Senate Bill No. 2104
 Senate Bill No. 2107
 Senate Bill No. 2113
 Senate Bill No. 2120
 Senate Bill No. 2135
 Senate Bill No. 2146
 Senate Bill No. 2148
 Senate Bill No. 2195

Were delivered to the Governor for his approval at the hour of 3:45 o'clock p.m., February 18, 1971.

SENATOR STRINDEN, Chairman

The committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4026

Were delivered to the Secretary of State at 3:50 o'clock p.m., February 18, 1971.

SENATOR STRINDEN, Chairman

Senator Wilhite moved that the Senate recess subject to the call of the Chair, 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 Education to whom was referred Senate Bill No. 2460 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 after the ending triple parentheses delete "**fifteen**" and insert in lieu thereof "**sixteen**".

Renumber pages and lines accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

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. 2503 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete all of the words following "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact section 15-34.1-05 of the North Dakota Century Code, as contained in section 5 of House Bill No. 1045, as enacted by the forty-second legislative assembly, relating to penalties for violating compulsory school attendance.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-34.1-05 of the North Dakota Century Code, as contained in section 5 of House Bill No. 1045, as enacted by the forty-second legislative assembly, is hereby amended and reenacted to read as follows:

15-34.1-05. VIOLATION OF COMPULSORY SCHOOL ATTENDANCE PROVISIONS — PENALTY.) Any parents, guardian, or other person failing to comply with the requirements of this chapter is guilty of a misdemeanor and shall be punished by a fine of not ~~((less))~~ **more** than ~~((five))~~ **one hundred** dollars ~~((nor more than twenty-dollars))~~ for the first offense, and by a fine or not ~~((less))~~ **more** than ~~((ten))~~ **two hundred** dollars ~~((nor more than fifty dollars))~~ for the second and each subsequent offense."

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 Bill No. 2504 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete all of the words following "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact subsection 1 of section 15-40.2-05 and section 15-40.2-09 of the North Dakota Century Code, as contained in section 8 of House Bill No. 1045, as enacted by the forty-second legislative assembly, relating to appeals of tuition payment decisions by a school district to the county committee and to eliminate appeals to the state board of public school education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 1 of section 15-40.2-05 of the North Dakota Century Code, as contained in section 8 of House Bill No. 1045, as enacted by the forty-second legislative assembly, is hereby amended and reenacted to read as follows:

1. **HIGH SCHOOL.** If the pupil is a high school pupil and the committee finds that the attendance of such pupil is necessitated by shorter distances, previous attendance in another high school, inadequacy of curriculum considering the educational needs of the particular pupil, or other reasons of convenience, it shall approve the payment of tuition by the district of residence of the pupil, obligating such district of residence to pay the same. The committee's approval for the payment of tuition may be for any fixed number of school terms, up to the completion of the pupil's high school education. ~~((The decision of the committee may be appealed to the state board of public school education and the decision of the board shall be final.))~~

SECTION 2. AMENDMENT.) Section 15-40.2-09 of the North Dakota Century Code, as contained in section 8 of House Bill No. 1045, as enacted by the forty-second legislative assembly, 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.

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 school 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 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 Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4012 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4022 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Resolution No. 2 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.

SECOND READING OF SENATE BILLS

Senate Bill No. 2354. A Bill for an Act to amend and reenact section 40-35-02, 40-35-09, and 40-36-13 of the North Dakota Century Code, relating to municipal revenue bonds.

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, 3; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz
Barth	Just	Nothing	Sorlie
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Jacobson			

Those voting in the negative were:

Freed	Mutch	Strinden
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Absent and not voting:

Berube	Butler	Coughlin	Holand
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So the bill passed and the title was agreed to.

Senate Bill No. 2364. A Bill for an Act to provide for the resolution of conflicting interests in the production of oil and gas, subsurface minerals, and coal.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 481 of the Senate Journal, the roll was called, and there were ayes, 44; nays, 0; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite

Absent and not voting:

Berube	Butler	Coughlin	Holand
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So the bill passed and the title was agreed to.

Senate Bill No. 2379. A Bill for an Act to amend and reenact section 57-32-05 of the North Dakota Century Code, relating to the collection of property taxes from car line, express, and air transportation companies.

Which has been read.

Senator Doherty moved that Senate Bill No. 2379 be amended as follows:

Page 2 of the engrossed bill, line 17, delete the following "or other"

Page 2, line 18, delete the following: "personal property"

Page 2, line 26, delete the following: “, **personal property**,”

Which motion prevailed.

Senator Doherty moved that the rules be suspended, that Senate Bill No. 2379 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 503 of the Senate Journal, and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting 2 (Lowe, deceased),

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Holand

So the bill passed and the title was agreed to.

Senate Bill No. 2389. A Bill for an Act to amend and reenact sections 40-22-09, 40-22-10, 40-22-11, 40-12-15, 40-22-18, 40-22-19 and 40-22-36, North Dakota Century Code, relating to improvement districts in municipalities, and changing procedures with respect thereto.

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, 9; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Ringsak
Barth	Gronhovd	Longmire	Roen
Berube	Holand	Melland	Sanstead
Chesrown	Jacobson	Morgan	Stroup
Christensen	Jones	Nasset	Swedlund
Doherty	Just	Nothing	Unruh
Erdman	Kautzmann	Pyle	Van Horn
Forkner	Larson, L.	Rait	Wilhite
Freed	Lips	Redlin	

Those voting in the negative were:

Coughlin	Page	Schultz	Strinden
Hernett	Robinson	Sorlie	Thoreson
Mutch			

Absent and not voting:

Butler Larson, G. Thane Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2416. A Bill for an Act to amend and reenact section 1 of chapter 409 of the 1969 Session Laws of North Dakota, relating to the sale of land belonging to the school for the deaf.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 504 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3. (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Hernett			

Absent and not voting:

Berube	Butler	Larson, G.
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So the bill passed and the title was agreed to.

Senate Bill No. 2458. A Bill for an Act to amend and reenact Section 39-18-03 of the North Dakota Century Code, relating to license fees for travel trailers.

Which has been read.

Senator Kautzmann moved that Senate Bill No. 2458 be amended as follows:

On page 2, line 9 of the engrossed bill, insert beginning triple parentheses before the word "but" and delete the triple parentheses before and after the word "fifteen"

On page 2, line 10 of the engrossed bill, delete the word "nineteen" and delete the triple parentheses before the word "ten", and insert an underscored comma after the triple parentheses following the word "ten"

On page 2, line 12 of the engrossed bill, delete the ending triple parentheses after the period

On page 2, line 16 of the engrossed bill, insert ending triple parentheses after the period

And renumber the lines accordingly.

Senator Forkner moved that Senate Bill No. 2458, and the motion to amend Senate Bill No. 2458 be moved to the foot of the calendar, which motion prevailed.

Senate Bill No. 2459. A Bill for an Act to amend and reenact section 41-09-49 of the North Dakota Century Code, relating to a secured party's right to take possession after default.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 505 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nething	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Van Horn

Freed	Melland	Roen	Wenstrom
Goldberg	Morgan	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Just	Larson, G.
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So the bill passed and the title was agreed to.

Senate Bill No. 2472. A Bill for an Act to change the property tax assessment date; and to amend and reenact subsections 1 and 4 of section 57-02-11 and sections 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-11-02, 51-12-01, 57-12-08, 57-13-07, 57-13-08, and 57-23-02 of the North Dakota Century Code, relating to real property tax assessment and tax assessments on certain destroyed property, to change of time for the assessor to perform duties, to the meeting date of the township board of equalization, to the return of assessors' books, to the meeting date of the city board of equalization, to the meeting date of the county board of equalization, to the assessment abstracts, to the duties of the secretary of the state board of equalization, to the duties of the county director of tax equalization after meeting of the state board of equalization, and to publication dates for equalization meetings.

Which has been read.

Senator Unruh moved that Senate Bill No. 2472 be amended as follows:

On page 1 of the engrossed bill, in line 4, delete the numeral "51-12-01," and insert in lieu thereof the numeral "57-12-01"

Which motion prevailed.

Senator Unruh moved that the rules be suspended, that Senate Bill No. 2472 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 505 and 506 of the Senate Journal, and from the floor, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Stroup
Barth	Hernett	Melland	Swedlund
Berube	Holand	Morgan	Thane
Chesrown	Jones	Nothing	Thoreson
Christensen	Just	Page	Unruh
Doherty	Kautzmann	Pyle	Van Horn
Erdman	Larson, L.	Rait	Wenstrom
Freed	Lips	Redlin	Wilhite
Goldberg	Litten	Sanstead	

Those voting in the negative were:

Coughlin	Mutch	Robinson	Sorlie
Forkner	Nasset	Roen	Strinden
Jacobson	Ringsak	Schultz	

Absent and not voting:

Butler	Larson, G.
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So the bill passed and the title was agreed to.

Senate Bill No. 2477. A Bill for an Act to amend and reenact subsection 3 of section 57-15-12 of the North Dakota Century Code relating to excess levies in park 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, 40; nays, 5; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Robinson
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Erdman	Kautzmann	Pyle	Thane
Forkner	Lips	Rait	Unruh
Freed	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Those voting in the negative were:

Doherty	Roen	Schultz	Van Horn
Larson, L.			

Absent and not voting:

Butler	Larson, G.	Thoreson
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So the bill passed and the title was agreed to.

Senate Bill No. 2480. A Bill for an Act authorizing the construction of legislative facilities through use of the assets of the capitol building fund; providing for the appropriation from such fund; repealing inconsistent appropriations; and declaring an emergency.

Which has been read.

Senator Hernett moved that Senate Bill No. 2480 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2481. A Bill for an Act to provide for the levy of taxes by counties for the payment of indebtedness of townships to counties.

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, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Hernett			

Absent and not voting:

Berube	Butler	Larson, G.
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So the bill passed and the title was agreed to.

Senate Bill No. 2482. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to the hours that public dancing shall be prohibited.

Which has been read.

Senator Barth requested unanimous consent to withdraw Senate Bill No. 2482, which request was granted.

Senate Bill No. 2493. A Bill for an Act relating to the preparation and publication of agendas for city board and school board

meetings, and to amend and reenact section 11-11-05 of the North Dakota Century Code, relating to meetings of the board of county commissioners.

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, 33; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Forkner	Longmire	Pyle	Swedlund
Goldberg	Melland	Ringsak	Van Horn
Just	Nothing	Stroup	Wenstrom
Kautzmann			

Those voting in the negative were: .

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Schultz
Berube	Holand	Nasset	Sorlie
Chesrown	Jacobson	Page	Strinden
Christensen	Jones	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Robinson	Unruh
Erdman	Litten	Roen	Wilhite
Freed			

Absent and not voting:

Butler Larson, G.

So the bill was declared lost.

Senator Forkner moved that the vote by which Senate Bill No. 2493 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

Senate Bill No. 2498. A Bill for an Act to provide for additional funds for law enforcement services in counties, cities, and townships, and to provide for the establishment and cancellation of a tax levy therefor.

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, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Nasset	Strinden
Chesrown	Jacobson	Nothing	Stroup
Christensen	Jones	Page	Swedlund
Coughlin	Just	Pyle	Thoreson
Erdman	Kautzmann	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Those voting in the negative were:

Doherty	Mutch	Sorlie	Thane
Morgan	Schultz		

Absent and not voting:

Butler Larson, G.

So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside, and the President Pro Tem presided.

Senate Bill No. 2006. 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, on pages 523 and 524 of the Senate Journal, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Those voting in the negative were:

Mutch	Robinson	Schultz
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Absent and not voting:

Anderson	Butler	Hernett	Larson, G.
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So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2012. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the state hospital at Jamestown, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 563 of the Senate Journal, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Hernett	Morgan	Roen
Berube	Jacobson	Mutch	Sanstead
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Erdman	Larson, L.	Pyle	Swedlund
Forkner	Lips	Rait	Thane
Freed	Litten	Redlin	Thoreson
Goldberg	Longmire	Ringsak	Unruh
Gronhovd	Melland	Robinson	Wilhite

Absent and not voting:

Anderson	Doherty	Larson, G.	Van Horn
Butler	Holand	Schultz	Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2014. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the state penitentiary and state farm.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on page 524 of the Senate Journal, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 7 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Hernett	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nething	Sorlie
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd	Melland	Roen	

Those voting in the negative were:

Mutch Strinden

Absent and not voting:

Anderson	Doherty	Larson, G.	Van Horn
Butler	Holand	Stroup	

So the bill passed and the title was agreed to.

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01, 40-57.1-02 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

Which has been read.

Senator Unruh moved that Senate Bill No. 2054 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2061. A Bill for an Act to amend and reenact section 15-59.1-01 of the North Dakota Century Code, relating to the mandatory formation of county boards of special education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 524 and 525 of the Senate Journal, the roll was called and there were ayes, 34; nays, 7; absent and not voting, 7 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Sanstead
Berube	Jones	Nething	Sorlie
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, L.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Forkner	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Freed	Mutch	Schultz	Thane
Morgan	Robinson	Stroup	

Absent and not voting:

Anderson	Doherty	Holand	Strinden
Butler	Hernett	Larson, G.	

So the bill passed and the title was agreed to.

Senate Bill No. 2115. A Bill for an Act to provide for a discount of sales and use taxes to be paid for retailers to compensate for costs of records, collection, reports, and remittance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was

called and there were ayes, 17; nays, 29; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Berube	Hernett	Page	Roen
Chesrown	Kautzmann	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Mutch	Ringsak	Van Horn
Gronhovd			

Those voting in the negative were:

Anderson	Jacobson	Morgan	Sorlie
Barth	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Lips	Redlin	Swedlund
Doherty	Litten	Robinson	Unruh
Freed	Longmire	Sanstead	Wenstrom
Goldberg	Melland	Schultz	Wilhite
Holand			

Absent and not voting:

Butler Larson, G.

So the bill was declared lost.

Senate Bill No. 2122. A Bill for an Act to create and enact sections 25-09-02.1, 25-09-02.2, 25-09-03.1, and 25-09-04.1 of the North Dakota Century Code; to amend and reenact sections 25-09-02, 25-09-03, 25-09-04, 25-09-05, 25-09-06, subsection 2 of section 25-09-07, and section 25-09-08 of the North Dakota Century Code; and to repeal section 25-09-11 of the North Dakota Century Code, all relating to the expenses of care and treatment of patients at the Grafton state school and the state hospital.

Which has been read.

Senator Melland moved that Senate Bill No. 2122 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2128. A Bill for an Act to amend and reenact section 15-47-14 of the North Dakota Century Code, relating to attendance at education association meetings by superintendents, principals, and teachers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 525 of the Senate Journal, the roll was called and there were ayes 33; nays, 12; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Chesrown	Holand	Nasset	Strinden
Coughlin	Jacobson	Pyle	Thane
Doherty	Just	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg			

Those voting in the negative were:

Barth	Kautzmann	Nothing	Sanstead
Christensen	Lips	Page	Stroup
Jones	Mutch	Rait	Swedlund

Absent and not voting:

Butler Larson, G. Thoreson

So the bill passed and the title was agreed to.

Senate Bill No. 2182. A Bill for an Act to amend and reenact subsections 1 and 2 of section 11-10-10 of the North Dakota Century

Code, relating to increasing salaries of county officers and imposing a minimum salary level.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 525 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Larson, G.

So the bill passed and the title was agreed to.

Senate Bill No. 2215. 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.

Senator Ringsak moved that Senate Bill No. 2215 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2225. A Bill for an Act to repeal Chapter 39-15 of the North Dakota Century Code relating to the guest law.

Which has been read.

Senator Ringsak moved that Senate Bill No. 2225 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2253. A Bill for an Act to amend and reenact section 27-05-03.2 of the North Dakota Century Code, relating to retirement compensation of supreme and district court judges.

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, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Larson, G.

So the bill passed and the title was agreed to.

Senate Bill No. 2279. A Bill for an Act to amend and reenact subsection 7 of section 25-03-11 of the North Dakota Century Code, relating to judicial procedures in hospitals upon order of mental health board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 526 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Larson, G.

So the bill passed and the title was agreed to.

The President resumed the chair and presided.

Senate Bill No. 2370. A Bill for an Act to amend and reenact sections 29-06-08 and to repeal section 29-06-16 of the North Dakota Century Code relating to arrests.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 567 and 568 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler Larson, G. Redlin Unruh

So the bill passed and the title was agreed to.

Senate Bill No. 2378. A Bill for an Act to amend and reenact sections 38-14-05 and 38-14-07 of the North Dakota Century Code, relating to duties of an operator and bonding of an operator under the Strip Mining Reclamation Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on pages 549 and 550 of the Senate Journal, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sorlie
Barth	Holand	Nasset	Strinden
Berube	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Doherty	Kautzmann	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Those voting in the negative were:

Coughlin	Mutch	Schultz
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Absent and not voting:

Butler	Larson, G.
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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 43-13-20 of the North Dakota Century Code, relating to the renewal of a certificate of registration to practice optometry, to the requiremen of continuing optometric education, and to the payment of a license fee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 526 of the Senate Journal, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Roen
Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Forkner	Schultz	Strinden	Thoreson
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Absent and not voting:

Butler	Larson, G.
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So the bill passed and the title was agreed to.

Senate Bill No. 2395. A Bill for an Act to amend and reenact subsection 1 of section 46-02-04 of the North Dakota Century Code, relating to the printing of legislative documents; and declaring an emergency.

Which has been read.

Senator Melland moved that Senate Bill No. 2395 be placed on the calendar immediately preceding Senate Bill No. 2227, which motion prevailed.

MOTION

Senator Longmire moved that Senate Bill No. 2511 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2511 be placed on the calendar, which motion prevailed.

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 18, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1040

House Bill No. 1049

House Bill No. 1050

House Bill No. 1051

House Bill No. 1056

House Bill No. 1067

House Bill No. 1069

House Bill No. 1072

House Bill No. 1073

House Bill No. 1074

House Bill No. 1075

House Bill No. 1082

House Bill No. 1083

House Bill No. 1090

House Bill No. 1112

House Bill No. 1151

House Concurrent Resolution No. 3006

House Concurrent Resolution No. 3007

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3012

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 18, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2293

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 18, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2184

Which the House has amended as follows:

AMENDMENTS TO HOUSE BILL No. 2184

On page 1, line 4 after the word "members" and before the period insert the following: ", and declaring an emergency"

On page 1, after line 23 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, lines, and sections accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 18, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1275

House Bill No. 1324

House Bill No. 1333
 House Bill No. 1386
 House Bill No. 1506
 House Bill No. 1508
 House Bill No. 1531

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Longmire moved that the Senate reconsider the action by which Senate Bill No. 2511 was placed on the calendar, which motion prevailed.

Senator Longmire moved that Senate Bill No. 2511 be re-referred to the Committee on State and Federal Government, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2398. A Bill for an Act to create and enact subsection 15 of section 11-11-14 of the North Dakota Century Code; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to the powers and duties of boards of county commissioners regarding garbage collection and operation of sanitary landfills or other places of disposal.

Which has been read.

Senator Just moved that Senate Bill No. 2398 be amended as follows:

On page 1, line 7, after the word "disposal" insert the following: "and declaring an emergency."

On page 2, after line 26 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."

Senator Ringsak moved the previous question, which motion prevailed.

The question being on the motion of Senator Just, which motion prevailed.

Senator Just moved that the rules be suspended, that Senate Bill No. 2398 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 527 of the Senate Journal, and from the floor, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Litten	Ringsak
Barth	Holand	Longmire	Sanstead
Berube	Jones	Melland	Stroup
Chesrown	Just	Nething	Swedlund
Christensen	Kautzmann	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Goldberg	Lips	Redlin	Wenstrom
Gronhovd			

Those voting in the negative were:

Coughlin	Morgan	Robinson	Strinden
Doherty	Mutch	Roen	Thane
Erdman	Nasset	Schultz	Thoreson

Freed
Jacobson

Page

Sorlie

Wilhite

Absent and not voting:

Butler Larson, G.

So the bill passed and the title was agreed to and the emergency clause lost.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2511 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

MOTION

Senator Litten moved that the vote by which Senate Bills Nos. 2354, 2364, 2379, 2389, 2416, 2459, 2472, 2477, 2481, 2498, 2006, 2012, 2014, 2061, 2128, 2182, 2253, 2279, 2370, 2378, 2382 and 2398 were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Freed moved that Senate Concurrent Resolution No. 4028 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1271. A Bill for an Act to create and enact subsection 20 of section 61-16-11, and to amend and reenact subsection 4 of section 61-16-01, and sections 61-16-12, 61-16-21, 61-16-22, 61-16-23, 61-16-28, 61-16-32, 61-16-33, 61-16-34, and 61-16-35 of the North Dakota Century Code, relating to water management districts, and authorizing such districts to engage in water supply and sewage system projects.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1291. A Bill for an Act to create and enact section 39-08-04.1 of the North Dakota Century Code, providing for immunity from liability for the good faith rendering of emergency care at the scene of an accident.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1343. A Bill for an Act to repeal section 4-06-11 of the North Dakota Century Code, relating to the agriculture commissioner's duties concerning cooperatives.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1382. A Bill for an Act to require certification of water and wastewater system operators, and providing a penalty.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1390. A Bill for an Act to amend and reenact section 27-09-05 of the North Dakota Century Code, relating to the fees and mileage for jurors.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1438. A Bill for an Act relating to comprehensive health planning by counties and county funding for areawide comprehensive health planning organizations.

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 section 14-09-09 of the North Dakota Century Code, relating to the liability of a stepfather for support of stepchildren, and to repeal section 50-09-08.1 of the North Dakota Century Code, relating to stepfather's liability for dependent children.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1456. A Bill for an Act to create and enact sections 50-11-01.1, 50-11-01.2, and 50-11-01.3 of the North Dakota Century Code, defining a family day care home for children, a day care center for children, and providing for the use of public funds.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1478. A Bill for an Act to amend and reenact section 39-09-01, subsection 1 of section 39-10-11, and subsection 1 of section 39-21-36 of the North Dakota Century Code, relating to the care required in operating a vehicle, to the overtaking of a vehicle on the left, and to the equipment of horns and warning devices.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1538. A Bill for an Act to provide for the humane treatment of animals and to provide penalties for their inhumane treatment; to repeal sections 36-21-02, 36-21-03, 36-21-06, 36-21-07, 36-21-08, and 36-21-09 of the North Dakota Century Code; and providing penalties.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1541. 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.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1544. A Bill for an Act to create and enact subsection 13 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1556. A Bill for an Act to amend and reenact section 39-05-22 of the North Dakota Century Code, relating to surrendered certificates of title to a motor vehicle; and declaring an emergency.

Which was read the first time and referred to the committee on Transportation.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3024. A Concurrent Resolution emphasizing the seriousness of rate structures and Interstate Commerce Commission decisions to the economic health of North Dakota and other Upper Midwest agricultural industry-dominated states.

Which was read the first time and referred to the committee on Transportation.

House Concurrent Resolution No. 3027. A Concurrent Resolution urging the Congress of the United States to correct the inequalities and inadequacies in the limitations now imposed by section 127 of title 23 of the United States Code, relating to restrictions upon weights of vehicles operated upon state highways that are a part of the federal aid systems.

Which was read the first time and referred to the committee on Transportation.

House Concurrent Resolution No. 3073. A Concurrent Resolution expressing concern for prisoners of war and men missing in action in Southeast Asia, and urging the Congress and the Governor to proclaim the week of March 21-27 as a special week of concern and March 21 as a special day of prayer for the prisoners and men missing in action.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-NINTH DAY

Bismarck, February 18, 1971

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Senator Melland.

Roll call: 46 Senators were present.

A quorum was declared by the President.

REVISION AND CORRECTION

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 582, after line 8, insert the following:

"Senate Concurrent Memorial Resolution No. 4080"

And when so corrected recommends that the same be approved.

SENATOR BUTLER, Vice Chairman

Senator Butler moved that the report be adopted, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Bills Nos. 2076, 2180, 2188, 2194, 2227, 2283, 2373, 2414, 2428, 2455, 2508 and Senate Concurrent Resolution No. 4012, that the Senate recess until 2:00 p.m. February 19, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-NINTH DAY AFTER RECESS

Bismarck, February 19, 1971

The Senate convened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2033

Senate Bill No. 2089

Senate Bill No. 2221

Senate Bill No. 2236

Senate Bill No. 2287

Senate Bill No. 2306

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 19, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1196

House Bill No. 1197

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 19, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1040

House Bill No. 1049

House Bill No. 1050

House Bill No. 1051

House Bill No. 1056

House Bill No. 1067

House Bill No. 1069

House Bill No. 1072

House Bill No. 1073

House Bill No. 1074

House Bill No. 1075

House Bill No. 1082

House Bill No. 1083

House Bill No. 1090

House Bill No. 1112

House Bill No. 1151

House Concurrent Resolution No. 3006

House Concurrent Resolution No. 3007

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3012
Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 19, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2443

Which the House has amended as follows:

AMENDMENTS TO SENATE BILL No. 2443

Page 2, Line 6 of the engrossed bill, delete the word "board" and substitute the word "director" in lieu thereof.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 19, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2137

Senate Bill No. 2275

Senate Bill No. 2357

Senate Bill No. 2402

Senate Bill No. 2506

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 19, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1014

House Bill No. 1023

House Bill No. 1035

House Bill No. 1063

House Bill No. 1177

House Bill No. 1192

House Bill No. 1203

House Bill No. 1218

House Bill No. 1219

House Bill No. 1220

House Bill No. 1238

House Bill No. 1239

House Bill No. 1247

House Bill No. 1322

House Bill No. 1327

House Bill No. 1337

House Bill No. 1397

House Bill No. 1401

House Bill No. 1416

House Bill No. 1430

House Bill No. 1469

House Bill No. 1498

House Bill No. 1525

House Bill No. 1533

House Bill No. 1534

House Bill No. 1548

House Bill No. 1558

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 19, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1021

House Bill No. 1260
 House Bill No. 1289
 House Bill No. 1360
 House Bill No. 1363
 House Bill No. 1413
 House Bill No. 1547
 House Concurrent Resolution No. 3051

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2076
 Senate Bill No. 2194
 Senate Bill No. 2283
 Senate Bill No. 2414

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2180
 Senate Bill No. 2373

And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

MOTION

Senator Wilhite moved that the name of Senator Schultz be substituted for the name of Senator Lowe on the Committee on Correction and Revision of the Journal, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bills Nos. 2005, 2093, 2130, 2192, 2204, 2276, 2307, 2332, 2333, 2352, 2457, 2460, 2503, 2504, and 2505, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2005, as recommended by the Committee on Appropriations, and printed on pages 602 and 603 of the Senate Journal, be adopted, which motion prevailed.

Senator Melland moved that Senate Bill No. 2005 be reprinted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2093 as recommended by the Committee on Education, and printed on pages 614 and 615 of the Senate Journal, be adopted.

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the motion of Senator Holand that the amendments to Senate Bill No. 2093 be adopted, which motion prevailed, and Senate Bill No. 2093 was re-referred to the Committee on Appropriations.

Senator Holand moved that the amendments to Senate Bill No. 2130 as recommended by the Committee on Education, and printed on pages 603 and 604 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2192 as recommended by the Committee on Education, and printed on page 584 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2204 as recommended by the Committee on Education, and printed on page 615 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2204 was re-referred to the Committee on Appropriations.

Senator Sorlie moved that the amendments to Senate Bill No. 2276 as recommended by the Committee on Appropriations, and printed on page 605 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2307 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on pages 611 and 612 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2332 as recommended by the Committee on Education, and printed on pages 605 and 606 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2333 as recommended by the Committee on Education, and printed on page 606 and 607 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 2352 as recommended by the Committee on Political Subdivisions, and printed on page 607 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2457 as recommended by the Committee on Appropriations, and printed on pages 608 to 611 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2460 as recommended by the Committee on Education, and printed on page 617 of the Senate Journal, be adopted, which motion prevailed, and Senate Bill No. 2460 was re-referred to the Committee on Appropriations.

Senator Holand moved that the amendments to Senate Bill No. 2503 as recommended by the Committee on Education, and printed on pages 617 and 618 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 2504 as recommended by the Committee on Education, and printed on pages 618 and 619 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2505 as recommended by the Committee on Appropriations, and printed on pages 612 and 613 of the Senate Journal, be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2006
 Senate Bill No. 2012
 Senate Bill No. 2014
 Senate Bill No. 2061
 Senate Bill No. 2128
 Senate Bill No. 2182
 Senate Bill No. 2253

Senate Bill No. 2279
 Senate Bill No. 2354
 Senate Bill No. 2364
 Senate Bill No. 2370
 Senate Bill No. 2378
 Senate Bill No. 2382
 Senate Bill No. 2389
 Senate Bill No. 2398
 Senate Bill No. 2416
 Senate Bill No. 2459
 Senate Bill No. 2477
 Senate Bill No. 2481
 Senate Bill No. 2498

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1079 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1155 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1162 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1172 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 after the numerals "16-11-04" delete "and"

Page 1 line 2 delete the numerals "16-11-10"

Page 1 line 3 delete "number and"

Page 2 delete all of line 19 through 35

Re-number the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1179 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. 1215 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 Political Subdivisions to whom was referred House Bill No. 1243 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1244 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 Political Subdivisions to whom was referred House Bill No. 1249 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1268 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1269 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1369 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. 1433 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1530 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 Concurrent Resolution No. 4034 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was

referred Senate Concurrent Resolution No. 4044 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4045 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4046 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2184 which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2184 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2184. A Bill for an Act to amend and reenact section 61-24-04 of the North Dakota Century Code, providing that the board of directors of the Garrison Diversion Conservancy District receive the same compensation as legislative council members, and declaring an emergency.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler Christensen Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 2409. A Bill for an Act to amend and reenact sections 15-04-09, 15-06-25, and 38-09-15 of the North Dakota Century Code, relating to the leasing and sale of certain state property.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2409 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2415. A Bill for an Act to amend and reenact subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to an alternate method of valuing the gross estate of a decedent for estate tax purposes, 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, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2418. A Bill for an Act to amend and reenact subsection 1 of section 57-38-38 of the North Dakota Century Code, relating to the time for auditing corporate income tax returns.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 569 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2445. A Bill for an Act to amend and reenact section 15-47-31 of the North Dakota Century Code, and to amend

and reenact subsection 18 of section 15-29-08 of the North Dakota Century Code authorizing grade or high schools and the board of any public school district to contract with insurance companies for medical and hospital benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 550 of the Senate Journal, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Chesrown	Holand	Mutch	Strinden
Christensen	Jacobson	Nasset	Stroup
Coughlin	Jones	Nothing	Swedlund
Doherty	Just	Page	Thane
Erdman	Kautzmann	Rait	Thoreson
Forkner	Larson, G.	Redlin	Unruh
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite

Those voting in the negative were:

Berube	Morgan	Ringsak	Van Horn
Larson, L.	Pyle	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2448. A Bill for an Act to state the circumstances in which a court should exercise jurisdiction which has been granted it by the defendant's consent, or should refrain from exercising existing jurisdiction because of an agreement by the parties that suit should be brought 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, 47; nays, 0; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside and the President Pro Tem presided.

Senate Bill No. 2449. A Bill for an Act to amend and reenact sections 47-11-01 and 47-11-02 of the North Dakota Century Code, relating to the transfer of personal property by sale or exchange and interests in trusts, and to repeal sections 47-11-03, 47-11-04, and 47-11-05 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, 45; nays, 0; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Larson, G.	Schultz
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So the bill passed and the title was agreed to.

Senate Bill No. 2462. A Bill for an Act to amend and reenact section 27-12-04 of the North Dakota Century Code, relating to payment of funds from the state bar fund to the state bar association.

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, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Strinden

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2466. A Bill for an Act to amend and reenact section 58-05-02 of the North Dakota Century Code, relating to township officers and providing an option to not elect a township assessor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 527 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
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Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

The President resumed the Chair and presided.

RECOGNITION

The President introduced to the Senate Honorable Herb Klein, Director of Communications for President Nixon, and Mr. Klein, was recognized by the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2184

Very respectfully,

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

Senate Bill No. 2492. A Bill for an Act to create and enact three new sections to chapter 57-38 of the North Dakota Century Code, relating to the definition of adjusted federal income tax liability of individuals, income tax rates, and to provide for a credit for income taxes paid to another state by a resident; to amend and reenact subsections 20 and 21 of section 57-38-01; subdivision a of subsection 2 and subdivision b of subsection 6 of section 57-38-04; section 57-38-29; subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to definitions, rates of tax, and filing of returns for income tax purposes; to repeal sections 57-38-01.1, 57-38-01.2, 57-38-01.4, 57-38-06.1 and 57-46-01 of the North Dakota Century Code, relating to adjustments, subchapter S corporations, non-residents and military income for income tax purposes; 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, on pages 569 and 570 of the Senate Journal, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Forkner	Larson, L.	Sanstead
Barth	Gronhovd	Longmire	Sorlie
Berube	Hernett	Nothing	Strinden
Chesrown	Holand	Pyle	Swedlund
Christensen	Jacobson	Rait	Thoreson
Coughlin	Jones	Redlin	Unruh
Erdman	Just	Ringsak	Van Horn

Those voting in the negative were:

Doherty	Lips	Nasset	Stroup
Freed	Litten	Page	Thane

Goldberg
Kautzmann
Larson, G.

Meiland
Morgan
Mutch

Robinson
Roen
Schultz

Wenstrom
Wilhite

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senator Wilhite moved that Senate Concurrent Resolution No. 4032 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4032. A Concurrent Resolution recommending that the governor and director of institutions, in cooperation with the North Dakota Indian Affairs Commission, select by a contest or other means an outstanding Indian princess to be dressed in costume and employed as a capitol guide or hostess.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4032 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1971

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2502. A Bill for an Act to amend and reenact section 25-12-03 of the North Dakota Century Code, relating to the control of the south central mental health and retardation center.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 528 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jones	Nething	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd	Morgan	Sanstead	

Absent and not voting:

Butler Jacobson Longmire Thoreson
Goldberg

So the bill passed and the title was agreed to.

Senate Bill No. 2001. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations for the same matters or purposes provided for herein.

Which has been read.

Senator Sorlie moved that Senate Bill No. 2001 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2507. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement funds to counties and 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, 39; nays, 4; absent and not voting, 5 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sorlie
Berube	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Forkner	Larson, L.	Redlin	Thane
Freed	Lips	Ringsak	Thoreson
Goldberg	Litten	Robinson	Unruh
Gronhovd	Melland	Roen	Van Horn
Hernett	Morgan	Sanstead	Wilhite
Holand	Mutch	Schultz	

Those voting in the negative were:

Barth	Christensen	Erdman	Rait
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Absent and not voting:

Butler	Jacobson	Longmire	Wenstrom
Chesrown			

So the bill passed and the title was agreed to.

Senate Bill No. 2509. A Bill for an Act to provide for state legislative apportionment, and to repeal section 1 of chapter 338 of the North Dakota Session Laws of 1965, 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, 38; nays, 9; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz
Barth	Jacobson	Nothing	Sorlie
Chesrown	Jones	Page	Strinden
Christensen	Just	Pyle	Stroup
Coughlin	Kautzmann	Rait	Swedlund
Erdman	Larson, G.	Redlin	Thane
Freed	Lips	Ringsak	Unruh
Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Sanstead	Wilhite
Hernett	Melland		

Those voting in the negative were:

Berube	Larson, L.	Mutch	Thoreson
Doherty	Morgan	Roen	Van Horn
Forkner			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2510. A Bill for an Act to amend and reenact sections 16-04-01, 16-04-16, and 16-06-03 of the North Dakota Century

Code, and to repeal section 16-01-14 of the North Dakota Century Code, all relating to the reduction of the number of North Dakota members of the United States house of representatives from two to one.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Just	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2160. 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, as contained in house bill no. 1045, as approved by the forty-second legislative assembly, relating to changing the county reorganization committee to a regional committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 565 of the Senate Journal, the roll was called and there were ayes, 34; nays, 13; absent and not voting 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Roen
Barth	Holand	Melland	Sanstead
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Pyle	Unruh
Coughlin	Kautzmann	Rait	Van Horn
Erdman	Larson, G.	Redlin	Wenstrom
Freed	Lips	Robinson	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Doherty	Morgan	Ringsak	Stroup
Forkner	Mutch	Schultz	Thane
Gronhovd	Page	Sorlie	Thoreson
Larson, L.			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

MOTION

Senator Litten moved that the vote by which Senate Bills Nos.

2415, 2418, 2445, 2448, 2449, 2462, 2466, 2492, 2502, 2507, 2509, 2510, and 2160 were passed be reconsidered and the motion to reconsider be laid on the table which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 19, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1011
House Bill No. 1140
House Bill No. 1288
House Bill No. 1315
House Bill No. 1351
House Bill No. 1361
House Bill No. 1460
House Bill No. 1476
House Bill No. 1480
House Bill No. 1492
House Bill No. 1550

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 19, 1971

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 3015
House Concurrent Resolution No. 3020
House Concurrent Resolution No. 3022
House Concurrent Resolution No. 3025
House Concurrent Resolution No. 3026
House Concurrent Resolution No. 3028
House Concurrent Resolution No. 3030
House Concurrent Resolution No. 3035
House Concurrent Resolution No. 3038
House Concurrent Resolution No. 3042
House Concurrent Resolution No. 3044
House Concurrent Resolution No. 3045
House Concurrent Resolution No. 3046
House Concurrent Resolution No. 3047
House Concurrent Resolution No. 3055
House Concurrent Resolution No. 3058
House Concurrent Resolution No. 3064
House Concurrent Resolution No. 3066
House Concurrent Resolution No. 3067
House Concurrent Resolution No. 3069
House Concurrent Resolution No. 3076
House Concurrent Resolution No. 3077
House Concurrent Resolution No. 3080
House Concurrent Resolution No. 3081
House Concurrent Resolution No. 3083

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2415
 Senate Bill No. 2418
 Senate Bill No. 2445
 Senate Bill No. 2448
 Senate Bill No. 2449
 Senate Bill No. 2462
 Senate Bill No. 2466
 Senate Bill No. 2492
 Senate Bill No. 2502
 Senate Bill No. 2507
 Senate Bill No. 2509
 Senate Bill No. 2510
 Senate Bill No. 2160

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

Senate Bill No. 2285. A Bill for an Act to amend and reenact section 15-39-14, subsection 4 of section 15-39-27, subsections 1 and 5 of section 15-39-28, and section 15-39-42, and to repeal section 15-39-28.1 of the North Dakota Century Code, relating to teachers' insurance and retirement fund assessments and annuities.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2285 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2324. A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, as contained in section 23 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to tax levy limitations in school districts.

Which has been read.

Senator Nasset moved that Senate Bill No. 2324 be amended as follows:

On page 1, in line 5, after the word "districts" insert ", and declaring an emergency"

On page 2, after line 32, add the following:

"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."

Which motion prevailed.

Senator Nasset moved that the rules be suspended, that Senate Bill No. 2324 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2324, as amended from the floor, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Holand	Nasset	Strinden
Barth	Jacobson	Nething	Stroup
Berube	Jones	Page	Swedlund
Chesrown	Just	Pyle	Thane
Christensen	Kautzmann	Rait	Thoreson
Coughlin	Larson, G.	Redlin	Unruh
Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Hernett	Melland	Schultz	

Those voting in the negative were:

Doherty	Gronhovd	Morgan	Robinson
Forkner	Larson, L.	Mutch	

Absent and not voting:

Butler	Sorlie
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So the bill passed and the title was agreed to and the emergency clause carried.

Senator Holand moved that Senate Bill No. 2285 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2285. A Bill for an Act to amend and reenact section 15-39-14, subsection 4 of section 15-39-27, subsections 1 and 5 of section 15-39-28, and section 15-39-42, and to repeal section 15-39-28.1 of the North Dakota Century Code, relating to teachers' insurance and retirement fund assessments and annuities.

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, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2347. A Bill for an Act to create and enact section 15-39-14.1 of the North Dakota Century Code, relating to optional assessments for nonpublic schools and nonpublic school teachers; and to amend and reenact subsection 1 of section 15-39-01, and sections 15-39-10, 15-39-14, 15-39-15, 15-39-16, 15-39-17, 15-39-18, 15-39-20, 15-39-21, 15-39-22, 15-39-27, 15-39-28, 15-39-30, 15-39-35, 15-39-37.1, and 15-39-40, relating to definitions, membership, assessments, retention of assessments from salaries, statements of assessments to county superintendents of schools, transmission of moneys to state treasurer, preservation of assessment reports, eligibility, retirement annuities, and application and discontinuance of annuities pertaining to the teachers' insurance and retirement 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, 0; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup

Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2366. A Bill for an Act to amend and reenact section 57-16-04 as contained in section 25 of House Bill No. 1045, and the repeal of section 57-16-05 of the North Dakota Century Code, relating to school districts to authorize excess 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, 17; nays, 29; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Chesrown	Hernett	Litten	Sanstead
Christensen	Just	Longmire	Stroup
Erdman	Kautzmann	Nasset	Swedlund
Freed	Lips	Nething	Unruh
Goldberg			

Those voting in the negative were:

Anderson	Jones	Pyle	Sorlie
Barth	Larson, G.	Rait	Strinden
Berube	Larson, L.	Redlin	Thane
Coughlin	Melland	Ringsak	Thoreson
Doherty	Morgan	Robinson	Van Horn
Forkner	Mutch	Roen	Wenstrom
Gronhovd	Page	Schultz	Wilhite
Jacobson			

Absent and not voting:

Butler Holand

So the bill was declared lost.

Senate Bill No. 2397. A Bill for an Act to provide for a compact on the qualification of educational personnel, 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, 0; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nething	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:
Butler Holand

So the bill passed and the title was agreed to.

Senate Bill No. 2447. A Bill for an Act to amend and reenact section 15-10-18 of the North Dakota Century Code relating to tuition of non-residents at institutions of higher education.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2447 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2461. A Bill for an Act to amend and reenact subsection 1 of section 15-39-01 of the North Dakota Century Code, relating to definitions under the teachers' insurance and retirement 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, 41; nays, 4; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Sorlie
Berube	Jones	Nasset	Stroup
Chesrown	Kautzmann	Nothing	Swedlund
Christensen	Larson, G.	Page	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Goldberg			

Those voting in the negative were:

Jacobson	Pyle	Schultz	Strinden
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Absent and not voting:

Butler	Holand	Just
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So the bill passed and the title was agreed to.

Senate Bill No. 2458. A Bill for an Act to amend and reenact Section 39-18-03 of the North Dakota Century Code, relating to license fees for travel trailers.

Which has been read.

The question being on the motion of Senator Kautzmann to amend Senate Bill No. 2458, as printed on page 622 of the Senate Journal, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2458 be deemed properly reengrossed and placed on second reading and final passage as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2458, as amended on pages 504, and from the floor on page 622 of the Senate Journal, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Ringsak
Barth	Hernett	Melland	Robinson
Berube	Holand	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Kautzmann	Page	Unruh
Erdman	Larson, L.	Pyle	Van Horn

Forkner	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	

Those voting in the negative were:

Coughlin	Just	Roen	Strinden
Doherty	Larson, G.	Sanstead	Thane
Freed	Morgan	Schultz	Thoreson
Jacobson	Mutch	Sorlie	Wilhite

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2480. A Bill for an Act authorizing the construction of legislative facilities through use of the assets of the capitol building fund; providing for the appropriation from such fund; repealing inconsistent appropriations; and declaring an emergency.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2480 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2455. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota Veterans of the Vietnam conflict; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for tax levies and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2455 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01, 40-57.1-02 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

Which has been read.

Senator Thoreson moved that Senate Bill No. 2054 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2122. A Bill for an Act to create and enact sections 25-09-02.1, 25-09-02.2, 25-09-03.1, and 25-09-04.1 of the North Dakota Century Code; to amend and reenact sections 25-09-02, 25-09-03, 25-09-04, 25-09-05, 25-09-06, subsection 2 of section 25-09-07, and section 25-09-08 of the North Dakota Century Code; and to repeal section 25-09-11 of the North Dakota Century Code, all relating to the expenses of care and treatment of patients at the Grafton state school and the state hospital.

Which has been read.

Senator Longmire moved that Senate Bill No. 2122 be placed at the foot of the calendar, which motion lost.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 564 and 565 of the Senate Journal, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jacobson	Nothing	Schultz
Berube	Jones	Page	Strinden
Christensen	Larson, G.	Pyle	Stroup
Coughlin	Larson, L.	Rait	Swedlund
Erdman	Lips	Redlin	Thane
Forkner	Litten	Ringsak	Thoreson
Goldberg	Melland	Robinson	Van Horn
Gronhovd	Morgan	Roen	Wenstrom
Hernett	Nasset	Sanstead	Wilhite

Those voting in the negative were:

Barth	Freed	Kautzmann	Mutch
Chesrown	Just	Longmire	Unruh
Doherty			

Absent and not voting:

Butler	Holand	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2215. 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.

Senator Ringsak moved that Senate Bill No. 2215 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2225. A Bill for an Act to repeal Chapter 39-15 of the North Dakota Century Code relating to the guest law.

Which has been read.

Senator Ringsak moved that Senate Bill No. 2225 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2511. A Bill for an Act to allow the director of institutions to lease land under his control to others.

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, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Jones	Nasset	Strinden
Berube	Just	Page	Stroup
Chesrown	Kautzmann	Pyle	Swedlund
Christensen	Larson, G.	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Those voting in the negative were:

Forkner	Jacobson	Mutch	Nothing
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Absent and not voting:

Butler	Holand	Sorlie
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So the bill passed and the title was agreed to.

Senate Bill No. 2076. A Bill for an Act to amend and reenact section 54-40-08 of the North Dakota Century Code, relating to joint or cooperative action by political subdivisions in carrying out functions or duties which may be assigned to one or more of them.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 583 and 584 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz

Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Holand Sorlie

So the bill passed and the title was agreed to.

Senate Bill No. 2180. A Bill for an Act to create and enact chapter 63-01.1 of the North Dakota Century Code, relating to the control and eradication of noxious weeds, the authority and duties of the commissioner of agriculture and the governing bodies of the political subdivisions in regard to noxious weed control, and creating the office of county weed control officer; to repeal subsection 71 of section 40-05-01 and chapters 63-01, 63-02, 63-03, and 63-04 of the North Dakota Century Code, relating to weed eradication and control; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 584 of the Senate Journal, the roll was called and there were ayes 45; nays, 0; absent and not voting 3 (Lowe deceased)

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Butler Holand Sorlie

So the bill passed and the title was agreed to.

Senate Bill No. 2188. A Bill for an Act to require banking institutions and building and loan associations to pay interest on certain escrow accounts.

Which has been read.

Senator Unruh moved that Senate Bill No. 2188 be placed at foot of the calendar, which motion prevailed.

MOTION

Senator Melland moved that Senate Bill No. 2122 be reprinted, which motion prevailed.

Senator Litten moved that the vote by which Senate Bills Nos. 2324, 2285, 2347, 2397, 2461, 2458, 2122, 2511, 2076 and 2180, were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-NINTH DAY AFTER RECESS
AND FORTIETH DAY

The Senate convened at the call of the chair, pursuant to recess taken, the President presiding.

MOTION

Senator Wilhite moved that the rules be suspended and that Senate Bills Nos. 2005, 2130, 2192, 2276, 2307, 2332, 2333, 2352, 2457, 2503, 2504 and 2505 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 40-38-11 of the North Dakota Century Code, relating to the consolidation or merger of library services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 584 and 585 of the Senate Journal, the roll was called and there were ayes, 31; nays, 4; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Morgan	Stroup
Berube	Hernett	Mutch	Thane
Chesrown	Holand	Nasset	Thoreson
Christensen	Jacobson	Nething	Unruh
Doherty	Just	Pyle	Van Horn
Erdman	Kautzmann	Rait	Wilhite
Freed	Larson, G. •	Redlin	

Those voting in the negative were:

Forkner	Page	Ringsak	Roen
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Absent and not voting:

Butler	Lips	Robinson	Strinden
Coughlin	Litten	Schultz	Swedlund
Jones	Melland	Sorlie	Wenstrom
Larson, L.			

So the bill passed and the title was agreed to.

Senate Bill No. 2395. A Bill for an Act to amend and reenact subsection 1 of section 46-02-04 of the North Dakota Century Code, relating to the printing of legislative documents; and declaring an emergency.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2395 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2227. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, requiring contracts for miscellaneous types of printing to be let to printing shops.

Which has been read.

Senator Melland moved that Senate Bill No. 2227 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2283. A Bill for an Act creating a regional medical education board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 586 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler	Holand
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So the bill passed and the title was agreed to.

Senate Bill No. 2373. A Bill for an Act to amend and reenact sections 57-23-03 of the North Dakota Century Code, relating to the abatement of an invalid, inequitable or unjust assessment; 57-23-04 of the North Dakota Century Code, relating to abatement or refund of taxes; 57-23-05 of the North Dakota Century Code, relating to applications for abatement and refund of taxes; 57-23-06 of the North Dakota Century Code, relating to hearings on applications for abatement and refund of taxes; 57-23-09 of the North Dakota Century Code, relating to the procedure for refund of taxes, and 57-23-10 of the North Dakota Century Code, relating to appeals from abatement actions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 586 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2414. A Bill for an Act to amend and reenact sections 11-10.1-01 of the North Dakota Century Code, relating

to county director of tax equalization; 11-10.1-05 of the North Dakota Century Code, relating to powers and duties of the county director of tax equalization; to create and enact a new section to chapter 11-10.1 of the North Dakota Century Code, relating to authorization of a mill levy for use to defray the costs of the office of the county director of tax equalization; amend and reenact sections 58-05-02 of the North Dakota Century Code, relating to officers of a township; 58-05-05 of the North Dakota Century Code, relating to bonds of officers of a township and 58-05-07 of the North Dakota Century Code, relating to the oath of township officers and to repeal sections 57-12-01.1 of the North Dakota Century Code, relating to spot checks on real and personal property by county boards of equalization; 58-09-01, 58-09-02 and 58-09-03 of the North Dakota Century Code, relating to township boards of equalization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 586 and 587 of the Senate Journal, the roll was called and there were ayes, 19; nays, 28; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Swedlund
Barth	Holand	Melland	Unruh
Chesrown	Just	Pyle	Wenstrom
Christensen	Larson, G.	Rait	Wilhite
Erdman	Larson, L.	Sanstead	

Those voting in the negative were:

Berube	Jacobson	Nasset	Schultz
Coughlin	Jones	Nothing	Sorlie
Doherty	Kautzmann	Page	Strinden
Forkner	Lips	Redlin	Stroup
Freed	Litten	Ringsak	Thane
Goldberg	Morgan	Robinson	Thoreson
Hernett	Mutch	Roen	Van Horn

Absent and not voting:

Butler

So the bill was declared lost.

Senate Bill No. 2428. A Bill for an Act to amend and reenact section 23-18-03 of the North Dakota Century Code, relating to a county mill levy authorization for county hospital associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 28; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Chesrown	Just	Redlin	Unruh
Christensen	Kautzmann	Roen	Van Horn
Forkner	Lips	Stroup	Wenstrom
Goldberg	Longmire	Thoreson	Wilhite
Holand	Page		

Those voting in the negative were:

Anderson	Gronhovd	Morgan	Robinson
Barth	Hernett	Mutch	Sanstead
Berube	Jacobson	Nasset	Schultz
Coughlin	Jones	Nothing	Sorlie
Doherty	Larson, G.	Pyle	Strinden
Erdman	Larson, L.	Rait	Swedlund
Freed	Melland	Ringsak	Thane

Absent and not voting:

Butler Litten

So the bill was declared lost.

Senate Bill No. 2508. A Bill for an Act to require the filing of a certification of consideration of property recorded in the office of the county register of deeds, 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, 26; nays, 19; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Holand	Nething	Schultz
Chesrown	Jones	Pyle	Stroup
Christensen	Just	Rait	Swedlund
Erdman	Larson, L.	Redlin	Unruh
Goldberg	Litten	Ringsak	Van Horn
Gronhovd	Longmire		

Those voting in the negative were:

Anderson	Jacobson	Mutch	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Robinson	Wenstrom
Forkner	Lips	Roen	Wilhite
Freed	Morgan	Strinden	

Absent and not voting:

Butler Nasset Sorlie

So the bill passed and the title was agreed to.

Senator Hernett moved that Senate Bill No. 2480 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 2480. A Bill for an Act authorizing the construction of an east court office building on the capitol grounds, providing a sinking fund for the retirement of certificates of indebtedness, setting forth additional responsibilities and duties of the capitol grounds planning commission, providing an appropriation, and declaring an emergency.

Which has been read.

Senator Hernett moved that the reading of the proposed amendments to Senate Bill No. 2480 be dispensed with, which motion prevailed.

Senator Hernett moved that Senate Bill No. 2480 be amended as follows:

Delete everything after the words "A BILL for an Act", and insert in lieu thereof the following: "authorizing the construction of an east court office building on the capitol grounds, providing a sinking fund for the retirement of certificates of indebtedness, setting forth additional responsibilities and duties of the capitol grounds planning commission, providing an appropriation, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. CREATION OF SINKING FUND — APPROPRIATIONS FOR EAST COURT OFFICE BUILDING — POWERS AND DUTIES OF CAPITOL GROUNDS PLANNING COMMISSION — CONTRACTS FOR CONSTRUCTION — STATE AGENCY ASSISTANCE.) 1. A sinking fund, to be known as the "east court office building fund", shall be established and maintained in the office of the state treasurer, who shall be custodian, subject to the provisions of this Act, of such fund and shall at all times maintain adequate records thereof. All sums appropriated and transferred for the

payment of certificates of indebtedness issued under this Act shall be deposited in the sinking fund, and shall be disbursed by the state treasurer as provided in this Act.

2. There is hereby appropriated out of any monies in the capitol building fund and capitol building interest and income fund, not otherwise appropriated, the sum of \$400,000.00, or so much thereof as may be necessary, to the capitol grounds planning commission for use in the planning, designing, and construction of an office building to be known as the east court office building, which building is to be constructed in accordance with the capitol grounds master plan and special architectural, space utilization and technical studies and plans previously carried on by the state. There is also appropriated from the capitol building fund and capitol building interest and income fund the sum of \$100,000.00, or so much thereof as may be necessary, to the capitol grounds planning commission for use in equipping and furnishing the legislative space in the east court office building. Such funds shall remain available until the purposes of this Act have been accomplished.

3. The capitol grounds planning commission shall, in accordance with law, do all things necessary to have the east court office building constructed. The commission, or its designated agent, shall employ architects for the planning, designing, and supervising of construction, shall approve all plans and contracts for the construction of the building, shall advertise for bids for construction of the building, shall, through its chairman, execute any contracts relating to the construction of the building, shall superintend the construction of the building, and shall perform any other function related to the construction and equipping of such building.

4. The capitol grounds planning commission is authorized to issue and sell certificates of indebtedness to the Bank of North Dakota, and the Bank of North Dakota shall purchase such certificates at an interest rate approved by the industrial commission in an aggregate sum not exceeding three million six hundred thousand dollars, plus a sum equal to the amounts due from contracts for deed on real property held in the capitol building fund in existence on the effective date of this Act. The term of such certificates shall not exceed twenty years, except in the case of renegotiated certificates, and shall be callable prior thereto. The commission may pladge for the payment of interest and the retirement of the principal of such certificates all or part of the rentals, interest, payments upon land sales and contracts, and any other income of the capitol building fund and its interest and income fund, and such funds are hereby appropriated on a continuing basis to the east court office building sinking fund. In the event it shall appear to the capitol grounds planning commission that a deficiency may be impending in the payment of interest or principal of such certificates of indebtedness, the capitol grounds planning commission may renegotiate such certificates with the Bank of North Dakota, or extend their term, or in the alternative, may apply to the legislative assembly for a deficiency appropriation to cure such impending deficiency. All necessary documents and the certificates of indebtedness shall be signed and executed by the chairman of the capitol grounds planning commission.

5. The proceeds received from the sale of the certificates of indebtedness shall be deposited in a special fund in the state treasury, and such funds are hereby appropriated to the capitol grounds planning commission to be expended in the planning, designing, and the construction of the east court office building and related landscaping as provided by this Act, except that any such funds not expended may, upon order of the commission, be transferred to the east court office building sinking fund for use in payment of the interest and principal of outstanding certificates of indebtedness held by the Bank of North Dakota.

6. The capitol grounds planning commission, acting through the

state land commissioner and the state land department, shall have general powers to superintend the administration of the capitol building fund, its interest and income fund, and its investments and properties. It may cause any lands held in such funds to be sold at market value, direct the conversion and sale of any securities or contracts for deed held by such funds to cash, approve all expenditures from such funds subject to law and legislative appropriations, and do all other things necessary to carry out the intent and purposes of this Act. The commission is authorized to receive for deposit to the east court office building sinking fund, monies provided or appropriated from any state, federal, or private source which are donated or paid for the construction, rental, or purchase of space in the east court office building.

SECTION 2. UTILIZATION OF EAST COURT OFFICE BUILDING — POWERS AND DUTIES OF CAPITOL GROUNDS PLANNING COMMISSION.) The east court office building constructed pursuant to section 1 of this Act shall be constructed so as to provide suitable building space for legislative use, for the legislative council, for the central data processing division of the department of accounts and purchases, for a visitors' center, for a cafeteria, and for the use of such other agencies, boards, departments, commissions, bureaus, and institutions as may be determined and chosen, after consultation with the agencies affected, by the capitol grounds planning commission, including but not limited to those on the following list:

1. North Dakota employment security bureau;
2. State library commission;
3. State retirement board;
4. Bank of North Dakota;
5. State game and fish department;
6. State plumbing board;
7. State board of nursing;
8. Milk stabilization board;
9. State laboratories department;
10. Merit system council;
11. State aeronautics commission;
12. State brucellosis laboratory;
13. Vocational rehabilitation division;
14. State wheat commission;
15. State electrical board;
16. State health laboratory;
17. Area social service center;
18. Director of institutions for functions located outside of the capitol complex; and
19. Department of public instruction for functions or offices located outside of the capitol complex.

The capitol grounds planning commission shall fix the rate of rental to be paid for building space in the east court office building by the agency or agencies chosen to occupy such space, which agency's or agencies' operating costs are appropriated and paid out of a special, revolving, or operating fund, provided that such rental need not be charged to the employment security bureau should it be chosen to occupy space in the east court office building. All rentals received for the occupancy of space shall be deposited in the east court office sinking fund in the state treasury, and all such funds are appropriated on a continuing basis for the payment of the principal and interest on outstanding certificates of indebtedness issued pursuant to section 1 of this Act. The east court office building shall, for the purposes of maintenance and security, be under the custody and control of the director of institutions.

SECTION 3. OCCUPANCY BY EMPLOYMENT SECURITY BUREAU — AUTHORITY OF CAPITOL GROUNDS PLANNING COMMISSION — TRANSFER AND APPROPRIATION.) In the event that the capitol grounds planning commission shall determine, and the employment security bureau shall agree, that building space in the east court office building is to be occupied by the employment security bureau, the capitol grounds planning commission is authorized to transfer title to such space as may be agreed upon to the employment security bureau by a condominium-type deed to the state of North Dakota for the use and benefit of the employment security bureau. Such deed shall be executed by the chairman of the capitol grounds planning commission. The transfer of title shall be made at any time after commencement of payment by the employment security bureau to the capitol grounds planning commission of such sums as are made available to the bureau for construction, purchase, or rental of central office space for its own use, including such sums as may be realized from the sale of the building and land now used by the bureau. The transfer of title shall be made according to an agreement entered into by the capitol grounds planning commission and the employment security bureau which agreement shall recognize the increased equity of the employment security bureau as successive payments are made for its apportioned cost of construction of the east court office building. All sums received in payment pursuant to this section shall be deposited by the capitol grounds planning commission in the east court office building sinking fund for disbursement by the state treasurer in accordance with the provisions of this Act.

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.

Which motion prevailed.

Senator Hernett moved that the rules be suspended, that Senate Bill No. 2480 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2480, as amended from the floor, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Sorlie
Barth	Holand	Nothing	Strinden
Berube	Jacobson	Page	Stroup
Chesrown	Jones	Pyle	Swedlund
Christensen	Just	Rait	Thane
Coughlin	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Roen	Van Horn
Freed	Litten	Sanstead	Wenstrom
Goldberg	Longmire	Schultz	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Doherty	Morgan	Mutch	Robinson
Kautzmann			

Absent and not voting:

Butler

So the bill passed and the title was agreed to and the emergency clause carried.

**SECOND READING OF A
SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4012. A Concurrent Resolution for an amendment to article 1 of the amendments to the Constitution of the state of North Dakota, relating to lotteries and gift enterprises.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Roen
Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Sorlie
Butler	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Christensen	Melland	Strinden	Wenstrom
Forkner	Schultz		

Absent and not voting:

So the resolution was declared adopted.

Senator Wenstrom: "I would like to explain my vote. I voted against this proposal of a constitutional amendment simply on the basis that in the very near future we are having a constitutional convention. A few days ago on the floor of the Senate the argument was used that we should not propose amendments to the constitution in that we were directing them, or we were using the influence of the legislature to tell the constitutional convention what they were to do or else. For that reason I voted against this bill."

SECOND READING OF SENATE BILLS

Senate Bill No. 2005. A Bill for an Act to appropriate money for the expenses of the judicial branch of government.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 602 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Van Horn
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So the bill passed and the title was agreed to.

Senate Bill No. 2130. A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, as contained in section 23 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to tax levy limitations in school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 603 and 604 of the Senate Journal, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Schultz
Barth	Gronhovd	Longmire	Sorlie
Berube	Hernett	Melland	Strinden
Chesrown	Holand	Nasset	Stroup
Christensen	Jacobson	Nothing	Swedlund
Coughlin	Jones	Pyle	Thane
Doherty	Just	Rait	Thoreson
Erdman	Kautzmann	Redlin	Unruh
Forkner	Larson, G.	Ringsak	Wenstrom
Freed	Lips	Roen	Wilhite

Those voting in the negative were:

Larson, L.	Mutch	Page	Robinson
Morgan			

Absent and not voting:

Butler	Sanstead	Van Horn
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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 sections 40-38-01, 40-38-02, and 40-38-03 of the North Dakota Century Code, and to repeal section 58-03-08 of the North Dakota Century Code, relating to public libraries.

Which has been read.

Senator Nasset moved that Senate Bill No. 2192 be amended as follows:

On page 2, line 21, delete the words "school district,"

On page 2, line 24, delete the words "school district,"

On page 2, line 27, delete the words "or school district"

On page 3, line 8, delete the words "school district,"

On page 3, line 10, delete the words "school district,"

On page 3, line 15, after the word "section" insert the words "or other provisions of law"

And renumber the lines accordingly.

Which motion prevailed.

Senator Nasset moved that Senate Bill No. 2192 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2192, as amended, on page 584 of the Senate Journal, and from the floor, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Sorlie

Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Schultz Strinden

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senate Bill No. 2276. A Bill for an Act to provide an appropriation for the construction of a food service building at the Grafton state school.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 605 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting 1 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Those voting in the negative were:

Unruh

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

MOTION

Senator Sorlie moved that the members of the Committee on Appropriations be excused for a short meeting of the committee, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2307. A Bill for an Act requiring a certificate of need for construction or expansion of hospitals and related medical facilities including services, defining the procedure for certification of need and the requirements thereof, providing for a public hearing, prohibiting licensing, and authorizing injunctions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 611 and 612 of the Senate Journal, the roll was called and there were ayes, 31; nays, 4; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson Freed Larson, G. Ringsak

Barth	Goldberg	Longmire	Sanstead
Berube	Gronhovd	Morgan	Thane
Chesrown	Hernett	Nasset	Thoreson
Christensen	Holand	Nothing	Unruh
Doherty	Jacobson	Pyle	Van Horn
Erdman	Just	Rait	Wilhite
Forkner	Kautzmann	Redlin	

Those voting in the negative were:

Page	Roen	Schultz	Stroup
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Absent and not voting:

Butler	Lips	Mutch	Strinden
Coughlin	Litten	Robinson	Swedlund
Jones	Melland	Sorlie	Wenstrom
Larson, L.			

So the bill passed and the title was agreed to.

Senate Bill No. 2332. A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code and sections 15-47-27 of the North Dakota Century Code, as contained in section 20 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to the time of renewal of teachers' contracts and defining the term "teacher".

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 605 and 606 of the Senate Journal, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 14 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Roen
Barth	Gronhovd	Nasset	Sanstead
Berube	Hernett	Nothing	Stroup
Chesrown	Holand	Page	Thane
Christensen	Jacobson	Pyle	Thoreson
Doherty	Just	Rait	Unruh
Erdman	Kautzmann	Redlin	Van Horn
Forkner	Larson, G.	Ringsak	Wilhite
Freed	Longmire		

Absent and not voting:

Butler	Lips	Robinson	Strinden
Coughlin	Litten	Schultz	Swedlund
Jones	Melland	Sorlie	Wenstrom
Larson, L.	Mutch		

So the bill passed and the title was agreed to.

Senate Bill No. 2333. A Bill for an Act to amend and reenact section 15-47-38 of the North Dakota Century Code, providing for procedure for fair dismissal of teachers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 606 and 607 of the Senate Journal, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Roen
Barth	Gronhovd	Mutch	Sanstead
Berube	Hernett	Nasset	Stroup
Chesrown	Holand	Nothing	Thane
Christensen	Jacobson	Page	Thoreson
Doherty	Just	Pyle	Unruh

Erdman	Kautzmann	Rait	Van Horn
Forkner	Larson, G.	Redlin	Wilhite
Freed	Longmire	Ringsak	
Absent and not voting:			
Butler	Lips	Robinson	Strinden
Coughlin	Litten	Schultz	Swedlund
Jones	Melland	Sorlie	Wenstrom
Larson, L.			

So the bill passed and the title was agreed to.

Senate Bill No. 2352. A Bill for an Act relating to the restoration of certain property damaged in flood control and providing for the imposition of special assessments for costs incurred.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 607 of the Senate Journal, the roll was called and there were ayes, 28; nays, 6; absent and not voting, 14 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Forkner	Kautzmann	Rait
Barth	Freed	Larson, G.	Redlin
Berube	Goldberg	Longmire	Sanstead
Chesrown	Hernett	Mutch	Thane
Christensen	Holand	Nasset	Unruh
Doherty	Jacobson	Nething	Van Horn
Erdman	Just	Pyle	Wilhite

Those voting in the negative were:

Morgan	Ringsak	Stroup	Thoreson
Page	Roen		

Absent and not voting:

Butler	Larson, L.	Robinson	Strinden
Coughlin	Lips	Schultz	Swedlund
Gronhovd	Litten	Sorlie	Wenstrom
Jones	Melland		

So the bill passed and the title was agreed to.

Senate Bill No. 2457. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Was read the second time.

Senator Wilhite moved that Senate Bill No. 2457 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2505. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings, and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

Was read the second time.

Senator Wilhite moved that Senate Bill No. 2505 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 2503. A Bill for an Act to amend and reenact section 15-34.1-05 of the North Dakota Century Code, as contained in section 5 of House Bill No. 1045, as enacted by the Forty-second Legislative Assembly, relating to penalties for violating compulsory school attendance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 617 and 618 of the Senate Journal, the roll was called and there were ayes, 33; nays, 1; absent and not voting, 14 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Ringsak
Barth	Gronhovd	Morgan	Roen
Berube	Hernett	Nasset	Sanstead
Chesrown	Holand	Nothing	Stroup
Christensen	Jacobson	Page	Thane
Doherty	Just	Pyle	Thoreson
Erdman	Kautzmann	Rait	Van Horn
Forkner	Larson, G.	Redlin	Wilhite
Freed			

Those voting in the negative were:

Mutch

Absent and not voting:

Butler	Lips	Schultz	Swedlund
Coughlin	Litten	Sorlie	Unruh
Jones	Melland	Strinden	Wenstrom
Larson, L.	Robinson		

So the bill passed and the title was agreed to.

Senate Bill No 2504. A Bill for an Act to amend and reenact subsection 1 of section 15-40.2-05 and section 15-40.2-09 of the North Dakota Century Code, as contained in section 8 of House Bill No. 1045, as enacted by the Forty-second Legislative Assembly, relating to appeals of tuition payment decisions by a school district to the county committee and to eliminate appeals to the state board of public school education.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 618 and 619 of the Senate Journal, the roll was called and there were ayes, 33; nays, 1; absent and not voting, 14 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Ringsak
Barth	Gronhovd	Mutch	Roen
Berube	Hernett	Nasset	Stroup
Chesrown	Holand	Nothing	Thane
Christensen	Jacobson	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Longmire	Redlin	Wilhite
Freed			

Those voting in the negative were:

Sanstead

Absent and not voting:

Butler	Larson, L.	Robinson	Strinden
Coughlin	Lips	Schultz	Swedlund
Jones	Litten	Sorlie	Wenstrom
Just	Melland		

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. 2005

Senate Bill No. 2093
 Senate Bill No. 2130
 Senate Bill No. 2192
 Senate Bill No. 2204
 Senate Bill No. 2276
 Senate Bill No. 2307
 Senate Bill No. 2332
 Senate Bill No. 2333
 Senate Bill No. 2352
 Senate Bill No. 2457
 Senate Bill No. 2460
 Senate Bill No. 2503
 Senate Bill No. 2504
 Senate Bill No. 2505

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2381 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2460 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

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 amended as follows:

On page 1, line 23, delete the underscored words "fifty-two", and insert in lieu thereof "forty-five"

On page 1, line 24, delete the underscored words "sixty-one", and insert in lieu thereof "fifty-five"

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 amendment is to reduce the \$4,000,000.00 increase in the foundation program over the governor's budget prepared by the senate education committee by \$2,000,000.00. Under this proposal the foundation program, including transportation, will cost \$54,135,000.00 during the next biennium compared to the amount of \$51,135,000.00 proposed in the governor's budget.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted.

Senator Holand requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Robinson that the committee report on Senate Bill No. 2093 be adopted, the roll was

called and there were ayes, 26; nays, 22; absent and not voting, 0 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jacobson	Page	Sorlie
Butler	Jones	Pyle	Strinden
Coughlin	Larson, G.	Ringsak	Stroup
Doherty	Litten	Robinson	Thane
Freed	Morgan	Roen	Thoreson
Goldberg	Mutch	Schultz	Wilhite
Hernett	Nasset		

Those voting in the negative were:

Barth	Gronhovd	Longmire	Sanstead
Berube	Holand	Melland	Swedlund
Chesrown	Just	Nething	Unruh
Christensen	Kautzmann	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips		

Absent and not voting:

So the motion prevailed.

Senator Litten moved that the rules be suspended, that Senate Bill No. 2093 be placed on the sixth order of business for the purpose of consideration of amendments, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the amendments to Senate Bill No. 2093 be adopted, which motion prevailed.

Senator Wilhite moved that the rules be suspended, that Senate Bill No. 2093 be deemed properly reengrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2093. A Bill for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to legislative intent for foundation aid payments.

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, 44; nays, 4; absent and not voting, 0 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Roen
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Butler	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite

Those voting in the negative were:

Just	Rait	Sanstead	Van Horn
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So the bill passed and the title was agreed to.

Senator Wilhite moved that Senate Bill No. 2455 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 2455. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North

Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for a tax levy and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Which has been read.

Senator Wilhite moved that Senate Bill No. 2455 be amended as follows:

In line 3 of page 1, following the word "conflict" and before the semicolon, insert the words "and to the industrial commission for the issuance of bonds"

In line 5 of page 1, delete the words "tax levies" and insert in lieu thereof the words "a tax levy"

In line 11 of page 2, delete the word "of" where it last appears and insert in lieu thereof the word "to"

In line 13 of page 2, delete the word "appropriate" and insert in lieu thereof the word "appropriated"

In line 28 of page 2, delete the word "twelve" and insert in lieu thereof the word "fifteen"

In line 3 of page 3, following the word "Act", insert the words "from and after the year 1972 until the year 1981, inclusive,"

In line 4 of page 3, following the period, insert the words "Bonds issued under this Act from and after the year 1982 may be called prior to maturity, in inverse numerical order."

Delete line 7 of page 4

In line 8 of page 4, delete the words "dollars on the first day of every month"

In line 10 of page 4, following the word "Act", insert the words "any monies collected under the Vietnam veterans' adjusted bonus surtax"; and following the period, insert the words "Thereafter, annual transfers shall be made by the state treasurer on or before June thirtieth of each year of all monies in the general fund of the state treasury collected by such surtax for the payment of such bonds."

In line 19 of page 4, delete the words "the following taxes"

Delete line 20 of page 4

In line 21 of page 4, delete the word and numeral "1. An" and insert in lieu thereof the word "an"

In line 23 of page 4, following the word "to" where it last appears insert the words "the sum of five dollars or"

In line 25 of page 4, following the comma, insert the following: "whichever is greater,"

In line 31 of page 4, following the period, insert the words, "The tax imposed by this section shall be come effective for all taxable years beginning on or after January 1, 1971."

Delete lines 32 through 35, inclusive, of page 4

Delete lines 1 through 5, inclusive, of page 5

In line 6 of page 5, delete the following: "such bonds and the interest thereon."

In line 11 of page 7, following the period, insert the following new section:

"SECTION 17. APPROPRIATION TO INDUSTRIAL COMMISSION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the industrial commission for administrative and legal expenses for the issuance of bonds authorized by this Act, for the biennium beginning July 1, 1971, and ending June 30, 1973. The monies appropriated by this section shall be returned to the general fund of the

state treasury by the director of the department of accounts and purchases, such transfer to be made from monies in the Vietnam veterans' adjusted compensation fund no later than June 30, 1973."

And renumber the lines and sections accordingly.

Which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2455 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

Senator Wilhite moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2455, as amended from the floor, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1 (Lowe, deceased).

Those voting in the affirmative were:

Absent and not voting:

Barth	Gronhovd	Lips	Sanstead
Berube	Holand	Longmire	Swedlund
Chesrown	Jacobson	Melland	Unruh
Christensen	Just	Nothing	Van Horn
Erdman	Kautzmann	Rait	Wenstrom
Forkner	Larson, L.	Redlin	

Those voting in the negative were:

Anderson	Jones	Page	Sorlie
Butler	Larson, G.	Pyle	Strinden
Coughlin	Litten	Ringsak	Stroup
Doherty	Morgan	Robinson	Thane
Freed	Mutch	Roen	Thoreson
Goldberg	Nasset	Schultz	Wilhite
Hernett			

So the bill was declared lost.

Senate Bill No. 2457. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Was read the second time.

Senator Lips moved that Senate Bill No. 2457 be deleted as follows:

On page 5, line 18, delete the figure "\$4,500,000.00" and insert in lieu thereof the figure "\$3,800,000.00"

Which motion lost.

Senator Wilhite moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2457, as amended, on pages 608 to 611 of the Senate Journal, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 0 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Butler	Jones	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Lips	Ringsak	Thoreson

Forkner	Litten	Robinson	Unruh
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Schultz	Wilhite
Hernett	Morgan		

Those voting in the negative were:

Berube	Gronhovd	Rait	Sanstead
Christensen	Just	Redlin	Van Horn
Erdman	Larson, L.		

So the bill passed and the title was agreed to and the emergency clause carried.

MOTION

Senator Litten moved that the vote by which Senate Bills Nos. 2194, 2283, 2373, 2508, 2005, 2130, 2192, 2276, 2307, 2332, 2333, 2352, 2503, 2504, 2093, 2457 and 2480 was passed, and the vote by which Senate Bill No. 2455 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Sorlie moved that the Senate reconsider the action by which Senate Bill No. 2453 was indefinitely postponed, which motion lost.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2204 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16 delete the word "qaulified" and insert in lieu thereof the word "qualified"

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 correct the spelling of the word.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2204 be placed on the sixth order of business for consideration of amendments, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2204 as recommended by the Committee on Appropriations be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2204 be deemed properly re-engrossed and placed on second reading and final passage as amended, which motion prevailed.

Senator Melland requested that he be allowed to vote on Senate Bill No. 2204 even though he might have a personal interest in the bill, which request was granted.

SECOND READING OF A SENATE BILL

Senate Bill No. 2204. A Bill for an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of exceptional children.

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, 2 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie

Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Stroup

So the bill passed and the title was agreed to.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTIETH DAY

Bismarck, February 19, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John E. Holten, Lutheran Church of the Cross, Bismarck.

"O God, Whose alone is the Kingdom and the Power and the Glory, yet Who has ordained human government for the temporal welfare of mankind; Grant and continue unto us a succession of legislators and executives who have been taught the wisdom of the Kingdom of Christ. Endow all members of government with a right understanding, a pure purpose and sound speech; enable them to rise above all self-seeking and party zeal into the larger sentiments of public good and human brotherhood. Purge our political life of every evil; make us to love peace and fair dealing. Inspire us with calmness and self-restraint and the endeavor to further the doing of Thy will everywhere upon the earth; through Jesus Christ, our Lord. Amen."

Roll call: There were 46 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-eighth day after recess and thirty-ninth day and recommends that the same be corrected as follows:

On page 615, line 41, delete the word "ben" and insert in lieu thereof the word "been"

On page 624, line 3 from the bottom, delete the words "motion prevailed." and insert in lieu thereof the words "request was granted."

On page 637, line 5, delete the word "AND"

On page 637, line 6, delete the word "FORTIETH"

On page 654, line 15 from the bottom, delete the figure "1" and insert in lieu thereof the figure "2"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MOTION

Senator Wilhite moved that Senate Bills Nos. 2395, 2227 and 2188 be placed at the head of the calendar, which motion prevailed.

Senator Litten moved that Senate Bills Nos. 2001, 2409, 2447, 2054, 2215, 2225, 2505, 2381 and 2460 be placed on the calendar following Senate Bill No. 2188, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2395. A Bill for an Act to amend and reenact subsection 1 of section 46-02-04 of the North Dakota Century Code, relating to the printing of legislative documents; 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, 32; nays, 13; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Lips	Rait
Barth	Hernett	Litten	Redlin
Berube	Holand	Longmire	Sanstead
Chesrown	Jacobson	Melland	Sorlie
Christensen	Just	Nasset	Swedlund
Erdman	Kautzmann	Nething	Van Horn
Forkner	Larson, G.	Page	Wenstrom
Goldberg	Larson, L.	Pyle	Unruh

Those voting in the negative were:

Coughlin	Morgan	Robinson	Thane
Doherty	Mutch	Schultz	Thoreson
Freed	Ringsak	Strinden	Wilhite
Jones			

Absent and not voting:

Butler	Roen	Stroup
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So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 2227. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, requiring contracts for miscellaneous types of printing to be let to printing shops.

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, 25; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Kautzmann	Redlin	Strinden
Coughlin	Lips	Ringsak	Thoreson
Doherty	Litten	Robinson	Unruh
Forkner	Morgan	Schultz	Wenstrom
Jacobson	Mutch	Sorlie	Wilhite

Those voting in the negative were:

Barth	Gronhovd	Larson, L.	Pyle
Berube	Hernett	Longmire	Rait
Chesrown	Holand	Melland	Sanstead
Christensen	Jones	Nasset	Swedlund
Erdman	Just	Nething	Thane
Freed	Larson, G.	Page	Van Horn
Goldberg			

Absent and not voting:

Butler	Roen	Stroup
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So the bill was declared lost.

Senate Bill No. 2188. A Bill for an Act to require banking institutions and building and loan associations to pay interest on certain escrow accounts.

Which has been read.

Senator Schultz moved that Senators Anderson, Barth, Berube, Coughlin, Erdman, Forkner, Freed, Hernet, Holand, Kautzmann, Lips, Litten, Longmire, Mutch, Nething, Page Pyle Redline, Strinden, Thane, Van Horn and Wenstrom, be permitted to vote on Senate Bill No. 2188 even though they might have a self-interest in Senate Bill No. 2188, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 2188, the roll was called and there were ayes, 13; nays, 31; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Christensen	Just	Longmire	Sorlie
Goldberg	Larson, L.	Pyle	Thoreson
Gronhovd	Litten	Rait	Unruh
Holand			

Those voting in the negative were:

Anderson	Freed	Morgan	Sanstead
Barth	Hernet	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Redlin	Van Horn
Erdman	Lips	Ringsak	Wenstrom
Forkner	Melland	Robinson	

Absent and not voting:

Butler	Roen	Stroup	Wilhite
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So the bill was declared lost.

The President requested the President Pro Tem to preside and the President Pro Tem presided.

SECOND READING OF SENATE BILLS

Senate Bill No. 2001. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 499 and 500 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernet	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nething	Thane
Doherty	Kautzmann	Page	Unruh
Erdman	Larson, G.	Pyle	Van Horn
Forkner	Larson, L.	Rait	Wenstrom
Freed	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:

Butler	Schultz	Stroup	Thoreson
Roen			

So the bill passed and the title was agreed to.

Senate Bill No. 2409. A Bill for an Act to amend and reenact sections 15-04-09, 15-06-25, and 38-09-15 of the North Dakota Century Code, relating to the leasing and sale of certain state property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 568 and 569 of the Senate Journal, the roll was called and were ayes, 44; nays, 0; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nething	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Butler	Roen	Schultz	Stroup
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So the bill passed and the title was agreed to.

Senate Bill No. 2447. A Bill for an Act to amend and reenact section 15-10-18 of the North Dakota Century Code relating to tuition of non-residents 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, 21; nays, 23; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Just	Sanstead
Berube	Holand	Larson, L.	Swedlund
Chesrown	Jones	Nasset	Unruh
Christensen	Kautzmann	Nething	Van Horn
Doherty	Longmire	Rait	Wenstrom
Erdman			

Those voting in the negative were:

Barth	Jacobson	Mutch	Schultz
Coughlin	Larson, G.	Page	Sorlie
Forkner	Lips	Pyle	Strinden
Freed	Litten	Redlin	Thane
Goldberg	Melland	Ringsak	Wilhite
Hernett	Morgan	Robinson	

Absent and not voting:

Butler	Roen	Stroup	Thoreson
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So the bill was declared lost.

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01, 40-57.1-02 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

Was read the second time.

Senator Butler moved that Senate Bill No. 2054 be amended as follows:

On page 2, line 3 of the engrossed bill, delete the words "or the acquisitions or" and insert in lieu thereof the word "by"

Which motion prevailed.

Senator Butler moved that the rules be suspended that Senate Bill No. 2054 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 563 and 564 of the Senate Journal, and from the floor, the roll was called and there were ayes, 21; nays, 24; absent and not voting, 3 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Larson, G.	Nething	Sorlie
Coughlin	Lips	Page	Strinden
Doherty	Litten	Ringsak	Thoreson
Goldberg	Longmire	Robinson	Unruh
Holand	Melland	Sanstead	Wilhite
Jones			

Those voting in the negative were:

Barth	Freed	Larson, L.	Redlin
Berube	Gronhovd	Morgan	Schultz
Chesrown	Hernett	Mutch	Swedlund
Christensen	Jacobson	Nasset	Thane
Erdman	Just	Pyle	Van Horn
Forkner	Kautzmann	Rait	Wenstrom

Absent and not voting:

Butler	Roen	Stroup
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So the bill was declared lost.

Senate Bill No. 2215. 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 9-10-36 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, as amended, on page 328 of the Senate Journal, the roll was called and there were ayes, 28; nays, 14; absent and not voting, 6 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Freed	Melland	Robinson
Barth	Goldberg	Nasset	Sanstead
Chesrown	Gronhovd	Nething	Schultz
Christensen	Holand	Page	Strinden
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Ringsak	Wenstrom

Those voting in the negative were:

Berube	Jones	Mutch	Thane
Erdman	Lips	Redlin	Thoreson
Hernett	Litten	Sorlie	Wilhite
Jacobson	Longmire		

Absent and not voting:

Butler	Morgan	Stroup	Van Horn
Just	Roen		

So the bill passed and the title was agreed to.

Senate Bill No. 2225. A Bill for an Act to repeal Chapter 39-15 of the North Dakota Century Code relating to the guest 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, 26; nays, 17; absent and not voting, 5 (Lowe, deceased)

Those voting in the affirmative were:

Barth	Holand	Nasset	Robinson
Chesrown	Just	Nething	Sanstead
Erdman	Kautzmann	Page	Sorlie
Forkner	Larson, G.	Pyle	Strinden
Freed	Larson, L.	Rait	Unruh
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Melland		

Those voting in the negative were:

Anderson	Hernett	Longmire	Swedlund
Berube	Jacobson	Morgan	Thane
Christensen	Jones	Redlin	Thoreson
Coughlin	Lips	Schultz	Wilhite
Doherty			

Absent and not voting:

Butler	Roen	Stroup	Van Horn
Mutch			

So the bill passed and the title was agreed to.

Senate Bill No. 2505. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings, and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 612 and 613 of the Senate Journal, the roll was called and there were ayes, 31; nays, 11; absent and not voting, 6 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Goldberg	Lips	Ringsak
Berube	Gronhovd	Litten	Sanstead
Chesrown	Holand	Longmire	Sorlie
Christensen	Jacobson	Melland	Strinden
Coughlin	Jones	Nasset	Thane
Doherty	Just	Nething	Unruh
Forkner	Kautzmann	Page	Wenstrom
Freed	Larson, G.	Pyle	

Those voting in the negative were:

Barth	Morgan	Redlin	Thoreson
Erdman	Mutch	Schultz	Wilhite
Larson, L.	Rait	Swedlund	

Absent and not voting:

Butler	Robinson	Stroup	Van Horn
Hernett	Roen		

So the bill passed and the title was agreed to.

Senate Bill No. 2381. A Bill for an Act creating a narcotics law enforcement division of the office of the attorney general, and making an appropriation.

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, 0; absent and not voting, 5 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Butler	Roen	Stroup	Van Horn
Hernett			

So the bill passed and the title was agreed to.

Senate Bill No. 2460. A Bill for an Act to amend and reenact section 15-40.1-16 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, relating to aid for transportation.

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, 44; nays, 0; absent and not voting, 4 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Butler	Roen	Stroup	Van Horn
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So the bill passed and the title was agreed to.

MOTION

Senator Hernett moved that Senate Bill No. 2480 be reprinted, which motion prevailed.

Senator Litten moved that Senate Bills Nos. 2457 and 2505 be reprinted, which motion prevailed.

Senator Barth moved that Senate Bill No. 2180 be reprinted, which motion prevailed.

Senator Holand moved that Senate Bill No. 2204 be reprinted, which motion prevailed.

Senator Litten moved that the vote by which Senate Bills Nos. 2001, 2204, 2409, 2215, 2225, 2395, 2505, 2381 and 2460 were passed, and the vote by which Senate Bills Nos. 2447, 2054, 2188 and 2227 were lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1014. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the state highway department and to authorize expenditures for highway project construction costs.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1021. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the North Dakota mill and elevator association.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1023. A Bill for an Act making an appropriation to the state water conservation commission for general administrative expenses, maintenance and construction of dams; planning, surveying and construction expenses of multiple purpose water projects; and organizing water conservation and irrigation districts.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1035. A Bill for an Act to provide payment of expenses to certain elected state officers, and making an appropriation.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1063. A Bill for an Act to create an industrial building mortgage program under the supervision of the Bank of North Dakota, providing for the administration of such programs and for the transfer of certain moneys from the accumulated and undivided profits of the Bank of North Dakota to the mortgage insurance fund, and making an appropriation.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1177. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the dates and the formula for the distribution of personal property tax replacement moneys to political subdivisions, and declaring an emergency.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1192. A Bill for an Act to create and enact subdivision d of subsection 3 of section 52-06-01 of the North Dakota Century Code, relating to unemployment compensation eligibility requirements.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1203. 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 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 other purposes as are hereinafter provided.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1218. A Bill for an Act to amend and reenact sections 21-09-01 and 21-09-05 of the North Dakota Century Code, changing the title of "The 1969 Bond Validating Act" to "The 1971 Bond Validating Act", and relating to the application of chapter 21-09 of the North Dakota Century Code to bonds issued and proceedings taken prior to July 1, 1971.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1219. A Bill for an Act to amend and reenact section 49-13-18 of the North Dakota Century Code, relating to the hours of service of railroad employees.

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 subsection 10 of section 52-06-02 of the 1969 Supplement to the North Dakota Century Code, relating to unemployment compensation benefit disqualifications.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1238. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code relating to salaries of supreme and district court judges.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1239. A Bill for an Act to amend and reenact section 27-05-01 of the North Dakota Century Code relating to judicial districts, the number, composition and number of judges therein.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1247. A Bill for an Act relating to the creation and authorization of nonprofit vision service corporations whereby visual services may be provided by licensed practitioners to members of the public who become subscribers to said corporations under contracts which entitle such subscribers to certain specified vision services.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1260. A Bill for an Act to amend and reenact subsection 4 of section 27-20-02 of the North Dakota Century Code, relating to the definition of an unruly child.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1275. A Bill for an Act to amend and reenact sections 39-12-02 and 39-12-06 of the North Dakota Century Code, relating to extended loads on motor vehicles.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1289. A Bill for an Act to create a North Dakota insurance guaranty association.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1322. A Bill for an Act to amend and reenact subsection 4 of section 43-11-02 of the 1969 Supplement to the North Dakota Century Code, to allow a licensed cosmetologist to perform manicuring services in a licensed barber shop.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1324. 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. 1327. A Bill for an Act to create and enact two new sections to chapter 57-38 of the North Dakota Century Code, relating to the definition of adjusted federal income tax liability of individuals and to provide for a credit for income taxes paid to

another state by a resident; to amend and reenact subsections 20 and 21 of section 57-38-01; subdivision a of subsection 2 and subdivision b of subsection 6 of section 57-38-04; section 57-38-29; subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to definitions, rates of tax, and filing of returns for income tax purposes; to repeal sections 57-38-01.1, 57-38-01.2, 57-38-01.4, 57-38-06.1 and 57-46-01 of the North Dakota Century Code, relating to adjustments, subchapter S corporations, nonresidents and military income for income tax purposes; and to provide for an effective date.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1333. A Bill for an Act to amend and reenact sections 16-12-05, 16-12-15, and 16-13-01 of the North Dakota Century Code, relating to the conduct of elections and the counting of ballots.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1337. A Bill for an Act to create and enact sections 4-28.1-04 and 4-28.1-05 of the North Dakota Century Code, relating to administration of the flax utilization research fund by the business and industrial development commission; to amend and reenact subsection 2 of section 4-28.1-02 of the North Dakota Century Code relating to the definition of "first purchaser"; to amend and reenact section 4-28.1-01, relating to flax tax levy and refunds, and to provide for an appropriation, and penalty.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1360. A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to funds provided by the legislative assembly for reimbursement for special education.

Which was read the first time and referred to the committee on Education.

House Bill No. 1363. A Bill for an Act to amend and reenact section 16-17-05.1 of the North Dakota Century Code, relating to the consolidation of precinct committeemen's ballot.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1386. A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the state board of public school education.

Which was read the first time and referred to the committee on Education.

House Bill No. 1397. A Bill for an Act creating a variable contract insurance law for North Dakota.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1401. A Bill for an Act to create a small claims court and to set forth its jurisdiction and procedures.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1413. A Bill for an Act to amend and reenact subsections 2 and 3 of section 23-25-02 and section 61-28-03 of the North Dakota Century Code, relating to the membership of the state air pollution control advisory council and the state water pollution control board.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1416. A Bill for an Act to amend and reenact subsection 1 of section 15-59-01 and section 15-59-07 of the 1969

Supplement to the North Dakota Century Code, relating to special education of exceptional children.

Which was read the first time and referred to the committee on Education.

House Bill No. 1430. A Bill for an Act to repeal subsection 9 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for benefits.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1469. A Bill for an Act to amend and enact section 57-37-29 of the North Dakota Century Code, relating to depositories and retention, transfer or release of a decedent's assets.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1498. A Bill for an Act to amend and reenact sections 15-63-01 and 15-63-05 of the North Dakota Century Code relating to the state board of Indian scholarships and scholarship payments.

Which was read the first time and referred to the committee on Education.

House Bill No. 1506. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to the penalty for driving or being in actual physical control of any vehicle upon a highway while under the influence of a narcotic drug or under the influence of intoxicating liquor.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1508. A Bill for an Act to amend and reenact subsections 7, 8, 9, and 10 of section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for fishing licenses; and to provide for an effective date.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1525. A Bill for an Act to amend and reenact Sections 6-05-08, 6-05-14 and 6-05-34 of the North Dakota Century Code, relating to trust companies and banking institutions.

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 3 of Section 4-28-02, Sections 4-28-07 and 4-28-08 of the North Dakota Century Code, relating to the definition of a first purchaser, time of assessment of state wheat tax and duties and functions of the State Wheat Commission.

Which was read the first time and referred to the committee on Agriculture.

House Bill No. 1533. A Bill for an Act to amend and reenact sections 15-20.1-01, 15-20.1-05, 15-20.1-14, and 15-20.1-15 of the North Dakota Century Code, as contained in section 4 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to definitions, custody, and payment of vocational education and vocational rehabilitation funds, and rehabilitational services.

Which was read the first time and referred to the committee on Education.

House Bill No. 1534. A Bill for an Act to create and enact sections 16-04-15.2 and 16-11-05.1 of the North Dakota Century Code; and to amend and reenact sections 16-01-03, 16-04-17, 16-10-12.1, 16-11-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to the preparation of ballots for and the operation of voting machines by persons eighteen to twenty-one years of age in voting for elected federal officials.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1547. A Bill for an Act to provide for state legislative apportionment, and to repeal section 1 of 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 committee on Political Subdivisions.

House Bill No. 1548. A Bill for an Act to provide that the governor shall have authority to appoint a majority of the members of certain boards and commissions within the first six months of his regular term, and providing an effective date.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1558. A Bill for an Act to establish a coordinated and codified system of drug control, to create a closed regulatory system for the legitimate handlers of controlled drugs, to prohibit certain activities relating to controlled drugs, to provide penalties for violations thereof, to amend and reenact section 19-02-21; subsections 15 and 16 of section 19-02.1-01; subsections 1, 2, 3, 4, 7, 9 and 13 of section 19-02.1-02; subsections 1 and 9 of section 19-02.1-05; section 19-02.1-13 section 19-02.1-14; section 19-02.1-19; section 19-02.1-20; section 19-02.1-21; section 19-02.1-22 of the North Dakota Century Code and to repeal chapter 19-03 of the North Dakota Century Code, relating to narcotics, and to repeal subsections 4, 7, 13, 14, 23, 24 and 25 of section 19-02.1-01; subsections 11, 12, 14, 15, 16, 17, 18, 19, 20, 22 and 23 of section 19-02.1-02; subsection 4 of section 19-02.1-04; subsection 5 and 6 of section 19-02.1-05; section 19-02.1-15; section 19-02.1-16 and section 19-02.1-23 of the North Dakota Century Code relating to drugs.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Bill No. 1559. A Bill for an Act authorizing and directing transfer of the "Judge A. M. Christianson Project" established by resolution of the thirty-fourth session of the legislative assembly of the state of North Dakota to the Bank of North Dakota, subject to existing contracts and encumbrances.

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. 3017. A Concurrent Resolution requesting the President of the United States to direct the release of \$300,000.00 appropriated for the establishment of an Economic Development Administration Region comprised of North Dakota, South Dakota, Nebraska, Wyoming, and Montana.

Which was read the first time and referred to the committee on State and Federal Government.

House Concurrent Resolution No. 3018. A Concurrent Resolution supporting North Dakota's efforts to commemorate the two-hundredth anniversary of the American Revolution.

Which was read the first time and referred to the committee on State and Federal Government.

House Concurrent Resolution No. 3051. A Concurrent Resolution commending state employees for their cooperation and assistance to the Legislative Assembly.

Which was read the first time and referred to the committee on State and Federal Government.

Senator Wilhite moved that Senate recess subject to the call of the Chair, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTIETH DAY AFTER RECESS, FORTY-FIRST DAY,
AND FORTY-SECOND DAY

Bismarck, February 22, 1971

The Senate convened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 22, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001
Senate Bill No. 2005
Senate Bill No. 2076
Senate Bill No. 2093
Senate Bill No. 2122
Senate Bill No. 2130
Senate Bill No. 2180
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2215
Senate Bill No. 2225
Senate Bill No. 2276
Senate Bill No. 2283
Senate Bill No. 2285
Senate Bill No. 2307
Senate Bill No. 2324
Senate Bill No. 2332
Senate Bill No. 2333
Senate Bill No. 2347
Senate Bill No. 2352
Senate Bill No. 2373
Senate Bill No. 2379
Senate Bill No. 2381
Senate Bill No. 2395
Senate Bill No. 2397
Senate Bill No. 2409
Senate Bill No. 2457
Senate Bill No. 2458
Senate Bill No. 2460
Senate Bill No. 2461
Senate Bill No. 2472
Senate Bill No. 2480
Senate Bill No. 2503
Senate Bill No. 2504
Senate Bill No. 2505
Senate Bill No. 2508
Senate Bill No. 2511
Senate Concurrent Resolution No. 4012

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, February 22, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1079
House Bill No. 1162
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 22, 1971

Mr. President: I have the honor to return:
Senate Concurrent Resolution No. 4032.
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, February 19, 1971

Mr. President: I have the honor to transmit:
House Bill No. 1205
House Bill No. 1229
House Bill No. 1254
House Bill No. 1276
House Bill No. 1352
House Bill No. 1431
House Bill No. 1440
House Bill No. 1497
House Bill No. 1501
House Bill No. 1514
House Bill No. 1517
House Bill No. 1518
House Bill No. 1539
House Bill No. 1545
House Bill No. 1554
House Bill No. 1555
House Concurrent Resolution No. 3033

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, February 20, 1971

Mr. President: I have the honor to transmit:
House Bill No. 1002
House Bill No. 1176
House Bill No. 1299
House Bill No. 1331
House Bill No. 1336
House Bill No. 1448

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

REPORT OF SELECT COMMITTEES

Mr. President: Your Rules Committee recommends the Senate Rules be amended as follows:

SECTION 1.) Senate Rule No. 38.1 is hereby created and adopted to read as follows:

38.1 DETERMINATION OF SENIORITY — DETERMINATIONS MADE — BASIS FOR.) Seniority shall be measured and determined by the total number of years a member has served in the Legislative Assembly, regardless of whether such service has or has not been for continuous or consecutive years, and shall include any service as a member of the House of Representatives. Determination as to the seating of Senators on the floor of the Senate, other than Floor Leaders and Assistant Floor Leaders, shall be made on the basis of seniority based on length of service in the Senate, and so on until all members are seated. Appointments to honorary offices of the Senate shall be on the basis of seniority based on length of service in the Senate. If the most senior member refuses election or appointment, the office shall be received by the next most senior member, and so on until the office is filled. When two or more Senators have exactly the same seniority as determined pursuant to the first sentence of this Rule, seniority as between those Senators shall be determined by the birth dates of those Senators, with the oldest of the group being the most senior, and so on until all members of the group are ranked. The provisions of this Rule shall not be effective during the regular session of the Forty-second Assembly.

In making committee assignments pursuant to Rule No. 39, the Committee on Committees shall first consider the best interests of North Dakota and a Senator's individual committee assignment preference shall be the second consideration.

In making appointments of Committee Chairman and Committee Vice Chairmen, the Committee on Committees shall give no less weight to ability, knowledge of subject matter, and experience than it gives to seniority.

SENATOR WILHITE, Chairman

Senator Rait moved that the report be adopted.

Senator Wilhite moved that consideration of the Report of Select Committee on Rules be laid over two legislation days, which motion prevailed.

Mr. President: Your Committee on Rules has met this date and recommends the following amendments to the Joint Legislative Rules:

SECTION 1. AMENDMENT.) Joint Legislative Rule No. 6 is hereby amended to read as follows:

6. CONFERENCE COMMITTEES

In every case of a difference between two Houses ((upon any subject of legislation)) **arising from a refusal by one House to concur in amendments made by the other House**, if either House shall request a conference on the difference which has arisen and shall appoint a committee for that purpose, the other House shall also appoint such a committee. The committees so appointed shall meet at such hour and place as shall be agreed on by the Chairman; and shall state to each other, verbally, or in writing, as either may choose, the reasons of their respective Houses, and confer ((freely)) thereon; and they shall be authorized to report, in the manner set out below, to their respective Houses ((such modifications as they think advisable)) regarding the manner in which they recommend that the difference between the two Houses should be resolved. **Conference committees appointed pursuant to this rule shall confine their conferences and recommendations to consideration of the stated difference which gave rise to the appointment of the committees.** The conference committee report shall first be submitted to the House having possession of the bill over which the difference has arisen, where it shall be acted upon and notice of such action transmitted to the other House. When the other House shall have also acted upon the report, it shall notify the House having possession of the bill, which House shall, if appropriate, proceed to take

action on the bill and transmit it to the other House for appropriate action.

SENATOR WILHITE, Chairman

Senator Melland moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Melland, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 10 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Schultz
Barth	Jacobson	Nething	Strinden
Berube	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Freed	Melland	Robinson	Van Horn
Goldberg	Morgan	Roen	Wilhite
Gronhovd	Mutch		

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.		

So the motion was declared carried.

MOTION

Senator Rait moved that Senate Concurrent Resolution No. 4055 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Rait moved that Senate Concurrent Resolution No. 4055 be re-referred to the Committee on Natural Resources, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4036 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. 4039 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. 4052 has had the same under consideration and recommends that the same be amended as follows:

Page 3 line 3 delete "liberalizing" and insert in lieu thereof "substantially increasing"

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 Senate Concurrent Resolution No. 4066 has had the

same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolution Committee.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4066 was re-referred to the Legislative Council Resolution Committee.

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, Vice Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1053 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion lost and House Bill No. 1053 was placed on the calendar.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1055 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1105 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1124 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 4 after "chapter" insert "**it is further provided that the local board and state board of equalization consider granting such exemption only to a new farm entity and that the owner is living thereupon**"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1166 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1209 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1221 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1222 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 be amended as follows:

Page 1 line 3 after "state" delete "and political sub-"

Page 1 line 4 delete "division"

Page 2 line 24 after "offices" delete "and offices"

Page 2 line 25 delete "of political subdivisions in the state"

Remember the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1252 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1281 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson 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 THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1316 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson 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. 1342 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Vice 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. 1364 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Vice 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. 1384 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Vice-Chairman

Senator Nasset moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1468 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice-Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1526 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 Natural Resources to whom was referred House Bill No. 1527 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 House Concurrent Resolution No. 3013 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.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bill No. 1172 be dispensed with, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1172 as recommended by the Committee on Judiciary, and printed on page 641 of the Senate Journal, be adopted, 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. 2443 which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2443 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2443. A Bill for an Act authorizing the director of institutions to lease certain property now owned by the state and under the control of the state industrial school.

Which has been read|

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Schultz
Barth	Jacobson	Nothing	Strinden
Berube	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Holand	Larson, L.	Sorlie
Christensen	Kautzmann	Longmire	Wenstrom
Forkner	Larson, G.	Sanstead	

So the bill passed and the title was agreed to.

Senator Litten moved that the absent Senators be excused which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FIRST DAY

Bismarck, February 22, 1971

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rebecca Walters, Lieutenant, Salvation Army, Bismarck.

"Our Father. We pause at this moment to pray Your blessing upon this session of the Senate. We pray for direct guidance, wisdom and understanding for each one. We especially remember Senator Butler today as he is in the hospital. May you put Your hand upon him. May we ever be aware that You are our source of strength and ever look to You as our guide. In Jesus' name. Amen."

Roll call: All Senators present except Senators Butler, Christensen, Forkner, Holand, Kautzmann, L. Larson, Longmire, Sanstead, Sorlie and Wenstrom. Senator Lowe deceased.

A quorum was declared by the President.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4081. A Concurrent Resolution relating to the employment practices of the Legislative Assembly, the duties and responsibilities of the Senate and House Employment Committees, establishing the use of a uniform employment application form and relating to the creation of a special interim committee on legislative interns.

Was read the first time and referred to the committee on Agriculture.

FIRST READING OF HOUSE BILLS

House Bill No. 1011. A Bill for an Act making an appropriation for the maintenance and operation of the public welfare board and welfare programs administered by the public welfare board.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1140. A Bill for an Act to amend and reenact subsection 1 of section 11-17-04 and sections 11-17-05, 27-03-05, 27-03-06, 27-07-40, and 27-07-41 of the North Dakota Century Code, relating to court filing fees and the disposition of the proceeds thereof; and to repeal section 27-12-08 of the North Dakota Century Code, relating to the use of bar association funds.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1146. A Bill for an Act establishing the legislative audit and fiscal review committee as a division of the committee on budget of the legislative council, to repeal chapter 54-35.1 of the North Dakota Century Code, relating to the legislative audit and fiscal review committee, and providing an appropriation.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1288. A Bill for an Act to create and enact Sections 43-07-20, 43-07-21 and 43-07-22, relating to employment of North Dakota residents for work performed under public contracts, providing a penalty, and establishing responsibility for enforcement of the act.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1306. A Bill for an Act to amend and reenact sections 54-04-01, 54-04-03, and 54-04-04 of the North Dakota Century Code, relating to the enrolling and engrossing of legislative measures and the employment of an enroller and engrosser; and to repeal section 54-04-02 of the North Dakota Century Code, relating to regulations governing enrolling and engrossing.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1315. A Bill for an Act to create and enact section 1-03-02.1 of the North Dakota Century Code, relating to holidays which fall on Saturdays, and to amend and reenact section 1-03-04 of the North Dakota Century Code, relating to business days.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1351. A Bill for an Act to provide a levy for pupil transportation, and declaring an emergency.

Which was read the first time and referred to the committee on Education.

House Bill No. 1361. A Bill for an Act to create and enact section 15-50-12 of the North Dakota Century Code, relating to the regulation of trade and correspondence schools and to amend and reenact sections 15-50-01, 15-50-02, 15-50-03, 15-50-04, 15-50-08, 15-50-09, 15-50-10 and 15-50-11.

Which was read the first time and referred to the committee on Education.

House Bill No. 1460. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges or educational centers and the method of payment.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1476. A Bill for an Act to amend and reenact section 57-02-27 and subsection 1 of section 57-02-34 of the North Dakota Century Code, relating to the assessment of property at full value and to the method of assessment; and stating legislative intent in regard thereto.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1480. A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-24-09 of the North Dakota Century Code, relating to operation of snowmobiles and prohibiting unauthorized snowmobiles from railroad right of way.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1492. A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code

to provide for the imposition of a surtax on the income of every individual, estate, trust and corporation required to file a North Dakota income tax return; to allocate the proceeds of such tax to payment of bonds issued to pay adjusted compensation to North Dakota veterans of the Viet Nam conflict; and to provide an effective date and a termination date for such tax.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1550. A Bill for an Act to authorize the use of a chemical screening test or tests of a driver's breath when the vehicle he is driving is involved in a collision which results in the death or personal injury requiring hospitalization of any person; to authorize a test of blood for screening test under certain circumstances; to limit the use of the results of screening tests to determine justification for a further test under the provisions of section 39-20-01; and to authorize the revocation of driver's license for a refusal to submit to a screening test.

Which was read the first time and referred to the committee on Transportation.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3009. A Concurrent Resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Which was read the first time and referred to the committee on Natural Resources.

House Concurrent Resolution No. 3015. A Concurrent Resolution urging all state educational leaders, boards, institutions, and teachers to provide the curricula necessary for environmental education.

Which was read the first time and referred to the committee on Education.

House Concurrent Resolution No. 3020. A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to lowering of the voting age from twenty-one to eighteen.

Which was read the first time and referred to the committee on Judiciary.

House Concurrent Resolution No. 3022. A Concurrent Resolution calling to the attention of the county commissioners of certain counties the statutory deadline relating to the appointment of county directors of tax equalization.

Which was read the first time and referred to the committee on Political Subdivisions.

House Concurrent Resolution No. 3025. A Concurrent Resolution asking for a national goal and policy on distribution of opportunity and, hence, population in the United States in order to successfully absorb the projected 100 million new Americans who will be seeking jobs and homes by the year 2000.

Which was read the first time and referred to the committee on Natural Resources.

House Concurrent Resolution No. 3026. A Concurrent Resolution directing the Commissioner of Insurance to conduct a study of the field of nonprofit hospital and medical service plan corporations.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Concurrent Resolution No. 3028. A Concurrent Resolution directing the public school boards of this State to cooperate in the transportation of nonpublic school children.

Which was read the first time and referred to the committee on Education.

House Concurrent Resolution No. 3030. A Concurrent Resolution urging the Congress of the United States to designate the Saint Lawrence Seaway as a toll free transportation route.

Which was read the first time and referred to the committee on Transportation.

House Concurrent Resolution No. 3035. A Concurrent Resolution urging beer and soft drink manufacturers, bottlers, and distributors to use returnable containers and to commend the "Keep North Dakota Clean" organization for its work.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Concurrent Resolution No. 3038. A Concurrent Resolution to commend the Assumption Abbey for its many years of educational service to North Dakota.

Which was read the first time and referred to the committee on Education.

House Concurrent Resolution No. 3042. A Concurrent Resolution urging Congress and the Nixon Administration to support the Rural Electrification Administration two percent loan program.

Which was read the first time and referred to the committee on Agriculture.

House Concurrent Resolution No. 3044. A Concurrent Resolution expressing support to the United States Department of the Interior for its research efforts in weather modification in the Upper Midwest area.

Which was read the first time and referred to the committee on Agriculture.

House Concurrent Resolution No. 3045. A Concurrent Resolution for the amendment of section 216 of the Constitution of the state of North Dakota, and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to the removal of the constitutional status of the Ellendale Branch of the University of North Dakota.

Which was read the first time and referred to the committee on Education.

House Concurrent Resolution No. 3046. A Concurrent Resolution urging the Congress of the United States to review the federal statutes relating to Aid to Families with Dependent Children.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Concurrent Resolution No. 3047. A Concurrent Resolution urging the President of the United States and the Congress of the United States to continue the school milk program.

Which was read the first time and referred to the committee on Agriculture.

House Concurrent Resolution No. 3055. A Concurrent Resolution urging the President of the United States and the Secretary of Agriculture to retain the Department of Agriculture as a separate agency, investigate ways of improving the economic plight of the North Dakota farmer, and preserve the private enterprise system of our society.

Which was read the first time and referred to the committee on Agriculture.

House Concurrent Resolution No. 3058. A Concurrent Resolution urging North Dakotans who ride or operate snowmobiles to use helmets, and to urge state organizations and agencies to encourage the use of helmets.

Which was read the first time and referred to the committee on Transportation.

House Concurrent Resolution No. 3064. A Concurrent Resolution urging the Department of Public Instruction to integrate elements of consumer education into appropriate courses of study in North Dakota's elementary and secondary schools.

Which was read the first time and referred to the committee on Education.

House Concurrent Resolution No. 3066. A Concurrent Resolution requesting the President of the United States and the Secretary of Health, Education, and Welfare to simplify and speed procedures for federal funds.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Concurrent Resolution No. 3067. A Concurrent Resolution urging the Secretary of Agriculture to abstain from calling in further excessive amounts of North Dakota farm stored grain.

Which was read the first time and referred to the committee on Agriculture.

House Concurrent Resolution No. 3069. A Concurrent Resolution congratulating Dr. Norman E. Borlaug, the 1970 winner of the Nobel Peace Prize.

Which was read the first time and referred to the committee on Agriculture.

House Concurrent Resolution No. 3076. A Concurrent Resolution encouraging the State Board of Equalization to establish a 20% 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. 3077. A Concurrent Resolution regarding the discontinuance of certain farming operations at the charitable and penal institutions, providing for greater cooperation in the farming operations between the various institutions, and calling for improved financial reporting.

Which was read the first time and referred to the committee on Appropriations.

House Concurrent Resolution No. 3080. A Concurrent Resolution supporting construction of the Garrison Diversion Unit.

Which was read the first time and referred to the committee on Natural Resources.

House Concurrent Resolution No. 3081. A Concurrent Resolution honoring North Dakotans who have died in Vietnam.

Which was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

House Concurrent Resolution No. 3083. A Concurrent Resolution urging Congress to direct the United States Army Corps of Engineers to construct and maintain at federal expense additional bank stabilization works on the Missouri River in North Dakota.

Which was read the first time and referred to the committee on Natural Resources.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SECOND DAY

Bismarck, February 22, 1971

The Senate convened at 2:00 p.m., the president presiding.

Prayer by Chaplain Rebecca Walters, Lieutenant, Salvation Army, Bismarck.

"Our Father, we look to you today as the Leader of our country. We pray Your blessing upon us at this moment. May Your love shine in the hearts of each one. In Jesus' name. Amen."

Roll Call: All Senators present except Senators Butler, Christensen, Forkner, Holand, Kautzmann, L. Larson, Longmire, Rait, Sanstead, Sorlie and Wenstrom. Senator Lowe, deceased.

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 recommends that the same be corrected as follows:

On page 661, line 16, from the bottom, delete the words "an dthere were" and insert in lieu thereof "and there were"

On page 664, line 11, correct spelling of word "provided"

On page 664, line 13 from the bottom, correct spelling of word "building"

On page 664, line 6 from the bottom, correct spelling of the word "court"

On page 683, line 9 from the bottom, after the figure "2001" insert the figure "2204"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 22, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2443

Very respectfully,

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4034. A Concurrent Resolution urging the Automobile Dealers Association of North Dakota and the State Motor Vehicle Department to tighten rules and regulations regarding the use of dealers' license plates.

Was read the second time.

Senator Page moved that Senate Concurrent Resolution No. 4034 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4044. A Concurrent Resolution urging counties and townships to properly mark all "T" intersections.

Was read the second time.

Senator Erdman moved that Senate Concurrent Resolution No. 4044 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Department of Accounts and Purchases to consider safety features as well as price in determining the successful bidder when purchasing motor vehicles.

Was read the second time.

Senator Unruh moved that Senate Concurrent Resolution No. 4045 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 4047. A Concurrent Resolution urging reasonable freight rates for the transportation of North Dakota's agricultural products.

Was read the second time.

Senator Erdman moved that Senate Concurrent Resolution No. 4047 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1007. A Bill for an Act making an appropriation to the unemployment compensation division for the purpose of administering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code.

Which have been read.

Senator Lips moved that House Bill No. 1007 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1019. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement 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, 31; nays, 7; absent and not voting, 10 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Ringsak
Barth	Jacobson	Mutch	Robinson
Berube	Jones	Nasset	Swedlund
Chesrown	Just	Nething	Thane
Coughlin	Larson, G.	Page	Unruh
Doherty	Lips	Pyle	Van Horn
Erdman	Litten	Rait	Wilhite
Gronhovd	Melland	Redlin	

Those voting in the negative were:

Freed	Roen	Strinden	Thoreson
Goldberg	Schultz	Stroup	

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.		

So the bill passed and the title was agreed to.

House Bill No. 1066. A Bill for an Act to amend and reenact section 39-16-05 and subsection 3 of section 39-16-07 of the North Dakota Century Code, relating to suspension of drivers' licenses after the negligence or responsibility of drivers involved in accidents has been determined, and providing for filing of evidence of nonliability or confession of judgment with the commissioner, and for suspension of license in case of default.

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, 0; absent and not voting, 10 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Schultz
Barth	Jacobson	Nething	Strinden
Berube	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Freed	Melland	Robinson	Van Horn
Goldberg	Morgan	Roen	Wilhite
Gronhovd	Mutch		

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.		

So the bill passed and the title was agreed to.

House Bill No. 1078. A Bill for an Act to amend and reenact section 11-10-20 of the North Dakota Century Code, relating to the central filing of documents kept by certain county officials when directed by resolution of the board of county commissioners.

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, 0; absent and not voting, 10 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Schultz
Barth	Jacobson	Nothing	Strinden
Berube	Jones	Page	Stroup
Chesrown	Just	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Freed	Melland	Robinson	Van Horn
Goldberg	Morgan	Roen	Wilhite
Gronhovd	Mutch		

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.		

So the bill passed and the title was agreed to.

House Bill No. 1087. A Bill for an Act to amend and reenact sections 4-02-17 and 4-02-18 of the North Dakota Century Code; and to repeal section 4-02-21 of the North Dakota Century Code, relating to the Missouri Slope agriculture and fair association.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 1; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Schultz
Barth	Hernett	Nasset	Strinden
Berube	Jacobson	Nothing	Stroup
Chesrown	Jones	Page	Swedlund
Coughlin	Just	Pyle	Thane
Doherty	Lips	Rait	Thoreson
Erdman	Litten	Redlin	Unruh
Freed	Melland	Ringsak	Van Horn
Goldberg	Morgan	Robinson	Wilhite

Those voting in the negative were:

Larson, G.

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Roen	Wenstrom
Forkner	Larson, L.	Sanstead	

So the bill passed and the title was agreed to.

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each polit-

ical party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

Was read the second time.

Senator Wilhite moved that House Bill No. 1094 be placed directly below House Bill No. 1135, which motion prevailed.

Senator Van Horn moved that House Bills Nos. 1094 and 1135 be laid over two legislative days.

House Bill No. 1107. A Bill for an Act to permit any person over eighteen years of age to be a blood donor without parental 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, 34; nays, 3; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nothing	Schultz
Barth	Jones	Page	Strinden
Berube	Just	Pyle	Stroup
Chesrown	Lips	Rait	Swedlund
Coughlin	Litten	Redlin	Thane
Erdman	Morgan	Ringsak	Thoreson
Freed	Mutch	Robinson	Van Horn
Goldberg	Melland	Roen	Wilhite
Gronhovd	Nasset		

Those voting in the negative were:

Doherty	Larson, G.	Unruh
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Absent and not voting:

Butler	Holand	Larson, L.	Sorlie
Christensen	Jacobson	Longmire	Wenstrom
Forkner	Kautzmann	Sanstead	

So the bill passed and the title was agreed to.

House Bill No. 1131. A Bill for an Act to amend and reenact sections 32-18-02, 32-18-04, and 32-18-05 of the North Dakota Century Code, relating to the period of redemption allowed a defaulting purchaser under a contract for deed or similar instrument.

Which has been read.

Senator Chesrown moved that House Bill No. 1131 be laid over four legislative days, which motion prevailed.

House Bill No. 1155. A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to sheriff's mileage.

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, 33; nays, 4; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Goldberg	Melland	Robinson	Van Horn
Gronhovd			

Those voting in the negative were:

Freed	Morgan	Rait	Strinden
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Absent and not voting:

Butler	Holand	Longmire	Wenstrom
Christensen	Kautzmann	Sanstead	Wilhite
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1156. A Bill for an Act to create and enact subsection 12 of section 43-15-10 of the North Dakota Century Code, relating to powers of the state board of pharmacy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 507 of the Senate Journal, the roll was called and there were ayes, 32; nays, 3; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Redlin
Barth	Hernett	Morgan	Ringsak
Berube	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Coughlin	Just	Nothing	Thane
Erdman	Larson, G.	Page	Thoreson
Freed	Lips	Pyle	Unruh
Goldberg	Litten	Rait	Van Horn

Those voting in the negative were:

Doherty	Roen	Strinden
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Absent and not voting:

Butler	Kautzmann	Robinson	Sorlie
Christensen	Larson, L.	Sanstead	Wenstrom
Forkner	Longmire	Schultz	Wilhite
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1178. A Bill for an Act to amend and reenact Section 36-04-03 of the North Dakota Century Code, relating to agents of livestock, poultry and wool dealers use of checks or other commercial paper other than in the name of their principals.

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, 1; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Roen
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Goldberg	Litten	Redlin	Unruh
Gronhovd	Melland	Ringsak	Van Horn

Those voting in the negative were:

Freed

Absent and not voting:

Butler	Holand	Robinson	Wenstrom
Christensen	Larson, L.	Sanstead	Wilhite
Forkner	Longmire	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1179. A Bill for an Act to amend and reenact section 36-04-01 of the North Dakota Century Code, relating to the definition of livestock and wool dealers.

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, 36; nays, 0; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Roen
Barth	Hernett	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Freed	Litten	Redlin	Unruh
Goldberg	Melland	Ringsak	Van Horn

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Robinson	Wenstrom
Forkner	Larson, L.	Sanstead	Wilhite

So the bill passed and the title was agreed to.

House Bill No. 1180. A Bill for an Act to amend and reenact section 36-04-07 of the North Dakota Century Code, relating to live-stock, poultry and wool dealer's licensure, penalty fees and transferability of 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, 36; nays, 1; absent and not voting 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Robinson
Barth	Hernett	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Freed	Litten	Redlin	Unruh
Goldberg	Melland	Ringsak	Van Horn

Those voting in the negative were:

Roen

Absent and not voting:

Butler	Holand	Longmire	Wilhite
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1258. A Bill for an Act to amend and reenact section 20-05-03 of the North Dakota Century Code, allowing horses and mules to be used in hunting big game.

Which has been read.

Senator Van Horn moved that House Bill No. 1258 be laid over one legislative day, which motion prevailed.

Senator Litten moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

House Bill No. 1204. A Bill for an Act relating to the removal of disability of certain minors in making an educational loan, and constituting the Uniform Minor Student Capacity to Borrow Act.

Senator Melland moved that House Bill No. 1204 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1208. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to Bank making loans — real estate limited.

Which has been read.

Senator Melland moved that House Bill No. 1208 be laid over two legislative days, which motion prevailed.

House Bill No. 1215. A Bill for an Act to amend and reenact sections 4-22-02, 4-22-03, 4-22-04, 4-22-06, 4-22-08, 4-22-09, 4-22-10, 4-22-11, 4-22-14, 4-22-16, 4-22-17, 4-22-21, 4-22-22, 4-22-23.1, subsection 6 of section 4-22-26, sections 4-22-27, 4-22-28, 4-22-29, 4-22-31, 4-22-32, 4-22-37, 4-22-42, 4-22-43, and 4-22-47 of the North Dakota Century Code; and to repeal sections 4-22-07, 4-22-18, 4-22-19, 4-22-20, and 4-22-22.1 of the North Dakota Century Code, relating to the state soil conservation committee and soil districts.

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, 30; nays, 3; absent and not voting, 15 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Robinson
Barth	Hernett	Nothing	Schultz
Chesrown	Jacobson	Page	Strinden
Coughlin	Larson, G.	Pyle	Stroup
Doherty	Lips	Rait	Thoreson
Erdman	Litten	Redlin	Unruh
Freed	Melland	Ringsak	Wilhite
Goldberg	Morgan		

Those voting in the negative were:

Mutch	Roen	Thane
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Absent and not voting:

Berube	Holand	Larson, L.	Swedlund
Butler	Jones	Longmire	Van Horn
Christensen	Just	Sanstead	Wenstrom
Forkner	Kautzmann	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1216. A Bill for an act to amend and reenact section 57-37-22 of the North Dakota Century Code, relating to estate tax reports, inventories, applications and supplements.

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, 0; absent and not voting, 15 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Roen
Barth	Jacobson	Nothing	Strinden
Chesrown	Larson, G.	Page	Stroup
Coughlin	Lips	Pyle	Swedlund
Doherty	Litten	Rait	Thane
Erdman	Melland	Redlin	Thoreson
Freed	Morgan	Ringsak	Unruh
Goldberg	Mutch	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Berube	Holand	Larson, L.	Sorlie
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Butler	Jones	Longmire	Van Horn
Christensen	Just	Sanstead	Wenstrom
Forkner	Kautzmann	Schultz	

So the bill passed and the title was agreed to.

House Bill No. 1241. A Bill for an Act to create and enact subsection 7 of section 60-02-09 of the North Dakota Century Code relating to track buyers and public warehousemen's bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Goldberg	Melland	Ringsak	Unruh
Gronhovd	Morgan	Robinson	Wilhite

Absent and not voting:

Butler	Freed	Larson, L.	Sortie
Christensen	Holand	Longmire	Van Horn
Forkner	Kautzmann	Sanstead	Wenstrom

So the bill passed and the title was agreed to.

Senator Strinden moved that House Bill No. 1249 be moved to the head of the calendar, which motion prevailed.

House Bill No. 1249. A Bill for an Act to amend and reenact subsection 8 of section 40-05-02 of the North Dakota Century Code, relating to the power of a municipality to construct and keep in repair overhead pedestrian bridges.

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, 34; nays, 2; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Robinson
Barth	Jacobson	Nasset	Roen
Berube	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Lips	Rait	Thoreson
Erdman	Litten	Redlin	Unruh
Goldberg	Melland	Ringsak	Wilhite
Gronhovd	Morgan		

Those voting in the negative were:

Schultz	Strinden
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Absent and not voting:

Butler	Freed	Larson, L.	Sortie
Christensen	Holand	Longmire	Van Horn
Forkner	Kautzmann	Sanstead	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1243. A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the North Dakota Century Code, relating to power of municipalities to defray expense of overhead

pedestrian bridges by special assessments.

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, 32; nays, 4; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Robinson
Barth	Jacobson	Nasset	Roen
Berube	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Goldberg	Litten	Redlin	Unruh
Gronhovd	Melland	Ringsak	Wilhite

Those voting in the negative were:

Doherty	Mutch	Schultz	Strinden
Absent and not voting:			
Butler	Freed	Larson, L.	Sorlie
Christensen	Holand	Longmire	Van Horn
Forkner	Kautzmann	Sanstead	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1244. A Bill for an Act to amend and reenact subsections 3, 4, 5, 6, 7, 8, 9, 10 and 20 of section 64-02-10 of the North Dakota Century Code, relating to the fees to be charged for inspecting weighing and measuring devices, including devices for measuring liquid fertilizer.

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, 20; nays, 15; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Hernett	Morgan	Strinden
Berube	Jacobson	Nasset	Swedlund
Chesrown	Just	Nothing	Thane
Erdman	Larson, G.	Pyle	Thoreson
Gronhovd	Melland	Rait	Wilhite

Those voting in the negative were:

Anderson	Jones	Page	Schultz
Coughlin	Lips	Redlin	Stroup
Doherty	Litten	Robinson	Unruh
Goldberg	Mutch	Roen	

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Ringsak	Van Horn
Forkner	Larson, L.	Sanstead	Wenstrom
Freed			

Senator Robinson changed his vote from aye to nay for the purpose or reconsideration.

So the bill was declared lost.

House Bill No. 1268. A Bill for an Act to amend and reenact section 40-47-07 of the North Dakota Century Code, relating to appointment of an alternate member to a board of adjustment.

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, 34; nays, 0; absent and not voting, 14 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Schultz
Barth	Jones	Nothing	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Goldberg	Melland	Robinson	Unruh
Gronhovd	Morgan	Roen	Wilhite
Hernett	Mutch		

Absent and not voting:

Butler	Freed	Longmire	Sorlie
Christensen	Holand	Ringsak	Van Horn
Doherty	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.		

So the bill passed and the title was agreed to.

House Bill No. 1269. A Bill for an Act to amend and reenact section 40-29-03 of the North Dakota Century Code, relating to required notice to construct, rebuild, or repair sidewalks.

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, 20; nays, 16; absent and not voting 12 (Lowe, deceased).

Those voting in the affirmative were:

Barth	Gronhovd	Melland	Redlin
Berube	Hernett	Morgan	Roen
Chesrown	Jacobson	Nasset	Stroup
Erdman	Just	Pyle	Swedlund
Goldberg	Litten	Rait	Unruh

Those voting in the negative were:

Anderson	Jones	Nothing	Strinden
Coughlin	Larson, G.	Page	Thane
Doherty	Lips	Ringsak	Thoreson
Freed	Mutch	Robinson	Wilhite

Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Sanstead	Van Horn
Forkner	Larson, L.	Schultz	Wenstrom

Senator Lips changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

House Bill No. 1304. A Bill for an Act to amend and reenact section 12-51-04 of the North Dakota Century Code, relating to housing and feeding of inmates at the state farm.

Which has been read.

Senator Melland moved that House Bill No. 1304 be laid over two legislative days, which motion prevailed.

MOTION

Senator Robinson moved that the Senate reconsider the action whereby House Bill No. 1244 was lost, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1244. A Bill for an Act to amend and reenact subsections 3, 4, 5, 6, 7, 8, 9, 10 and 20 of section 64-02-10 of the North Dakota Century Code, relating to the fees to be charged for inspecting weighing and measuring devices, including devices for measuring liquid fertilizer.

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, 32; nays, 4; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Roen
Barth	Hernett	Nasset	Strinden
Berube	Jacobson	Nething	Stroup
Chesrown	Just	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Freed	Litten	Redlin	Unruh
Goldberg	Melland	Robinson	Wilhite

Those voting in the negative were:

Doherty	Jones	Mutch	Ringsak
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Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Sanstead	Van Horn
Forkner	Larson, L.	Schultz	Wenstrom

So the bill passed and the title was agreed to.

MOTION

Senator Lips moved that the Senate reconsider the action by which House Bill No. 1269 was lost, which motion prevailed.

Senator Lips moved that House Bill No. 1269 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1305. A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to the officers of the senate and of the house of representatives, and to the maintenance of legislative organization in the event a special legislative session is called.

Which has been read.

Senator Ringsak moved that House Bill No. 1305 be amended as follows:

Page 1 of House Bill No. 1305, as amended, line 17, after the word "clerk" insert the following: **"and officers"**

Page 2, line 11, after the first word "The" insert the following: **"secretary and"**

Page 2, line 11, after the words "senate and" insert the following: **"chief clerk and officers"**

Which motion prevailed.

Senator Ringsak moved that the rules be suspended and that House Bill No. 1305 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

Senator Wilhite moved that House Bill No. 1305 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1366. A Bill for an Act to create and enact section 36-13-03.1 of the North Dakota Century Code, relating to alternate disposition of an animal as an estray on the property of any 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, 37; nays, 0; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
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Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nething	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Freed	Melland	Ringsak	Unruh
Goldberg	Morgan	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1369. A Bill for an Act to amend and reenact section 15-08-26 of the North Dakota Century Code, relating to the time in which a lessee may remove improvements he has placed on the land when the land is sold.

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, 37; nays, 0; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nething	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Freed	Melland	Ringsak	Unruh
Goldberg	Morgan	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1433. A Bill for an Act to provide for the suspension or revocation of certificates of title to motor vehicles.

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, 34; nays, 2; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Robinson
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nething	Swedlund
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Thane
Doherty	Lips	Rait	Thoreson
Erdman	Litten	Redlin	Unruh
Goldberg	Melland	Ringsak	Wilhite
Gronhovd	Morgan		

Those voting in the negative were:

Freed	Strinden
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Absent and not voting:

Butler	Holand	Longmire	Sorlie
Christensen	Kautzmann	Roen	Van Horn
Forkner	Larson, L.	Sanstead	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1459. A Bill for an Act to create and enact subsection 17 of section 54-12-01 of the North Dakota Century Code, relating to duties of the attorney general.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Robinson
Barth	Hernett	Mutch	Roen
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nothing	Strinden
Coughlin	Just	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Lips	Rait	Thane
Freed	Litten	Redlin	Unruh
Goldberg	Melland	Ringsak	Wilhite

Absent and not voting:

Butler	Holand	Longmire	Thoreson
Christensen	Kautzmann	Sanstead	Van Horn
Forkner	Larson, L.	Sorlie	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1472. A Bill for an Act to create and enact section 49-07-05.1 of the North Dakota Century Code, relating to violations of gas safety standards and providing monetary penalties therefor.

Which has been read.

Senator Jacobson moved that House Bill No. 1472 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1479. A Bill for an Act to amend and reenact sections 15-03-04 and 15-06-01, subdivision h of subsection 2 of section 15-39-01, sections 15-47-02, 25-07-01, 25-07-05, and 25-07-07 of the North Dakota Century Code, and to amend and reenact section 15-34.1-02 as contained in section 5 of House Bill No. 1045, as approved by the forty-second legislative assembly, deleting the words "and dumb" from the phrase "deaf and dumb" and substituting the word "deaf" for the word "mute", and to amend and reenact section 25-07-04 of the North Dakota Century Code, relating to the age at which deaf children shall be allowed to attend the school for the deaf.

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, 0; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson

Freed	Melland	Ringsak	Unruh
Goldberg	Morgan	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1505. A Bill for an Act to amend and reenact sections 54-36-01 and 54-36-05 of the North Dakota Century Code relating to the North Dakota Indian affairs commission and its powers and duties.

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, 2; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Robinson
Barth	Hernett	Mutch	Roen
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nething	Strinden
Coughlin	Just	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Lips	Rait	Unruh
Freed	Litten	Redlin	Wilhite
Goldberg	Melland	Ringsak	

Those voting in the negative were:

Thane	Thoreson
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Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1513. A Bill for an Act to amend and reenact sections 54-03-06 and 54-35-04 of the North Dakota Century Code, providing that all hearings of the legislative assembly and its committees shall be open to the public.

Which has been read.

Senator Stroup moved that House Bill No. 1513 be laid over two legislative days, which motion prevailed.

House Bill No. 1522. A Bill for an Act to amend and reenact subsection 6 of section 25-01-01, sections 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-10.1, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, sections 25-05-33, 25-05-34, 25-09-01, subsection 1 of section 25-09-10, and section 54-23-01 of the North Dakota Century Code, relating to changing the name of the North Dakota state tuberculosis sanatorium to the San Haven state hospital, and providing the state director of institutions with authority to accept federal funds and programs on behalf of the hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 572 of the Senate Journal, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz

Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Freed	Melland	Ringsak	Unruh
Goldberg	Morgan	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1530. A Bill for an Act to create and enact section 35-11-01.1 of the North Dakota Century Code, relating to farm laborers' liens.

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, 35; nays, 0; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Unruh
Goldberg	Melland	Ringsak	Wilhite
Gronhovd	Morgan	Robinson	

Absent and not voting:

Butler	Holand	Longmire	Thoreson
Christensen	Kautzmann	Sanstead	Van Horn
Forkner	Larson, L.	Sorlie	Wenstrom
Freed			

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends that the name of John Dewald, Bismarck, Enrolling and Engrossing Clerk, be deleted as of February 20, 1971, and the name of Marie Skjod, Mandan, be placed in lieu thereof, effective February 18, 1971, and that the name of Larry Borlaug, Washburn, Journal Proofreader, be deleted as of February 19, 1971, and the name of Lorna Schauer, Dawson, be placed in lieu thereof, effective February 19, 1971.

SENATOR ROBINSON, Chairman

Senator Robinson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Robinson, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Roen
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund

Doherty	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Goldberg	Melland	Ringsak	Unruh
Gronhovd	Morgan	Robinson	Wilhite
Absent and not voting:			
Butler	Freed	Larson, L.	Sorlie
Christensen	Holand	Longmire	Van Horn
Forkner	Kautzmann	Sanstead	Wenstrom

So the motion was declared carried.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Procedural Committee on Committees recommends that Senator Dave Robinson be appointed to serve on the Senate Finance and Taxation Committee on a temporary basis. Senator Robinson shall retain his position on the Appropriations Committee, notwithstanding Rule 40 of the Senate Rules, and shall be permitted to vote on both committees.

Senator Ringsak moved that the report be adopted, which motion prevailed.

SENATOR RINGSAK, Vice Chairman

MOTION

Senator Ringsak moved that House Bill No. 1305 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1305. A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to the officers of the senate and of the house of representatives, and to the maintenance of legislative organization in the event a special legislative session is called.

Which has been read.

Senator Nething moved that the majority and minority leaders assistant majority and minority leaders, and committee chairmen be allowed to vote on Senate Bill No. 1305, which motion prevailed.

Senator Rait moved that Senate Bill No. 1305 be laid over two legislative days, which motion lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 1305, as amended from the floor, the roll was called and there were ayes, 32; nays, 5; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Strinden
Coughlin	Just	Nething	Stroup
Doherty	Larson, G.	Page	Swedlund
Erdman	Lips	Pyle	Thane
Freed	Litten	Ringsak	Thoreson
Goldberg	Melland	Robinson	Unruh
Hernett	Morgan	Roen	Wilhite

Those voting in the negative were:

Barth	Gronhovd	Rait	Redlin
Berube			

Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

MOTION

Senator Chesrown moved that House Bill No. 1204 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1204. A Bill for an Act relating to the removal of disability of certain minors in making an educational loan, and constituting the Uniform Minor Student Capacity to Borrow 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, 31; nays, 6; absent and not voting, 11 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Strinden
Barth	Hernett	Nasset	Stroup
Chesrown	Jacobson	Nething	Swedlund
Coughlin	Just	Page	Thane
Doherty	Lips	Pyle	Thoreson
Erdman	Litten	Ringsak	Unruh
Freed	Melland	Robinson	Wilhite
Goldberg	Morgan	Roen	

Those voting in the negative were:

Berube	Larson, G.	Redlin	Schultz
Jones	Rait		

Absent and not voting:

Butler	Holand	Longmire	Van Horn
Christensen	Kautzmann	Sanstead	Wenstrom
Forkner	Larson, L.	Sorlie	

So the bill passed and the title was agreed to.

MOTION

Senator Jacobson moved that House Bill No. 1472 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1472. A Bill for an Act to create and enact section 49-07-05.1 of the North Dakota Century Code, relating to violations of gas safety standards and providing monetary penalties therefor.

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, 9; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Rait
Barth	Hernett	Melland	Redlin
Berube	Jacobson	Nasset	Swedlund
Chesrown	Jones	Nething	Thane
Erdman	Just	Page	Unruh
Freed	Larson, G.	Pyle	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Coughlin	Mutch	Robinson	Strinden
Doherty	Ringsak	Schultz	Thoreson
Morgan			

Absent and not voting:

Butler	Kautzmann	Roen	Stroup
Christensen	Larson, L.	Sanstead	Van Horn
Forkner	Longmire	Sorlie	Wenstrom
Holand			

So the bill passed and the title was agreed to.

MOTION

Senator Wilhite moved that the name of Senator Lowe be removed from the Senate roll.

ROLL CALL

The question being on motion of Senator Wilhite, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 13 (Lowe, deceased).

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Robinson
Barth	Hernett	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Coughlin	Just	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Lips	Rait	Unruh
Freed	Litten	Redlin	Wilhite
Goldberg	Melland	Ringsak	

Absent and not voting:

Butler	Kautzmann	Roen	Stroup
Christensen	Larson, L.	Sanstead	Van Horn
Forkner	Longmire	Sorlie	Wenstrom
Holand			

So the motion was declared carried.

Senator Wilhite moved that after reading of Senate Concurrent Resolutions Nos. 4036, 4039, 4045, House Bills Nos. 1007, 1043, 1053, 1055, 1105, 1166, 1172, 1209, 1221, 1222, 1265, 1281, 1312, 1316, 1342, 1364, 1384, 1468, 1527 and House Concurrent Resolution No. 3013, that the Senate recess until 1:15 p.m., February 23, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SECOND DAY AFTER RECESS
AND FORTY-THIRD DAY

Bismarck, February 23, 1971

The Senate convened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGE FROM THE GOVERNOR

Bismarck, February 20, 1971

The Honorable Richard F. Larsen
President of the Senate
Senate Chambers
Bismarck, North Dakota

Dear Mr. President:

This is to inform you that on February 19, I signed the following

Senate Bills:

Senate Bill No. 2037
Senate Bill No. 2043
Senate Bill No. 2049
Senate Bill No. 2058
Senate Bill No. 2071
Senate Bill No. 2077
Senate Bill No. 2079
Senate Bill No. 2080
Senate Bill No. 2082
Senate Bill No. 2083
Senate Bill No. 2084
Senate Bill No. 2087
Senate Bill No. 2088
Senate Bill No. 2096
Senate Bill No. 2098
Senate Bill No. 2107
Senate Bill No. 2113
Senate Bill No. 2120
Senate Bill No. 2135
Senate Bill No. 2146
Senate Bill No. 2148

On February 20, I signed the following Senate Bills:

Senate Bill No. 2039
Senate Bill No. 2044
Senate Bill No. 2068
Senate Bill No. 2078
Senate Bill No. 2081
Senate Bill No. 2086
Senate Bill No. 2104
Senate Bill No. 2195

Sincerely yours,
WILLIAM L. GUY, Governor

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4029 has had the same under consideration and recommends that the same do pass and be re-referred to Legislative Council Resolutions Committee.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4029 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution No. 4051 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1233 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1253 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to who was referred House Bill No. 1272 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1283 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1287 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion lost and House Bill No. 1287 was placed on the calendar.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1302 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1348 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1357 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1358 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1434 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 13 insert beginning triple parentheses before "deduct"

Page 1 line 14 insert ending triple parentheses after "owner" and insert beginning triple parentheses before "upon"

Page 1 line 15 insert ending triple parentheses after "vehicle" and insert in lieu thereof "claim a refund in"

Page 1 delete lines 19 and 20

Page 1 line 22 delete "mailed or delivered to the department for cancellation" and insert in lieu thereof the following:

"Any person or organization who completely destroys or completely dismantles a car or truck so as to cause that car or truck to lose its identity shall forward the title for this vehicle to the motor vehicle registrar within 10 days"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh 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. 1450 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1503 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1515 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1528 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Concurrent Resolution No. 4052, and House Bills Nos. 1124 and 1230 be dispensed with, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution No. 4052 as recommended by the Committee on Natural Resources, and printed on page 692 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1124 as recommended by the Committee on Finance and Taxation, and printed on page 693 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1230 as recommended by the Committee on Judiciary, and printed on page 694 of the Senate Journal, be adopted, which motion prevailed.

SECOND READING OF

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4036. A Concurrent Resolution requesting the Congress of the United States to appropriate funds for the reclamation and the restoration of lands disturbed by lignite strip mining.

Which has been read.

Senator Stroup moved that Senate Concurrent Resolution No. 4036 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4039. A Concurrent Resolution directing the Natural Resources Council to study and prepare legislation to create a Department of Natural Resources.

Which has been read.

Senator G. Larson moved that Senate Concurrent Resolution No. 4039 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Department of Accounts and Purchases to consider safety features as well as price in determining the successful bidder when purchasing motor vehicles.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4045 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1007. A Bill for an Act making an appropriation to the unemployment compensation division for the purpose of administering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code.

Which has been read.

Senator Coughlin moved that House Bill No. 1007 be re-referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 1043. A Bill for an Act to provide for a central microfilm unit in the office of the secretary of state; to provide for the transfer of certain microfilm equipment to the secretary of state; and providing an appropriation.

Which has been read.

Senator Lips moved that House Bill No. 1043 be re-referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 1053. A Bill for an Act to create and enact new subsections to sections 57-39.2-02, 57-39.2-03, and 57-39.2-03.1, and to create and enact a new subdivision to subsection 9 of section 57-40.2-01 of the North Dakota Century Code, relating to the taxation of food purchased from college and university cafeterias and dining rooms.

Which has been read.

Senator Rait moved that House Bill No. 1053 be laid over one legislative day, which motion prevailed.

House Bill No. 1055. A Bill for an Act to amend and reenact section 15-11-26 of the North Dakota Century Code, relating to the exemption from the property tax of the alumni building at the University 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, 2; absent and not voting, 14.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nothing	Strinden
Berube	Just	Page	Stroup
Coughlin	Lips	Pyle	Swedlund
Doherty	Litten	Rait	Thane
Erdman	Melland	Redlin	Thoreson
Freed	Morgan	Ringsak	Van Horn
Goldberg	Mutch	Robinson	Wilhite

Those voting in the negative were:

Chesrown Unruh

Absent and not voting:

Butler	Holand	Larson, L.	Sanstead
Christensen	Jacobson	Longmire	Sorlie
Forkner	Kautzmann	Roen	Wenstrom
Hernett	Larson, G.		

So the bill passed and the title was agreed to.

House Bill No. 1105. A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-10, subsection 2 of section 57-39.2-17, and section 57-40.2-09 of the North Dakota Century Code, to provide that proceedings for the collection of sales and use taxes must be brought within three years after the due date of such taxes.

Which has been read.

Senator Doherty moved that House Bill No. 1105 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1166. A Bill for an Act to amend and reenact subsection 1 of section 57-38-45 of the North Dakota Century Code, relating to income tax interest and 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, 28; nays, 7; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Jones	Pyle	Stroup
Berube	Lips	Rait	Swedlund
Chesrown	Litten	Redlin	Thane
Doherty	Melland	Robinson	Thoreson
Erdman	Morgan	Roen	Unruh
Freed	Mutch	Schultz	Van Horn
Gronhovd	Nothing	Strinden	Wilhite

Those voting in the negative were:

Barth	Goldberg	Nasset	Ringsak
Coughlin	Larson, G.	Page	

Absent and not voting:

Butler	Holand	Kautzmann	Sanstead
Christensen	Jacobson	Larson, L.	Sorlie
Forkner	Just	Longmire	Wenstrom
Hernett			

So the bill passed and the title was agreed to.

House Bill No. 1172. A Bill for an Act to amend and reenact sections 16-11-04 and 16-11-10 of the North Dakota Century Code, relating to the number and color of election ballots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 641 of the Senate Journal, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Gronhovd	Nething	Strinden
Barth	Jones	Page	Stroup
Berube	Larson, G.	Pyle	Swedlund
Chesrown	Lips	Rait	Thane
Coughlin	Litten	Redlin	Thoreson
Doherty	Melland	Ringsak	Unruh
Erdman	Morgan	Robinson	Van Horn
Freed	Mutch	Roen	Wilhite
Goldberg	Nasset	Schultz	

Absent and not voting:

Butler	Holand	Kautzmann	Sanstead
Christensen	Jacobson	Larson, L.	Sorlie
Forkner	Just	Longmire	Wenstrom
Hernett			

So the bill passed and the title was agreed to.

House Bill No. 1209. A Bill for an Act to amend and reenact section 16-11-07 of the North Dakota Century Code, to provide for placement of an explanatory statement on the ballot for constitutional amendments and initiated and referred measures explaining the effect of both negative and affirmative votes on a particular measure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1221. A Bill for an Act to amend and reenact section 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, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1222. A Bill for an Act to amend and reenact section 40-21-07 of the North Dakota Century Code, relating to the time for filing petition for nomination of elective official in 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, 35; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite
Gronhovd	Nasset	Schultz	

Absent and not voting:

Anderson	Hernett	Kautzmann	Sanstead
Butler	Holand	Larson, L.	Sorlie
Christensen	Jacobson	Longmire	Wenstrom
Forkner			

So the bill passed and the title was agreed to.

Senator Litten moved that the absent members be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-THIRD DAY

Bismarck, February 23, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Donald Hill, St. Mary's Roman Catholic, Bismarck.

"O Lord, bless the work that we have here before us. Be mindful of Your people as we serve You in this government which is designed to bring about the welfare of the people of God. May we be so conscientious of our duty as Senators, to legislate that which will be pleasing and in keeping with what You have given to us. Through Christ Our Lord, Amen."

Roll call: All Senators present except Senators Butler, Christensen, Forkner, Hernett, Holand, Jacobson, Kautzmann, L. Larson, Longmire, Sanstead, Sorlie 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 fortieth day after recess, forty-first day and forty-second day and recommends that the same be corrected as follows:

On page 692, line 9 from the bottom, delete second figure "3" and insert in lieu thereof the figure "8"

On page 696, line 33, correct the spelling of the word "present"

On page 717, delete the figure "14" and insert in lieu thereof the figure "13"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

RULING ON POLICY AS TO
MATERIAL PLACED ON DESKS

Senator Litten rose on a point of inquiry requesting a ruling from the Chair as to policy with respect to materials placed on the desks of the Senators.

The Chair announced that the rule is that all material must be presented to the Secretary of State for approval, and material shall not be distributed unless it has a signature or other indication of distributor.

SECOND READING OF HOUSE BILLS

House Bill No. 1258. A Bill for an Act to amend and reenact section 20-05-03 of the North Dakota Century Code, allowing horses and mules to be used in hunting big game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 528 of the Senate Journal, the roll was called and there were ayes, 31; nays, 5; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Jones	Nothing	Strinden
Barth	Just	Page	Swedlund
Berube	Larson, G.	Pyle	Thane
Coughlin	Lips	Rait	Thoreson
Doherty	Litten	Redlin	Unruh
Erdman	Melland	Robinson	Van Horn
Freed	Mutch	Roen	Wilhite
Gronhovd	Nasset	Schultz	

Those voting in the negative were:

Chesrown	Morgan	Ringsak	Stroup
Goldberg			

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1265. A Bill for and Act to amend and reenact section 40-21-03 of the North Dakota Century Code, relating to appointment of judges, clerks and inspectors of municipal elections in council 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, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1281. A Bill for an Act to amend and reenact section 57-50-11.1 of the North Dakota Century Code, relating to assignment of motor fuel tax by persons holding designated permits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1312. A Bill for an Act to repeal sections 57-02-18, 57-02-18.1, 57-02-18.2, 57-02-18.3, 57-02-18.4, 57-02-18.5, 57-02-18.6, and 57-02-18.7 of the North Dakota Century Code, relating to the assessment and taxation 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, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie

Forkner Jacobson Longmire Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1316. A Bill for an Act to amend and reenact section 57-20-09 of the North Dakota Century Code, relating to the discount for early payment of property taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nothing	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1342. A Bill for an Act authorizing the director of institutions to convey certain land owned by the state of North Dakota to the Grafton park district.

Which has been read.

Senator Lips moved that House Bill No. 1342 be re-referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 1364. A Bill for an Act to provide for a revolving fund for concessions for the state park service, and to make an appropriation.

Which has been read.

Senator Lips moved that House Bill No. 1364 be re-referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 1384. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code as contained in House Bill 1045 as approved by the forty-second legislative assembly, relating to school district annexation.

Which has been read.

Senator Ringsak moved that House Bill No. 1384 be placed at the foot of the calendar, which motion lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 14; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Roen
Berube	Jones	Page	Strinden
Chesrown	Just	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Unruh
Erdman	Lips	Redlin	Van Horn
Freed	Litten		

Those voting in the negative were:

Barth	Mutch	Robinson	Thane
Doherty	Nasset	Schultz	Thoreson
Gronhovd	Nothing	Stroup	Wilhite
Morgan	Ringsak		

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

Senator Nasset changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

House Bill No. 1468. A Bill for an Act to amend and reenact sections 57-38-09.1 and 57-38-34 of the North Dakota Century Code, relating to the due date for filing tax returns by tax exempt organizations and cooperatives 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, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1527. A Bill for an Act to create and enact subsection 4 of section 20-08-01 of the North Dakota Century Code, relating to emergency closing of hunting seasons; and to amend and reenact section 20-08-04 of the North Dakota Century Code, relating to an exception in the publication of governor's 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, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3013. A Concurrent Resolution recognizing the efforts and objectives of those individuals and organizations who are memorializing the history of the U. S. 7th Cav-

ally during its territorial days' service in North Dakota, and to encourage the activities of those individuals and organizations, and to encourage various state departments, institutions, and agencies to give assistance.

Which has been read.

Senator Roen moved that House Concurrent Resolution No. 3013 be laid over one legislative day, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1105. A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-10, subsection 2 of section 57-39.2-17, and section 57-40.2-09 of the North Dakota Century Code, to provide that proceedings for the collection of sales and use taxes must be brought within three years after the due date of such taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jones	Nething	Strinden
Berube	Just	Page	Stroup
Chesrown	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Erdman	Melland	Ringsak	Unruh
Freed	Morgan	Robinson	Van Horn
Goldberg	Mutch	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Kautzmann	Sanstead
Christensen	Holand	Larson, L.	Sorlie
Forkner	Jacobson	Longmire	Wenstrom

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 23, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4034

Senate Concurrent Resolution No. 4044

Senate Concurrent Resolution No. 4047

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, February 23, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1019

House Bill No. 1066

House Bill No. 1078

House Bill No. 1087

House Bill No. 1107

House Bill No. 1155

House Bill No. 1178

House Bill No. 1179

House Bill No. 1180

House Bill No. 1204

House Bill No. 1215

House Bill No. 1216

House Bill No. 1241

House Bill No. 1243

House Bill No. 1244
 House Bill No. 1249
 House Bill No. 1268
 House Bill No. 1366
 House Bill No. 1369
 House Bill No. 1433
 House Bill No. 1459
 House Bill No. 1472
 House Bill No. 1479
 House Bill No. 1505
 House Bill No. 1530

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 23, 197-1

Mr. Speaker: I have the honor to return:

House Bill No. 1156
 House Bill No. 1305
 House Bill No. 1522

Which the Senate has amended.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, February 23, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1252
 House Bill No. 1526

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

FIRST READING OF HOUSE BILLS

House Bill No. 1002. A Bill for an Act making an appropriation for the general operation, maintenance and improvements of the extension division and experiment stations of North Dakota state university of agriculture and applied science.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1176. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to limitations upon personal property tax replacement payments to counties.

Which was read the first time and referred to the committee on Finance and Taxation.

House Bill No. 1205. A Bill for an Act to create and enact section 8-09-01.1 of the North Dakota Century Code, providing that the delivering carrier be responsible for any damages to the shipment.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1229. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of states attorney in a county of over 35,000 population be a full-time position, the employment of assistant states attorneys, the restrictions on the powers of states attorneys, increasing the salaries of county officials, and to create and enact a section to provide for an effective date thereof.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1254. A Bill for an Act to provide for the salary of the county sheriff and deputy sheriffs.

Which was read the first time and referred to the committee on Political Subdivisions.

House Bill No. 1276. A Bill for an Act to create and enact subsection 6 of section 49-18-02 of the North Dakota Century Code, relating to exemption from regulation of the transportation, for hire, of agricultural commodities.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1299. 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; 32-09-02, relating to the exemption of wages from garnishment; 32-09-03, relating to notice before garnishment of wages; 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 13-04, 51-13, and 51-14, of the North Dakota Century Code; providing a penalty; and providing for an appropriation.

Which was read the first time and referred to the committee on Industry, Business and Labor.

House Bill No. 1331. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such monies.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1336. A Bill for an Act for the preservation of public health through the regulation of the business of water well drilling, to create a state board of water well contractors, to provide for the certification of water well contractors, to provide for bonds, and to provide a penalty.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1352. A Bill for an Act to amend and reenact sections 15-53.1-27 and 15-53.1-40 of the North Dakota Century Code as contained in section 9 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to the continuance of elementary schools in reorganized school districts.

Which was read the first time and referred to the committee on Education.

House Bill No. 1431. A Bill for an Act to provide a method for determining the assessed valuation of agricultural land for tax purposes.

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 sec-

tions 39-18-02 and 39-18-03 of the 1969 Supplement to the North Dakota Century Code, relating to mobile home dealers.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1448. A Bill for an Act to amend and reenact sections 28-24-02, 28-24-04, 28-24-07, 32-19-18, 39-19.1-04, and 35-22-20 of the North Dakota Century Code, relating to shortening the period of redemption upon foreclosure of mortgages on business properties.

Which was read the first time and referred to the committee on Judiciary.

House Bill No. 1497. A Bill for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, relating to foundation program payments.

Which was read the first time and referred to the committee on Education.

House Bill No. 1501. A Bill for an Act to provide for matching funds to school districts for teacher retirement, and to amend section 15-39.1-09 of the North Dakota Century Code, as contained in House Bill No. 1517, as approved by the Forty-second Legislative Assembly, relating to membership and assessments in the teachers' fund for retirement.

Which was read the first time and referred to the committee on Education.

House Bill No. 1514. A Bill for an Act to amend and reenact sections 39-24-03 and 39-24-08, and subsections 3 and 6 of section 39-24-09 of the North Dakota Century Code, relating to the regulation of snowmobiles.

Which was read the first time and referred to the committee on Transportation.

House Bill No. 1517. A Bill for an Act to create a new system of retirement benefits for teachers, providing for assessments, and creating Chapter 15-39.1 of the North Dakota Century Code; and repealing Chapter 15-39 of the North Dakota Century Code, relating to teachers' insurance and retirement fund.

Which was read the first time and referred to the committee on Education.

House Bill No. 1518. A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for hunting, fishing and trapping licenses; and to provide an effective date.

Which was read the first time and referred to the committee on Natural Resources.

House Bill No. 1539. A Bill for an Act to create an Indian development fund under the supervision of the North Dakota business and industrial development department, and making an appropriation.

Which was read the first time and referred to the committee on State and Federal Government.

House Bill No. 1545. A Bill for an Act to amend and reenact sections 15-53.1-05, 15-53.1-06, 15-53.1-11, 15-53.1-27, 15-53.1-35, and 15-53.1-36 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to annexation hearings, continuance of elementary schools, county committees, attachment of contiguous territory to school districts, transfers of land upon reorganization or annexation, and publication of reorganization notices.

Which was read the first time and referred to the committee on Education.

House Bill No. 1554. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

Which was read the first time and referred to the committee on Appropriations.

House Bill No. 1555. A Bill for an Act to amend and reenact section 39-04-12, subsection 2 of section 39-04-19 of the 1969 Supplement to the North Dakota Century Code and section 39-04-21 of the North Dakota Century Code, relating to contents of number plates and motor vehicle registration fees.

Which was read the first time and referred to the committee on Transportation.

House Concurrent Resolution No. 3033. A Concurrent Resolution urging the Congress of the United States and the Secretary of the Interior to update the in-lieu payments in wetlands acquisitions.

Which was read the first time and referred to the committee on Natural Resources.

Senator Wilhite moved that after the reading of House Bills Nos. 1124, 1230, 1233, 1253, 1272, 1287, 1348, 1357, 1358, 1450, 1503, 1515, and 1528 that the Senate recess until 1:15 p.m. February 24, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-THIRD DAY AFTER RECESS
AND FORTY-FOURTH DAY

Bismarck, February 24, 1971

The Senate convened at 1:15 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. 4052

And find the same correctly engrossed:

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bill No. 1434 be dispensed with, which motion prevailed.

Senator Unruh moved that the amendments to House Bill No. 1434 as recommended by the Committee on Transportation and printed on page 721 of the Senate Journal, be adopted, which motion prevailed.

MOTIONS

Senator Thoreson moved that House Bill No. 1053 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Lips moved that House Bill No. 1503 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Christensen moved that Senate Concurrent Resolution No. 4052 be re-referred to the Committee on Natural Resources, which motion prevailed.

Senator Nasset moved that the Senate reconsider the action by which House Bill No. 1384 was lost, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1384. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code as contained in House Bill 1045 as approved by the forty-second legislative assembly, relating to school district annexation.

Which has been read.

Senator Nasset moved that House Bill No. 1384 be re-referred to the Committee on Education, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 2512. A Bill for an Act to authorize the state board of higher education to sell and convey certain land presently under the custody and control of the Ellendale branch of the uni-

versity of North Dakota to the city of Ellendale or to a nonprofit industrial development corporation in such city.

Was read the first time and referred to the committee on Appropriations.

**SECOND READING OF A
SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Department of Accounts and Purchases to consider safety features as well as price in determining the successful bidder when purchasing motor vehicles.

Which has been read.

Senator Ringsak moved that Senate Concurrent Resolution No. 4045 be re-referred to the Committee on Transportation, which motion lost.

Senator Forkner moved that Senate Concurrent Resolution No. 4045 be adopted, which motion lost.

SECOND READING OF A HOUSE BILL

House Bill No. 1124. A Bill for an Act to amend and reenact section 40-57.1-01 of the North Dakota Century Code, to provide that farms and ranches shall be eligible for tax exemptions for new industries.

Which has been read.

Senator Just requested to be excused from voting on House Bill No. 1124 because of a personal interest therein.

Senator Christensen moved that Senator Just be allowed to vote on House Bill No. 1124, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1124, as amended on page 693 of the Senate Journal, the roll was called and there were ayes, 17; nays, 28; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Larson, L.	Swedlund
Barth	Jones	Lips	Thoreson
Berube	Just	Rait	Van Horn
Christensen	Larson, G.	Ringsak	Wilhite
Erdman			

Those voting in the negative were:

Chesrown	Holand	Mutch	Schultz
Coughlin	Jacobson	Nasset	Sorlie
Doherty	Kautzmann	Nething	Strinden
Forkner	Litten	Page	Stroup
Freed	Longmire	Pyle	Thane
Goldberg	Melland	Redlin	Unruh
Hernett	Morgan	Robinson	Wenstrom

Absent and not voting:

Butler	Roen	Sanstead
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So the bill was declared lost.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4062 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR STROUP, Vice-Chairman

Senator Stroup moved that the report be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4062 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution No. 4071 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Vice-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 Concurrent Resolution No. 4073 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Vice-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 Concurrent Resolution No. 4077 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Vice-Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1016 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips 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. 1038 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Vice-Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1097 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1114 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1115 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1149 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1158 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 12 after "selling" delete "or permitting the sale of"
 Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1170 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1201 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1207 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1213 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. 1236 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 House Bill No. 1250 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1290 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1307 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 19 after "from" delete "subdivions" and insert in lieu thereof "subdivisions"

Renumber lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1346 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 Judiciary to whom was referred House Bill No. 1380 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1406 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1424 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1461 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1462 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1463 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1464 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1465 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1482 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1491 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Jones 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. 1496 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1509 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.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FOURTH DAY

Bismarck, February 24, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ira Herzberg, Calvary United Methodist, Bismarck.

"Almighty God, Creator of all things, Giver of every good and perfect gift, hear us this afternoon as we seek Thy blessing and guidance in the decisions that need to be made.

"We acknowledge before Thee our shortcomings, our selfishness, and our pride. Forgive us wherein we have come short of Thy will for us and for our state. Create within us clean hearts, and renewed right spirits, that we may do better and be better.

"As these Senators today and everyday seek to do right, make it plain to them. Knowing that criticism will come, help them to take from it what is helpful, and to forgive what is unjust and unkind. Amid all the pressures brought upon them, may they ever hear Thy still small voice, and follow Thy guidance for the good of all the people, that Thy will may be done in this state, through these Thy servants.

"In Jesus Name We Pray. Amen."

Roll call: All Senators present except Senators Butler, Roen and Sanstead.

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 forty-third day and recommends that the same be corrected as follows:

On page 725, line 8 from the bottom, delete the first "be" and insert the word "we" in lieu thereof.

On page 733, in the last line, delete the word "Appropriations" and insert in lieu thereof the word "Education"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1230. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, relating to election days as holidays, and providing that state and political subdivision offices stay open on election days.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 694 of the Senate Journal, the roll was called and there were ayes, 10; nays, 35; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Erdman	Rait	Swedlund
Christensen	Just	Redlin	Van Horn
Doherty	Larson, L.		

Those voting in the negative were:

Anderson	Holand	Morgan	Sorlie
Barth	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Coughlin	Kautzmann	Nothing	Thane
Forkner	Larson, G.	Page	Thoreson
Freed	Lips	Pyle	Unruh
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite
Hernett	Melland	Schultz	

Absent and not voting:

Butler	Roen	Sanstead
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So the bill was declared lost.

House Bill No. 1233. A Bill for an Act to amend and reenact subsection 5 of section 41-09-34 of the North Dakota Century Code relating to the priority of a real estate interest in fixtures.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Roen	Sanstead
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So the bill passed and the title was agreed to.

MOTION

Senator Ringsak moved that Senate Bill No. 1287 be moved to head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1287. A Bill for an Act relating to legal jeopardy in cases of self-defense or in aid of another in certain 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, 31; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Strinden
Berube	Jones	Nothing	Stroup
Coughlin	Larson, G.	Page	Thane
Doherty	Larson, L.	Pyle	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Melland	Robinson	Van Horn
Freed	Morgan	Schultz	Wilhite
Goldberg	Mutch	Sorlie	

Those voting in the negative were:

Barth	Hernett	Lips	Redlin
Chesrown	Jacobson	Longmire	Swedlund
Christensen	Just	Rait	Wenstrom
Gronhovd	Kautzmann		

Absent and not voting:

Butler	Roen	Sanstead
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So the bill passed and the title was agreed to.

Senator Ringsak moved that the vote by which House Bill No. 1287 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1253. A Bill for an Act relating to the payment of life insurance proceeds to trustees whether inter vivos or testamentary.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Absent and not voting:

Butler	Melland	Roen	Sanstead
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So the bill passed and the title was agreed to.

House Bill No. 1272. A Bill for an Act to amend and reenact subdivision d of subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to firemen's compensation and death payments under workmen's compensation.

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, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Morgan	Strinden
Berube	Holand	Mutch	Stroup
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nething	Thane
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite
Goldberg	Litten	Robinson	

Absent and not voting:

Butler	Roen	Sanstead	Sorlie
Melland			

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 24, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2066

Senate Bill No. 2138

Senate Bill No. 2322

Senate Concurrent Resolution No. 4007

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2268

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4036

Senate Concurrent Resolution No. 4039

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 24, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1055

House Bill No. 1105

House Bill No. 1166

House Bill No. 1209

House Bill No. 1221

House Bill No. 1222

House Bill No. 1265

House Bill No. 1281

House Bill No. 1312

House Bill No. 1316

House Bill No. 1468

House Bill No. 1527

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 24, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1172

House Bill No. 1258

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 24, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1283

House Bill No. 1302

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 24, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1029

House Bill No. 1081

House Bill No. 1084

House Bill No. 1088

House Bill No. 1093

House Bill No. 1136

House Bill No. 1137

House Bill No. 1143

House Bill No. 1165

House Bill No. 1187

House Bill No. 1191

House Bill No. 1195

House Bill No. 1264

House Bill No. 1347

House Bill No. 1365

House Bill No. 1376

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBERTSON, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1358. A Bill for an Act to amend and reenact subdivision (d) of subsection (9) of section 65-01-02 of the North Dakota Century Code, relating to Workmen's Compensation Coverage for Law Enforcement Officers.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Sorlie
Chesrown	Holand	Mutch	Strinden
Christensen	Jacobson	Nasset	Stroup
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh

Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire	Schultz	
Absent and not voting:			
Anderson	Jones	Redlin	Sanstead
Berube	Melland	Roen	Van Horn
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1348. A Bill for an Act to amend and reenact sections 27-06-09 and 27-08-19 of the North Dakota Century Code, relating to the salaries of bailiffs of the district courts and county courts of increased jurisdiction.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Hernett	Longmire	Schultz
Chesrown	Holand	Morgan	Sorlie
Christensen	Jacobson	Mutch	Strinden
Coughlin	Jones	Nasset	Stroup
Doherty	Just	Nothing	Swedlund
Erdman	Kautzmann	Page	Thane
Forkner	Larson, G.	Pyle	Thoreson
Freed	Larson, L.	Rait	Unruh
Goldberg	Lips	Ringsak	Wilhite
Gronhovd	Litten	Robinson	

Absent and not voting:

Anderson	Melland	Roen	Van Horn
Berube	Redlin	Sanstead	Wenstrom
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1357. A Bill for an Act relating to appeals by the state, or any state officer, or state board, or any public corporation, or any municipal corporation, and providing that no undertaking need be given, unless ordered by the supreme court.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Barth	Hernett	Longmire	Robinson
Chesrown	Holand	Morgan	Schultz
Christensen	Jacobson	Mutch	Sorlie
Coughlin	Jones	Nasset	Strinden
Doherty	Just	Nothing	Swedlund
Erdman	Kautzmann	Page	Thane
Forkner	Larson, G.	Pyle	Thoreson
Freed	Larson, L.	Rait	Unruh
Goldberg	Lips	Ringsak	Wenstrom
Gronhovd	Litten		

Absent and not voting:

Anderson	Melland	Sanstead	Van Horn
Berube	Redlin	Stroup	Wilhite
Butler	Roen		

So the bill passed and the title was agreed to.

House Bill No. 1450. A Bill for an Act to create and enact a new subsection to section 34-13-01 of the North Dakota Century Code, relating to the licensing of employment agencies and to the establish-

ment of maximum fees which may be charged for services, and to amend and reenact sections 34-13-02, 34-13-03, 34-13-04, 34-13-05, 34-13-07, 34-13-08, 34-13-09, 34-13-10, 34-13-11, and 34-13-12, and subsection 4 of section 34-13-15 of the North Dakota Century Code, relating to the transfer of the regulation of employment agencies from the attorney general to the commissioner of labor.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Ringsak	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten		

Absent and not voting:

Butler	Redlin	Sanstead	Wilhite
Melland	Roen		

So the bill was passed and the title was agreed to.

House Bill No. 1515. A Bill for an Act to create and enact sections 26-03-48, 26-26-15, 26-27-15, and 26-27.1-20 of the North Dakota Century Code, permitting the use of coordinated benefit provisions in certain group health insurance policies and group nonprofit service contracts, and authorizing the commissioner of insurance to promulgate rules and regulations for their form and content.

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, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Holand	Morgan	Strinden
Berube	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg			

Absent and not voting:

Butler	Melland	Roen	Sorlie
Hernett	Redlin	Sanstead	

So the bill passed and the title was agreed to.

House Bill No. 1528. A Bill for an Act to create and enact subdivisions 1 and m of subsection 2 of section 26-03A-03 of the North Dakota Century Code; to amend and reenact subdivision c of subsection 2 of section 26-03A-03 and subsection 7 of section 26-03A-03 of the North Dakota Century Code; and to repeal subdivisions d, e, and f of subsection 2 of section 26-03A-03 of the North Dakota Cen-

tury Code, pertaining to overinsurance under individual accident and sickness insurance policies.

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, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Holand	Morgan	Strinden
Berube	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nething	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Ringsak	Westrom
Freed	Litten	Robinson	Wilhite
Goldberg			

Absent and not voting:

Butler	Melland	Roen	Sorlie
Hernett	Redlin	Sanstead	

So the bill passed and the title was agreed to.

RECOGNITION

Senator Wilhite announced that the Senate was honored to have a delegation from the great State of Nebraska visiting the Senate: Senator Kennedy, Senator Wallaway, Senator Kennedy, Director of Agriculture, Glenn Kruiser; Secretary of the Locker Association, Robert Carlson; Vice President of the Feeders' Association, Woodrow Collins, and George Curtis, Legislative Counsel, and the distinguished guests were recognized by the Senate.

Senator Wilhite moved that a committee of two be appointed to escort Senator Kennedy to the rostrum for the purpose of addressing the Senate.

The President appointed as such committee Senators Wilhite and Christensen and Senator Kennedy was escorted to the rostrum and invited to address the Senate, and Senator Kennedy addressed the Senate.

Senator Kennedy "Mr. President, Senators, and of course, Friends: This is indeed a great pleasure. We of course in Nebraska are known as number one, and that could be in football, it could be in our unique unicameral one house system. Certainly no politician with the name Kennedy should understand that. I am sure that this is indeed a pleasure for me as well as my fellow Senators, to come and visit in the great State of North Dakota, not only here in your legislative group but also in your city, and we particularly came into North Dakota because we felt maybe because you are number one in Federal meat inspection, and because you had a unique situation here. I am sure this body understands that.

"We are interested, and for reason we are all concerned with taxpayers' money. We are concerned and been visiting with your Commissioner of Agriculture as to certain situations. We visited with some of your Locker Plant Association members today. We visited with some private locker boys too.

"We are concerned when the Federal Government particularly sets out a lot of rules and regulations and we must follow.

"I have been curious in our past history. I would like to talk to Uncle Sam. It is real difficult. Some of you have found when you go back to Washington, D.C., it is real difficult to talk to Uncle Sam, but he seems to continue to set up rules and regulations, and we must obey, but also must furnish money. I am concerned. If we are to go according to rules and regulations, and must furnish money, I think we should have something to say ourselves.

"We are concerned with the same problems you are — taxes — and I listened to your debate a little bit ago. We are fortunate in having only one House because we have half as many bills, less than half your bills. I watched with interest what you did with some of your bills, and we do likewise. I am not sure if the taxpayers understand this — they forget to send letters — and once in awhile it maybe happens to be one of the bills you are interested in.

"We are concerned with Federal Meat Inspection. We are serious in our concern. We have furnished amounts of money in Nebraska to cooperate with the Federal Government, and I am sure you are interested to that extent. If we are to have regulations we must obey, let us be at least considered, and I feel this is correct and right. And we should say if you must send us rules and regulations, send us the money with them, and I also have the same feeling on welfare, and I am chairman of Health, Education and Welfare.

"We are disturbed with rules and regulations. We are disturbed with the amount of money it costs the taxpayers, particularly in the midwest. Maybe it is different in the east — I doubt it. I think the problems are identical.

"I am real pleased to have been asked to say a few words about our problems. We have a unique situation down there — we don't have sufficient money to handle the unique situation. I certainly thank you for this time and consideration, and I want to thank you Gentlemen, the Commissioner of Agriculture, and the Senators and Representatives who had breakfast with us. We did appreciate this and we thank you.

"Good luck in your 60-day session — we have a 90-day session with half as many bills and less than half as many fellows to consider, so we get along beautifully. Thank you."

Senator Wilhite moved that the remarks of Senator Kennedy be printed in the journal, which motion prevailed.

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. 4010
 Senate Concurrent Resolution No. 4011
 Senate Concurrent Resolution No. 4025
 Senate Concurrent Resolution No. 4049
 Senate Concurrent Resolution No. 4050
 Senate Concurrent Resolution No. 4080
 And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4071, 4073, 4077 and House Bills Nos. 1016, 1038, 1097, 1114, 1115, 1149, 1170, 1201, 1207, 1213, 1236, 1250, 1290, 1380, 1434, 1461, 1462, 1463, 1465, 1482, 1491, 1496, and 1509, that the Senate recess until 1:15 p.m., February 25, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FOURTH DAY AFTER RECESS
AND FORTY-FIFTH DAY

Bismarck, February 25, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 4010
Senate Concurrent Resolution No. 4011
Senate Concurrent Resolution No. 4025
Senate Concurrent Resolution No. 4049
Senate Concurrent Resolution No. 4050
Senate Concurrent Resolution No. 4080

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4010
Senate Concurrent Resolution No. 4011
Senate Concurrent Resolution No. 4025
Senate Concurrent Resolution No. 4049
Senate Concurrent Resolution No. 4050
Senate Concurrent Resolution No. 4080

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1029
House Bill No. 1081
House Bill No. 1084
House Bill No. 1088
House Bill No. 1093
House Bill No. 1136
House Bill No. 1137
House Bill No. 1143
House Bill No. 1165
House Bill No. 1187
House Bill No. 1191
House Bill No. 1195
House Bill No. 1264
House Bill No. 1347
House Bill No. 1365
House Bill No. 1376

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1029

House Bill No. 1081

House Bill No. 1084

House Bill No. 1088

House Bill No. 1093

House Bill No. 1136

House Bill No. 1137

House Bill No. 1143

House Bill No. 1165

House Bill No. 1187

House Bill No. 1191

House Bill No. 1195

House Bill No. 1264

House Bill No. 1347

House Bill No. 1365

House Bill No. 1376

Which the President has signed.

LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1158 and 1307 be dispensed with, which motion prevailed.

Senator Hernett moved that the amendments to House Bill No. 1158 as recommended by the Committee on Industry, Business and Labor, and printed on pages 737 and 738 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernett moved that the amendments to House Bill No. 1307 as recommended by the Committee on Industry, Business and Labor, and printed on page 738 of the Senate Journal, be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 14, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1522

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Hilleboe

Hentges

Solberg

Very respectfully,
ROY GILBREATH, Chief Clerk

SECOND READING OF
SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4071. A Concurrent Resolution urging Congress to support a bill introduced in the United States Senate by Senator Milton R. Young to convey certain federal land in Mountrail County to the Mountrail County Park Commission.

Which has been read.

Senator Van Horn moved that Senate Concurrent Resolution No. 4071 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4073. A Concurrent Resolution directing state agencies in the executive branch of government to

adopt the "Standard Personnel Policies for Administrative Agencies" issued under Executive Order No. 43.

Which has been read.

Senator Stroup moved that Senate Concurrent Resolution No. 4073 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senate Concurrent Resolution No. 4077. A Concurrent Resolution urging the Bank of North Dakota and the Board of University and School Lands to terminate certain mineral leases.

Which has been read.

Senator Jacobson moved that Senate Concurrent Resolution No. 4077 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1016. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the game and fish department, and to repeal section 20-02-07 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Larson, L.	Ringsak	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1038. A Bill for an Act to repeal sections 48-05-02 and 48-05-04 of the North Dakota Century Code, relating to the use of native fuel by public institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 26; absent and not voting, 3.

Those voting in the affirmative were:

Coughlin	Lips	Nasset	Strinden
Goldberg	Litten	Nothing	Thane
Holand	Melland	Pyle	Unruh
Jacobson	Morgan	Roen	Van Horn
Just	Mutch	Sorlie	

Those voting in the negative were:

Anderson	Forkner	Larson, L.	Sanstead
Barth	Freed	Longmire	Schultz
Berube	Gronhovd	Page	Stroup
Chesrown	Hernett	Rait	Swedlund
Christensen	Jones	Redlin	Thoreson
Doherty	Kautzmann	Robinson	Wenstrom
Erdman	Larson, G.		

Absent and not voting:

Butler	Ringsak	Wilhite
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Senator Longmire changed his vote from aye to nay for the purpose of reconsideration.

So the bill was declared lost.

Senator Forkner moved that the vote by which House Bill No. 1038 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4037 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 8 delete the word "exemployees" and insert in lieu thereof the word "employees"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to correct the spelling of the word.
SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4053 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 Senate Concurrent Resolution No. 4056 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 4072 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 4 after "route" insert "and Great Northern route"

Page 1 delete lines 16 through 21 and insert in lieu thereof "WHEREAS, the Secretary of Transportation has failed to specify which routes should receive passenger train service through the State of North Dakota; and"

Page 2 line 9 after "former" delete "Northern Pacific route" and insert in lieu thereof "Great Northern and Northern Pacific routes through the State of North Dakota"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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 be amended as follows:

On page 1, line 14 delete the figure "68,000.00" and insert in lieu thereof the figure "88,000.00"

On page 1, line 22 delete the figure "65,000.00" and insert in lieu thereof the figure "85,000.00"

On page 1, line 23 delete the figure "68,000.00" and insert in lieu thereof the figure "88,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to restore \$20,000.00 for additional scholarships.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1022 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11 delete the figure "599,370.00" and insert in lieu thereof the figure "624,370.00"

On page 1, after line 20 add the following new line:
"20 a Upper Great Plains Transportation Institute 25,000.00"

On page 1, line 22 delete the figure "599,370.00" and insert in lieu thereof the figure "624,370.00"

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 amendments is to add up to \$25,000.00 for a specific grant to the Upper Great Plains Transportation Institute at the discretion of the Wheat Commission.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1058 has had the same under consideration and recommends that the same do pass.

For the Majority:

Senator Kautzmann
Senator Freed
Senator Holand
Senator Sanstead
Senator Rait

SENATOR KAUTZMANN, Chairman

Senator Freed moved that the report be adopted.

Mr. President: The minority of your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 1058 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Minority:

Senator Doherty
Senator Nething

Senator Doherty moved that the report of the minority be substituted for that of the majority, which motion lost.

The question being on the motion of Senator Freed, which motion prevailed and House Bill No. 1058 was placed on the calendar.

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 KAUTZMANN, Chairman

Senator Kautzmann 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. 1060 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1061 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1064 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1108 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1109 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1121 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1132 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 1189 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1280 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1293 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom

was referred House Bill No. 1391 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1409 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 1484 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 "provide that state agencies shall render reasonable assistance to the convention; and that the director of institutions shall provide space for the convention; and to"

On page 1, line 1, delete the word and numeral "section 9" and insert in lieu thereof the words and numerals "sections 9, 10, and 12"

On page 1, line 4, after the word "session" and before the period, insert the following: ", to provide the procedures for submission of propositions, to provide for the organizational meeting and procedures, to provide for the registration of lobbyists; and declaring an emergency"

On page 1, line 16, insert triple parentheses before the word "of", and in the same line, insert triple parentheses after the word "duration"

On page 2, after line 18, add the following new sections:

"SECTION 2. AMENDMENT.) Section 10 of chapter 462 of the 1969 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

Section 10.) The governor shall preside at the organizational meeting of the convention until the president of the convention is selected, and the governor may vote in case of a tie vote in the selection of the president. A majority of the **total number** of delegates shall constitute a quorum, and a majority of the total number of delegates shall be required for approval of any section to be included in a proposed constitution or amendments to the Constitution. The convention shall elect its own officers, and shall be sole judges of the qualifications and election of its own membership. All meetings and records of the convention shall be open to the public. **The convention shall keep a journal of its proceedings and shall keep an abstract of the proceedings of its committees, and a record of its debates, and shall provide for the collection, storage, and publication thereof. The convention may also provide for the collection storage, and publication of any other of its documents and reports. The convention shall employ a qualified historian, archivist, librarian, or a person of similar training, as its chief records clerk. This clerk shall see that the proper journals and records of the convention and its committees are kept. He shall also see to the preservation and collection of all proposals, reports, records, books, correspondence, documents, reference material, and other similar papers of the convention and its committees. The chief records clerk shall see that all of the materials under his care and supervision are deposited with the state library for preservation, cataloging, and safekeeping. The chief records clerk shall also urge all convention delegates and staff, as well as any other state officials, private individuals, or groups that have any type of correspondence or other material pertaining to the convention, to give this material to him for deposit with the state library. Copies of the convention journals and all revisions, alter-**

ations, or amendments to the Constitution, agreed to and adopted by the convention, shall also be recorded and filed with the secretary of state. All provisions of chapter 54-05 of the North Dakota Century Code concerning lobbying shall apply to the constitutional convention and its committees.

SECTION 3. AMENDMENT.) Section 12 of chapter 462 of the 1969 Session Laws is hereby amended and reenacted to read as follows:

Section 12.) The convention may submit a new Constitution as one proposal to be voted on by the people, and it may submit proposed parts or alternative parts of a new Constitution. The proposals of the convention shall be submitted to the electors of this state for adoption or rejection at a special election held next following adjournment sine die called by the governor not less than ((ninety)) **sixty** days nor more than one hundred fifty days next succeeding the date of adjournment of the constitutional convention. The returns of such issue at such special election shall be made, canvassed, and the results thereof declared in the same manner as provided by law for the initiated and referred measures. If a majority of the electors of the state voting thereon at such special election shall vote for the proposed new Constitution, the same shall become effective on the date and in the manner provided in the proposed Constitution, or if no effective date shall be provided in the proposed new Constitution, the same shall become effective as now provided by law with reference to initiated measures. If a majority of the electors of the state voting thereon at such special election shall vote against the proposed new Constitution, the same shall be deemed rejected by the electors, and the existing Constitution of this state, as amended, shall continue to be the Constitution of this state. If proposed parts or alternative parts of the new Constitution are submitted separately, and the people shall vote against any part, such part shall be deemed rejected and shall be of no force and effect, but any proposed part or alternative part which receives a majority of the votes of the qualified electors voting thereon shall become effective on the date and in the manner provided for in such proposed part, or if no effective date is provided, such proposed part shall become effective as now provided by law with reference to initiated measures.

SECTION 4. STATE AGENCIES TO ASSIST CONSTITUTIONAL CONVENTION.) Each department, office, agency, and institution of the state of North Dakota shall provide such reasonable aid, information, and assistance to the North Dakota constitutional convention as such convention may request, and shall make such reasonable arrangements for the reimbursement of such direct cost as may result from such aid or assistance as may be mutually agreeable. The director of institutions shall make available without cost to the constitutional convention the chamber of the house of representatives and such other space as the convention shall need.

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."

And renumber the lines and number the pages accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1510 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3023 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.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FIFTH DAY

Bismarck, February 25, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Hensel Hendrickson, Trinity Lutheran, Bismarck.

“Our Heavenly Father,

This is a lonely place — even with an abundance of people.

This is a lonely place — even with an abundance of bills and statutes.

This is a lonely place — even with an abundance of sounds.

This is a Holy Place O God — when Your voice speaks to us.

This is a Holy place O God — when Your Word guides us.

This is a Holy place O God — when Your love leads us.

In Your Holy Name we pray, Amen.”

Roll call: All Senators present except Senator Butler.

A quorum was declared by the President.

REVISION AND CORRECTION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fourth day after recess and forty-fifth day and recommends that the same be corrected as follows:

On page 736, line 31, delete the figure “2” and insert in lieu thereof the figure “3”.

On page 736, line 7 from the bottom of the page, after the second word “same” insert the following “do pass and”

On page 743, line 4 from the bottom, delete the word “Senate” and insert the word “House”

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 25, 1971

Mr. President: I have the honor to return herewith the following: Senate Bill No. 2253

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1971

Mr. President: I have the honor to transmit herewith the following House Bill No. 1122, on which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, February 25, 1971

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2038
Senate Bill No. 2040
Senate Bill No. 2117
Senate Bill No. 2123
Senate Bill No. 2127
Senate Bill No. 2228
Senate Bill No. 2231
Senate Bill No. 2294
Senate Bill No. 2296
Senate Bill No. 2303
Senate Bill No. 2320
Senate Bill No. 2417
Senate Bill No. **2427**
Senate Bill No. 2451.

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, February 25, 1971

Mr. President I have the honor to return herewith the following:

Senate Bill No. 2025
Senate Bill No. 2248

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2025

On page 1, line 11, delete the figure "2,737,824.00" and insert in lieu thereof the figure "2,755,474.00"

On page 1, line 15, delete the figure "1,848,337.00" and insert in lieu thereof the figure "1,862,737.00"

On page 1, line 16, delete the figure "280,813.00" and insert in lieu thereof the figure "284,063.00"

On page 1, line 21, delete the figure "2,737,824.00" and insert in lieu thereof the figure "2,755,474.00"

AMENDMENTS TO SENATE BILL No. 2248

On page 1, line 4, of the engrossed bill, after the word "learning" add the following:

" , and declaring an emergency"

On page 2, after line 25, add the following:

"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, pages and sections accordingly.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

Which has been read.

Senator Barth moved that House Bill No. 1094 be re-referred to the Committee on Judiciary, which motion prevailed.

House Bill No. 1097. A Bill for an Act to create and enact section 14-05-09.1 of the North Dakota Century Code and to amend and reenact section 14-05-03 of the North Dakota Century Code, relating to allowing irreconcilable differences as grounds for 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, 42; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz
Barth	Just	Nothing	Sorlie
Chesrown	Kautzmann	Page	Strinden
Christensen	Larson, G.	Pyle	Stroup
Coughlin	Larson, L.	Rait	Swedlund
Forkner	Lips	Redlin	Thane
Freed	Litten	Ringsak	Thoreson
Goldberg	Longmire	Robinson	Unruh
Gronhovd	Melland	Roen	Van Horn
Hernett	Morgan	Sanstead	Wenstrom
Jacobson	Mutch		

Those voting in the negative were:

Berube	Doherty	Erdman
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Absent and not voting:

Butler	Holand	Wilhite
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So the bill passed and the title was agreed to.

House Bill No. 1114. A Bill for an Act to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to the responsibility of the department of banking and financial institutions for auditing 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, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Hernett	Nothing	Sorlie
Berube	Jacobson	Page	Strinden
Chesrown	Kautzmann	Pyle	Stroup
Christensen	Larson, G.	Rait	Swedlund
Coughlin	Larson, L.	Redlin	Thane
Doherty	Lips	Ringsak	Thoreson
Erdman	Longmire	Robinson	Unruh
Forkner	Melland	Roen	Van Horn
Freed	Morgan	Sanstead	Wenstrom
Goldberg	Mutch	Schultz	Wilhite
Gronhovd	Nasset		

Absent and not voting:

Anderson	Holand	Just	Litten
Butler	Jones		

So the bill passed and the title was agreed to.

House Bill No. 1115. A Bill for an Act providing for a bank advisory board consisting of seven members appointed by the industrial commission to act in an advisory capacity to the Bank of North Dakota, and to repeal chapter 6-09.1 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, 30; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Strinden
Chesrown	Kautzmann	Nothing	Stroup
Coughlin	Larson, G.	Page	Thane
Doherty	Lips	Redlin	Thoreson

Forkner	Litten	Robinson	Unruh
Freed	Longmire	Schultz	Wenstrom
Goldberg	Melland	Sorlie	Wilhite
Hernett	Mutch		

Those voting in the negative were:

Barth	Gronhovd	Morgan	Roen
Berube	Jones	Pyle	Sanstead
Christensen	Just	Rait	Swedlund
Erdman	Larson, L.	Ringsak	Van Horn

Absent and not voting:

Butler	Holand
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So the bill passed and the title was agreed to.

House Bill No. 1135. 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, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

Which has been read.

Senator Wilhite moved that House Bill No. 1135 be laid over four legislative days, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3013. A Concurrent Resolution recognizing the efforts and objectives of those individuals and organizations who are memorializing the history of the U. S. 7th Cavalry during its territorial days' service in North Dakota, and to encourage the activities of those individuals and organizations, and to encourage various state departments, institutions, and agencies to give assistance.

Which has been read.

Senator Van Horn moved that House Concurrent Resolution No. 3013 be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1149. A Bill for an Act to authorize the executor or administrator of an estate to make and enter into a contract with a licensed real estate broker for the sale of real property and pay a commission out of the proceeds of sale.

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, 4.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Nething	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Lips	Robinson	Unruh
Freed	Litten	Roen	Van Horn
Goldberg	Longmire	Sanstead	Wenstrom
Gronhovd	Melland	Schultz	Wilhite

Those voting in the negative were:

Chesrown	Larson, L.	Page	Ringsak
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Absent and not voting:

Anderson	Butler	Holand	Redlin
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So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1233

House Bill No. 1253

House Bill No. 1272

House Bill No. 1287

House Bill No. 1348

House Bill No. 1357

House Bill No. 1358

House Bill No. 1450

House Bill No. 1515

House Bill No. 1528

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 25, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1124

House Bill No. 1230

House Bill No. 1346

House Bill No. 1406

House Bill No. 1424

House Bill No. 1464

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 25, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4010

Senate Concurrent Resolution No. 4011

Senate Concurrent Resolution No. 4025

Senate Concurrent Resolution No. 4049

Senate Concurrent Resolution No. 4050

Senate Concurrent Resolution No. 4080

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1971

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 3032

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1172

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Murphy

Moore
Mertens

Very respectfully,
ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1170. A Bill for an Act to amend and reenact section 52-09-09 and subdivision (3) of subsection D of section 52-09-20 of the North Dakota Century Code, relating to contributions and primary insurance benefit under 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, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Jacobson	Nasset	Schultz
Chesrown	Jones	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd	Melland		

Absent and not voting:

Berube	Holand	Roen	Swedlund
Butler	Just	Sorlie	Thane
Coughlin	Mutch		

So the bill passed and the title was agreed to.

House Bill No. 1201. A Bill for an Act to provide that all motor vehicle liability policies written in this state must contain uninsured motorist coverage.

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, 3; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Sorlie
Barth	Jones	Nasset	Strinden
Berube	Kautzmann	Nothing	Swedlund
Chesrown	Larson, G.	Page	Thane
Christensen	Larson, L.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Sanstead	Wenstrom
Gronhovd	Melland	Schultz	Wilhite
Hernett			

Those voting in the negative were:

Freed	Morgan	Ringsak
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Absent and not voting:

Butler	Goldberg	Just	Roen
Coughlin	Holand	Pyle	Stroup

So the bill passed and the title was agreed to.

House Bill No. 1207. A Bill for an Act to provide a method for the Bank of North Dakota to invest in certain government agency stocks.

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nothing	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Rait	Thane
Coughlin	Larson, L.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Gronhovd	Morgan	Schultz	

Absent and not voting:

Butler	Holand	Just	Pyle
Goldberg			

So the bill passed and the title was agreed to.

House Bill No. 1208. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to Bank making loans — real estate limited.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 571 of the Senate Journal, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Sanstead
Barth	Jones	Nasset	Schultz
Berube	Just	Nothing	Sorlie
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett	Morgan		

Those voting in the negative were:

Doherty	Strinden	Unruh
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Absent and not voting:

Butler	Goldberg	Holand
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So the bill passed and the title was agreed to.

House Bill No. 1213. A Bill for an Act to amend and reenact sections 11-11-37 and 40-08-12 of the North Dakota Century Code, relating to the publication of minutes.

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, 8; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sanstead
Berube	Just	Nothing	Sorlie
Chesrown	Kautzmann	Page	Stroup
Christensen	Lips	Pyle	Swedlund
Doherty	Litten	Rait	Thane
Erdman	Longmire	Redlin	Unruh

Forkner	Melland	Ringsak	Van Horn
Gronhovd	Morgan	Robinson	Wenstrom
Hernett	Mutch	Roen	Wilhite
Jacobson			

Those voting in the negative were:

Barth	Freed	Larson, L.	Strinden
Coughlin	Larson, G.	Schultz	Thoreson

Absent and not voting:

Butler	Goldberg	Holand
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So the bill passed and the title was agreed to.

House Bill No. 1236. A Bill for an Act to provide for the discontinuance of county agricultural and training schools; to repeal section 15-42-29 of the North Dakota Century Code 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, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd	Morgan	Sanstead	

Absent and not voting:

Butler	Holand	Just	Swedlund
Goldberg			

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Wilhite moved that House Bill No. 1380 be placed at the head of the calendar, which motion prevailed.

House Bill No. 1380. A Bill for an Act to amend and reenact subsection 8 of section 29-24-02 of the North Dakota Century Code, relating to grounds for a new trial, 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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite

Absent and not voting:

Butler	Holand	Just	Swedlund
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 1250. A Bill for an Act to provide for the registration of subdivided lands situate outside of North Dakota for sale or disposition in North Dakota, and providing requirements for such registration; naming the North Dakota real estate commission to administer this Act; providing for certain exemptions; providing for full disclosure of material facts concerning subdivided lands offered for sale or disposal; providing for the payment of registration fees; providing for a bond by the subdivider; providing grounds for revocation of registration; providing for investigation in hearing procedures; providing for judicial review of administrative decisions; providing penalties for violation including civil remedies for damaged parties; providing for service of process; providing for cease and desist orders for certain violations of this Act; providing general powers and duties in the administration of this Act; providing for annual reports by registered subdividers.

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, 3; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Jones	Mutch	Sorlie
Berube	Just	Nasset	Strinden
Christensen	Kautzmann	Nething	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	Wilhite
Jacobson	Morgan		

Those voting in the negative were:

Chesrown	Ringsak	Schultz	
Absent and not voting:			
Anderson	Freed	Holand	Unruh
Butler	Gronhovd	Page	

So the bill passed and the title was agreed to.

House Bill No. 1290. A Bill for Act to create and enact sections 5-01-08.1 and 5-01-08.2 of the North Dakota Century Code, and to amend and reenact sections 5-01-09 and 5-02-06 of the North Dakota Century Code, relating to misrepresentation of age in procuring alcoholic beverages.

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, 2; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Sanstead
Berube	Jones	Mutch	Schultz
Chesrown	Just	Nasset	Sorlie
Christensen	Kautzmann	Nething	Strinden
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Litten	Ringsak	Thoreson
Forkner	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Stroup	Van Horn
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Absent and not voting:

Anderson	Holand	Lips	Redlin
Butler	Jacobson	Page	Unruh
Freed			

So the bill passed and the title was agreed to.

House Bill No. 1304. A Bill for an Act to amend and reenact section 12-51-04 of the North Dakota Century Code, relating to housing and feeding of inmates at the state farm.

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, 20; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Jones	Melland	Schultz
Berube	Kautzmann	Nasset	Sorlie
Christensen	Larson, L.	Pyle	Swedlund
Erdman	Lips	Robinson	Van Horn
Goldberg	Litten	Sanstead	Wenstrom
Gronhovd			

Those voting in the negative were:

Chesrown	Jacobson	Mutch	Roen
Coughlin	Just	Nething	Strinden
Doherty	Larson, G.	Rait	Thane
Forkner	Longmire	Redlin	Thoreson
Hernett	Morgan	Ringsak	Wilhite

Absent and not voting:

Anderson	Freed	Page	Unruh
Butler	Holand	Stroup	

Senator Nething changed his vote from aye to nay for purpose or reconsideration.

So the bill was declared lost.

House Bill No. 1434. A Bill for an Act to amend and reenact section 39-04-44 of the 1969 supplement to the North Dakota Century Code relating to registration credits on destroyed vehicles.

Which has been read.

Senator Forkner moved that House Bill No. 1434 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1461. A Bill for an Act to amend and reenact section 14-06-02 of the North Dakota Century Code, relating to temporary maintenance and counsel fees in action for separation.

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, 1; absent and not voting, 10.

Those voting in the affirmative were:

Barth	Jones	Mutch	Schultz
Berube	Just	Nasset	Sorlie
Chesrown,	Kautzmann	Nething	Strinden
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Larson, L.	Redlin	Thane
Erdman	Lips	Ringsak	Thoreson
Forkner	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Jacobson			

Those voting in the negative were:

Doherty

Absent and not voting:

Anderson	Goldberg	Page	Stroup
Butler	Holand	Rait	Unruh
Freed	Litten		

So the bill passed and the title was agreed to.

House Bill No. 1462. A Bill for an Act to amend and reenact section 27-05.1-09 of the North Dakota Century Code, relating to time and place of hearing on petition.

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, 8.

Those voting in the affirmative were:

Barth	Just	Nasset	Schultz
Berube	Kautzmann	Nething	Sorlie
Chesrown	Larson, G.	Pyle	Stroup
Coughlin	Larson, L.	Rait	Swedlund
Erdman	Lips	Redlin	Thane
Forkner	Litten	Ringsak	Thoreson
Gronhovd	Longmire	Robinson	Van Horn
Hernett	Melland	Roen	Wenstrom
Jacobson	Morgan	Sanstead	Wilhite
Jones	Mutch		

Those voting in the negative were:

Doherty	Strinden
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Absent and not voting:

Anderson	Christensen	Goldberg	Page
Butler	Freed	Holand	Unruh

So the bill passed and the title was agreed to.

House Bill No. 1463. A Bill for an Act to repeal section 14-05-19 of the North Dakota Century Code, relating to affirmative proof required.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Barth	Jones	Mutch	Sorlie
Berube	Just	Nasset	Strinden
Chesrown	Kautzmann	Nething	Stroup
Christensen -	Larson, G.	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Schultz	Wilhite
Jacobson	Morgan		

Absent and not voting:

Anderson	Goldberg	Page	Sanstead
Butler	Hernett	Roen	Unruh
Freed	Holand		

So the bill passed and the title was agreed to.

House Bill No. 1465. A Bill for an Act to amend and reenact section 14-05-23 of the North Dakota Century Code, relating to temporary alimony and suit money.

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, 2; absent and not voting, 11.

Those voting in the affirmative were:

Barth	Jacobson	Melland	Roen
Berube	Jones	Morgan	Schultz
Chesrown	Just	Mutch	Sorlie
Christensen	Kautzmann	Nething	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Van Horn
Gronhovd	Litten	Ringsak	Wenstrom
Hernett	Longmire	Robinson	

Those voting in the negative were:

Doherty	Strinden
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Absent and not voting:

Anderson	Goldberg	Page	Unruh
Butler	Holand	Sanstead	Wilhite
Freed	Nasset	Thoreson	

So the bill passed and the title was agreed to.

House Bill No. 1482. A Bill for an Act to amend and reenact section 53-04-02; section 53-04-03; section 53-04-04; and section 53-04-06 of the North Dakota Century Code, relating to licensing of amusement games and devices.

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 0; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Jacobson	Morgan	Schultz
Berube	Jones	Mutch	Sorlie
Chesrown	Just	Nething	Strinden
Christensen	Kautzmann	Pyle	Stroup
Coughlin	Larson, G.	Rait	Swedlund
Doherty	Larson, L.	Redlin	Thane
Erdman	Lips	Ringsak	Thoreson
Forkner	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson	Hernett	Nasset	Unruh
Butler	Holand	Page	Wilhite
Freed			

So the bill passed and the title was agreed to.

House Bill No. 1491. A Bill for an Act to amend and reenact sections 15-18-03 and 15-18-04.1 of the North Dakota Century Code, relating to tuition and fees at junior colleges and off-campus educational centers, and to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to bond issues for junior colleges and off-campus educational centers.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Jacobson	Morgan	Schultz
Berube	Jones	Mutch	Sorlie
Chesrown	Just	Nething	Strinden
Christensen	Kautzmann	Pyle	Stroup
Coughlin	Larson, G.	Rait	Swedlund
Doherty	Larson, L.	Redlin	Thane
Erdman	Lips	Ringsak	Thoreson

Forkner	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson	Hernett	Nasset	Unruh
Butler	Holand	Page	Wilhite
Freed			

So the bill passed and the title was agreed to.

House Bill No. 1496. A Bill for an Act to amend and reenact section 10-31-04 of the North Dakota Century Code, relating to the professional incorporation of architects and engineers.

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, 8.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Mutch	Sorlie
Christensen	Just	Nasset	Strinden
Coughlin	Kautzmann	Nothing	Stroup
Doherty	Larson, G.	Rait	Swedlund
Erdman	Larson, L.	Redlin	Thane
Forkner	Lips	Ringsak	Thoreson
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom

Absent and not voting:

Anderson	Freed	Page	Unruh
Butler	Holand	Pyle	Wilhite

So the bill passed and the title was agreed to.

House Bill No. 1509. A Bill for an Act to create and enact subsection 9 of section 15-35-02 of the North Dakota Century Code, relating to standards for the construction of school 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, 39; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Mutch	Sorlie
Christensen	Just	Nasset	Strinden
Coughlin	Kautzmann	Nothing	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	

Those voting in the negative were:

Stroup

Absent and not voting:

Anderson	Freed	Page	Unruh
Butler	Holand	Pyle	Wilhite

So the bill passed and the title was agreed to.

House Bill No. 1513. A Bill for an Act to amend and reenact sections 54-03-06 and 54-35-04 of the North Dakota Century Code,

providing that all hearings of the legislative assembly and its committees shall be open to the public.

Which has been read.

Senator Doherty moved that House Bill No. 1513 be laid over one legislative day, which motion prevailed.

House Bill No. 1434. A Bill for an Act to amend and reenact section 39-04-44 of the 1969 supplement to the North Dakota Century Code relating to registration credits on destroyed vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 721 of the Senate Journal, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Mutch	Sorlie
Christensen	Just	Nasset	Strinden
Coughlin	Kautzmann	Nething	Stroup
Doherty	Larson, G.	Rait	Swedlund
Erdman	Larson, L.	Redlin	Thane
Forkner	Lips	Ringsak	Thoreson
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom

Absent and not voting:

Anderson	Freed	Page	Unruh
Butler	Holand	Pyle	Wilhite

So the bill passed and the title was agreed to.

MOTION

Senator Sorlie moved that House Bill No. 1331 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that House Bill No. 1331 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Longmire moved that the House be requested to return House Bill No. 1261, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Concurrent Resolution No. 3032

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 25, 1971

Mr. Speaker: I have the honor to return:
House Concurrent Resolution No. 3032
Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4010
Senate Concurrent Resolution No. 4011
Senate Concurrent Resolution No. 4025
Senate Concurrent Resolution No. 4049
Senate Concurrent Resolution No. 4050

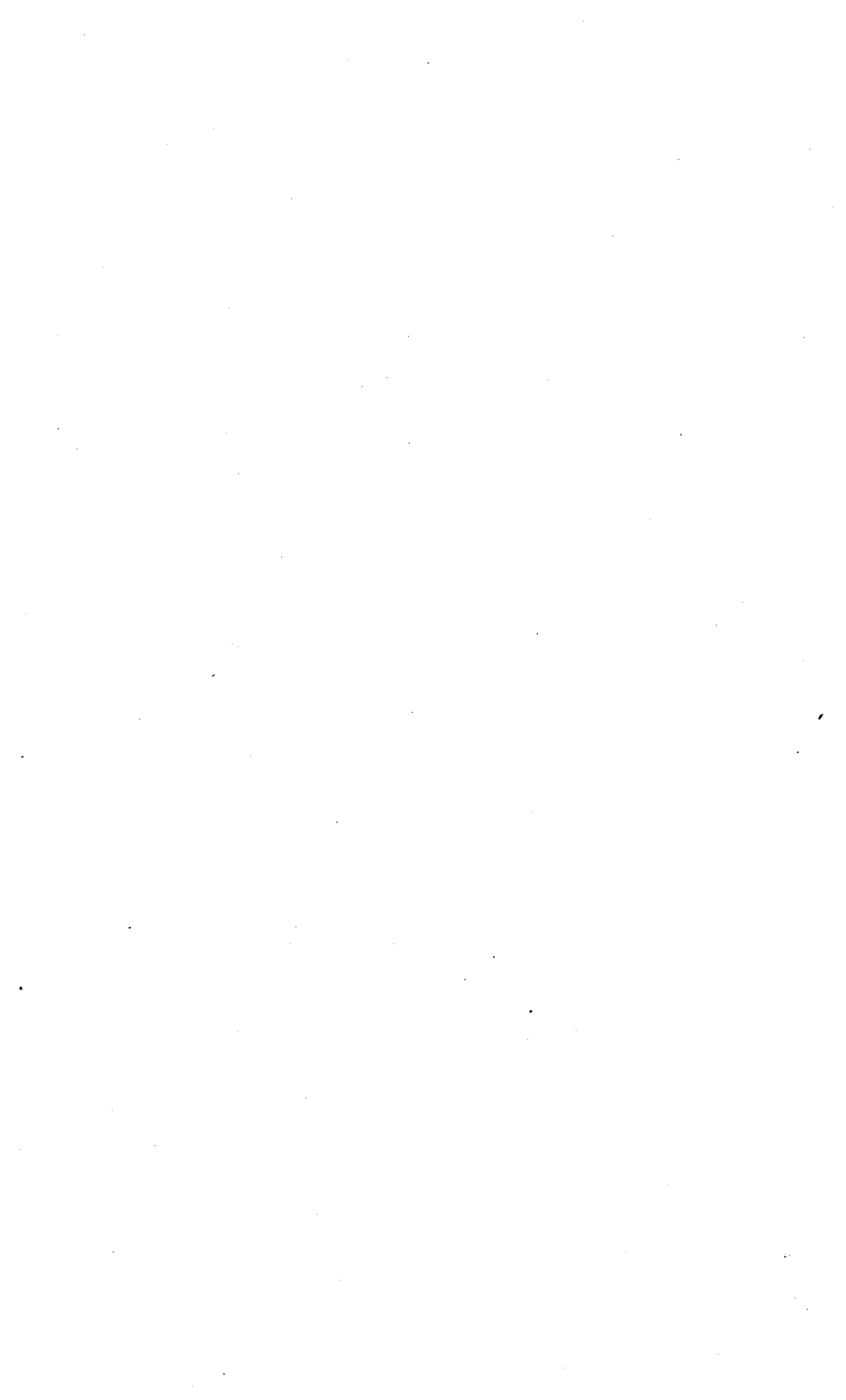
Senate Concurrent Resolution No. 4080

Were delivered to the Secretary of State at the hour of 3:55 p.m. o'clock, February 25, 1971.

SENATOR STRINDEN, Chairman

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4053, 4056, and House Bills Nos. 1058, 1059, 1060, 1061, 1064, 1108, 1109, 1121, 1132, 1158, 1189, 1280, 1293, 1307, 1391, 1409, 1510, and House Concurrent Resolution No. 3023, that the Senate recess until 1:15 p.m., February 26, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-FIFTH DAY AFTER RECESS
AND FORTY-SIXTH DAY

Bismarck, February 26, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Concurrent Resolutions Nos. 4037, 4072, and House Bills Nos. 1018, 1022, and 1484 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Concurrent Resolution No. 4037 as recommended by the Committee on Appropriations, and printed on page 752 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution No. 4072 as recommended by the Committee on State and Federal Government, and printed on page 752 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1018 as recommended by the Committee on Appropriations, and printed on pages 752 and 753 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1022 as recommended by the Committee on Appropriations, and printed on page 753 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1484 as recommended by the Committee on State and Federal Government, and printed on pages 755 and 756 of the Senate Journal, be adopted, which motion prevailed.

CONSIDERATION OF A MESSAGE
FROM THE HOUSE

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2025 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. 2025,

Senators:
Coughlin
Wenstrom
L. Larson

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2248, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2248 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. 2248. A Bill for an Act to create and enact section 15-55-05.1 of the North Dakota Century Code, relating to the issuance of interim warrants for revenue producing projects at the state institutions of higher learning, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jacobson	Nething	Sorlie
Berube	Jones	Page	Strinden
Chesrown	Just	Pyle	Stroup
Christensen	Kautzmann	Rait	Swedlund
Coughlin	Larson, L.	Redlin	Thane
Doherty	Lips	Ringsak	Thoreson
Erdman	Litten	Robinson	Unruh
Forkner	Longmire	Roen	Van Horn
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Butler	Holand	Mutch	Wenstrom
Hernett	Larson, G.		

So the bill passed and the title was agreed to and the emergency clause carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Chesrown 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. 1172, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1172,

Senators:

Page
Thane
Barth

Senator Longmire 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. 1522, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1522,

Senators:

Jacobson
Forkner
Just

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1122 has had the same under consideration and recommends that the Senate recede from its amendments and House Bill No. 1122 be amended as follows:

Page 1 line 15 of the engrossed bill delete "one" and insert in lieu thereof "two"

For the Senate:

Senator Mutch
Senator Page
Senator Erdman

For the House:

Rep. Berg

Rep. Rice
Rep. Giffey

Senator Mutch moved that the report be adopted, which motion prevailed.

Senator Forkner moved that the rules be suspended and that House Bill No. 1122 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1122. A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, relating to the extent of automobile damages required to be considered a report—
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Schultz
Barth	Jacobson	Nething	Sorlie
Berube	Jones	Page	Strinden
Chesrown	Just	Pyle	Stroup
Christensen	Kautzmann	Rait	Swedlund
Coughlin	Larson, L.	Redlin	Thane
Doherty	Lips	Ringsak	Thoreson
Erdman	Litten	Robinson	Unruh
Forkner	Longmire	Roen	Van Horn
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Absent and not voting:

Butler	Holand	Mutch	Wenstrom
Hernett	Larson, G.		

So the bill passed and the title was agreed to.

MOTION

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 1038 was lost, which motion prevailed.

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1304 be lost, which motion prevailed.

Senator Nething moved that House Bill Nos. 1038 and 1304 be laid over two legislative days, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution No. 4033 has had the same under consideration and recommends that the same do pass and be rereferred to the Legislative Council Resolutions Committee.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4033 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4035 has had the same under consideration and recommends that the same do pass and referred to the Legislative Council Resolutions Committee.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4035 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No 4040 has had the same

under consideration and recommends that the same be indefinitely postponed.

SENATOR Forkner, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4055 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. 4075 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 Senate Concurrent Resolution No. 4078 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann, 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. 4079 has had the same under consideration and recommends that the same do pass and be rereferred to Legislative Council Resolutions Committee.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4079 was rereferred to the Legislative Council Resolutions Committee.

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 do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

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 SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriation to whom was referred House Bill No. 1021 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was

referred House Bill No. 1032 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1042 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1054 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1065 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner 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. 1110 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1159 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1164 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1174 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1183 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1269 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1275 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1320 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1342 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1353 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1364 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1411 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1413 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. 1421 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1432 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was

referred House Bill No. 1435 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1437 has had the same under consideration and recommends that the same be amended as follows: Page 1 line 17 delete "tags" and insert in lieu thereof "tag"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1439 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1441 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1442 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1444 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1478 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 17 after "warnings" insert "as"

Page 1 delete line 18

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1480 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1508 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 Transportation to whom was referred House Bill No. 1553 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 3 after "vehicles" insert "and to prescribe legislative intent"

Page 2 after line 9 insert the following:

"SECTION 2. LEGISLATIVE INTENT.) It is the intent of the legislature that in the administration of this Act, the Motor Vehicle Department will issue titles to any trailer which was purchased prior to July 1, 1965, and which will be required to be titled by this Act, without collecting motor vehicle excise tax."

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No 1556 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution No. 3005 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3024 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3027 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3030 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER,, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3058 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker: I have the honor to inform you that the Senate requests the return of:
House Bill No. 1261

Very respectfully,
LEO LEIDHOLM, Secretary

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-SIXTH DAY

Bismarck, February 26, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Dale Heikkinen, First Lutheran, Bismarck.

Roll call: All Senators present except Senators Butler, Holand, G. Larson, Mutch 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 forty-fourth day after recess and forty-fifth day and recommends that the same be corrected as follows:

On page 749, line 5, delete the word "DAYS" and insert in lieu thereof the word "DAY"

On page 755, line 45, delete the letter "r" and insert in lieu thereof the letter "a"

On page 758, line 37, correct the spelling of the word "engrossed"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 26, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2223

Senate Bill No. 2405

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 26, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2020

Senate Bill No. 2026

Senate Bill No. 2067

Senate Bill No. 2198

Senate Bill No. 2205

Senate Bill No. 2212

Senate Bill No. 2219

Senate Bill No. 2229

Senate Bill No. 2245

Senate Bill No. 2249

Senate Bill No. 2254

Senate Bill No. 2270

Senate Bill No. 2305
 Senate Bill No. 2311
 Senate Bill No. 2331
 Senate Bill No. 2355
 Senate Bill No. 2383
 Senate Bill No. 2406
 Senate Bill No. 2412
 Senate Bill No. 2420
 Senate Bill No. 2487

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, February 26, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2230

Senate Bill No. 2269

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2230

On page 10, line 17 of the engrossed bill after the word "for" insert the following language "a copy of the transcript of the testimony given before the grand jury as it relates to him and the charges against him. Upon receipt of such written demand, the judge shall issue an appropriate order. If the judge for any reason determines that a copy of a transcript of the testimony cannot be obtained, the person indicted shall be entitled, but not otherwise, to"

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2269

On page 2, delete all of lines 10 through 17 and insert in lieu thereof the following:

"Any nonsigning working interest owner may withdraw from the unit to which his interest is committed by transferring, without warranty of title, either express or implied, to the other working interest owners, all his oil and gas rights together with his interest in all unit equipment and in all wells used in unit operations. The instrument of transfer may be delivered to the unit operator for the transferees. Such transfer shall relieve the withdrawing working interest owner from further liability for unit operations but shall not relieve him from any obligation or liability incurred prior to the date of delivery of the instrument of transfer. The interest so transferred shall be owned by the transferees in proportion to their respective participation in the unit. The transferees, in proportion to the respective interests so acquired, shall pay the transferor for his interest in unit equipment and wells the net salvage value thereof as determined by agreement between the transferor and the transferees. In the event such net salvage value is not agreed upon within sixty days after such transfer, then either party may request a hearing of the matter before the commission, and after notice and hearing, the commission shall determine such value."

And renumber the pages and lines accordingly.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4053. A Concurrent Resolution requesting local levels of State Government to assume responsibility in controlling the development of flood plains.

Senator Roen moved that Senate Concurrent Resolution No. 4053 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4056. A Concurrent Resolution directing a study by the State Health Council to determine the feas-

ibility of implementing multiphasic screening for detection of early disease.

Which has been read.

Senator Kautzmann moved that Senate Concurrent Resolution No. 4056 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1058. A Bill for an Act to create and enact section 50-06-01.1 of the North Dakota Century Code, relating to changing the name of the public welfare board of North Dakota to the social service Board 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, 18; nays, 23; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Freed	Larson, L.	Rait
Berube	Gronhovd	Lips	Roen
Chesrown	Jacobson	Longmire	Swedlund
Christensen	Just	Nasset	Van Horn
Erdman	Kautzmann		

Those voting in the negative were:

Anderson	Jones	Ringsak	Stroup
Coughlin	Litten	Robinson	Thane
Doherty	Morgan	Sanstead	Thoreson
Forkner	Nething	Schultz	Unruh
Goldberg	Page	Sorlie	Wilhite
Hernett	Pyle	Strinden	

Absent and not voting:

Butler	Larson, G.	Mutch	Wenstrom
Holand	Melland	Redlin	

Senator Sanstead changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

House Bill No. 1059. A Bill for an Act to amend and reenact subsection 50-24-01, sections 50-24-13 and 50-24-15 of the North Dakota Century Code, and to repeal subsections 10 and 11 of section 50-24-01, subsection 10 of section 50-24-03, and section 50-24-04 of the North Dakota Century Code, all relating to medical assistance for the aged.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Hernett	Nasset	Strinden
Berube	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wilhite
Freed	Longmire	Schultz	

Absent and not voting:

Butler	Larson, G.	Mutch	Sanstead
Goldberg	Melland	Redlin	Wenstrom
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1060. A Bill for an Act to amend and reenact subsections 7 and 9 of section 50-24-03, and to repeal subdivision b of subsection 8 of section 50-24-03 and section 50-24-24 of the North Dakota Century Code, relating to residency for receiving aid for the aged or disabled.

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, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Roen	Van Horn
Freed	Longmire	Sanstead	Wilhite

Absent and not voting:

Butler	Holand	Melland	Redlin
Goldberg	Larson, G.	Mutch	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1061. A Bill for an Act to provide for new appointments to the board of examiners for nursing home administrators, and to amend and reenact subsection 2 of section 43-34-01, and sections 43-34-02 and 43-34-11 of the North Dakota Century Code, relating to the board of examiners for nursing home administrators, and to amend and reenact section 43-34-05 of the North Dakota Century Code, relating to license fees 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, 40; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Schultz
Barth	Gronhovd	Nasset	Sorlie
Berube	Hernett	Nothing	Strinden
Chesrown	Jacobson	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Roen	Van Horn
Freed	Longmire	Sanstead	Wilhite

Those voting in the negative were:

Jones

Absent and not voting:

Butler	Larson, G.	Mutch	Wenstrom
Holand	Melland	Redlin	

So the bill passed and the title was agreed to.

House Bill No. 1064. A Bill for an Act to amend and reenact section 43-17-22 of the North Dakota Century Code, to remove the citizenship requirements for the licensing of physicians. 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, 38; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Goldberg	Morgan	Sanstead
Barth	Gronhovd	Nasset	Schultz
Berube	Jacobson	Nothing	Sorlie
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wilhite
Freed	Longmire		

Those voting in the negative were:

Hernett Stroup

Absent and not voting:

Butler	Larson, G.	Mutch	Strinden
Holand	Melland	Redlin	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1108. A Bill for an Act to amend and reenact subsection 3 of section 14-03-17 of the North Dakota Century Code, relating to physician's certificate for marriage license application.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Roen	Van Horn
Freed	Longmire	Sanstead	Wilhite
Goldberg			

Absent and not voting:

Butler	Larson, G.	Mutch	Wenstrom
Holand	Melland	Redlin	

So the bill passed and the title was agreed to.

House Bill No. 1109. A Bill for an Act to amend and reenact section 11-19A-11 of the North Dakota Century Code relating to autopsies by the medical 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, 36; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Roen
Barth	Gronhovd	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nothing	Sorlie
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh

Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wilhite

Those voting in the negative were:

Forkner	Strinden	Stroup	Thane
Hernett			

Absent and not voting:

Butler	Larson, G.	Mutch	Wenstrom
Holand	Melland	Redlin	

So the bill passed and the title was agreed to.

House Bill No. 1121. A Bill for an Act to create and enact sections 43-28-12.1 and 43-28-12.2 of the North Dakota Century Code, relating to licensing qualifications of dentists; and to amend and reenact subsection 1 of section 43-28-01, sections 43-28-05, 43-28-07, 43-28-11, 43-28-12, 43-28-13, 43-28-15, 43-28-16, and 43-28-24 of the North Dakota Century Code, relating to the definition of the practice of dentistry, the board of dental examiners, examinations, licensing, licenses, and fees for the practice of dentistry.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Schultz
Barth	Gronhovd	Morgan	Sorlie
Berube	Hernett	Nasset	Strinden
Chesrown	Jacobson	Nothing	Stroup
Christensen	Jones	Page	Swedlund
Coughlin	Just	Pyle	Thane
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wilhite
Freed	Litten	Sanstead	

Absent and not voting:

Butler	Melland	Redlin	Thoreson
Holand	Mutch	Roen	Wenstrom
Larson, G.			

So the bill passed and the title was agreed to.

House Bill No. 1131. A Bill for an Act to amend and reenact sections 32-18-02, 32-18-04, and 32-18-05 of the North Dakota Century Code, relating to the period of redemption allowed a defaulting purchaser under a contract for deed or similar instrument.

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, 1; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Nasset	Sorlie
Barth	Hernett	Nothing	Strinden
Berube	Jacobson	Page	Stroup
Chesrown	Jones	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Sanstead	Van Horn
Freed	Longmire	Schultz	Wilhite
Goldberg	Morgan		

Those voting in the negative were:

Just

Absent and not voting:

Butler	Larson, G.	Mutch	Roen
Christensen	Melland	Redlin	Wenstrom
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1132. A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to the building, repair, and rebuilding of county bridges.

Which has been read.

Senator Schultz moved that House Bill No. 1132 be laid over two legislative days, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4071

Senate Concurrent Resolution No. 4077

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1016

House Bill No. 1097

House Bill No. 1114

House Bill No. 1115

House Bill No. 1149

House Bill No. 1170

House Bill No. 1201

House Bill No. 1207

House Bill No. 1213

House Bill No. 1236

House Bill No. 1250

House Bill No. 1290

House Bill No. 1380

House Bill No. 1461

House Bill No. 1462

House Bill No. 1463

House Bill No. 1465

House Bill No. 1482

House Bill No. 1491

House Bill No. 1496

House Bill No. 1509

House Concurrent Resolution No. 3013

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1208

House Bill No. 1434

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker. I have the honor to inform you that the President has appointed

Senators:
Jacobson
Forkner
Just

To serve on House Bill No. 1522.

Senators:
Page
Thane
Barth

To serve on House Bill No. 1172.

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2248 and refused to concur in the House amendment to Senate Bill No. 2025 and the President has appointed as a conference committee to act with a like committee from the House,

Senators:
Coughlin
Wenstrom
L. Larson

Very respectfully,
LEO LEIDHOLM, Secretary of Senate

Senate Chamber

Bismarck, February 26, 1971

Mr. Speaker: I have the honor to return herewith the following House Bill No. 1122, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 1158. A Bill for an Act to amend and reenact section 5-02-07 of the North Dakota Century Code, relating to the sale of items other than alcoholic beverages on licensed premises.

Which has been read.

Senator Golberg moved that House Bill No. 1158 be laid over three legislative days, which motion prevailed.

House Bill No. 1189. A Bill for an Act to amend and reenact Sections 43-17-07, 43-17-18, and 43-17-20 of the North Dakota Century Code, relating to the examination of applicants for a license to practice medicine in this 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, 36; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Morgan	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Rait	Thoreson

Erdman	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wilhite

Those voting in the negative were:

Larson, L.	Ringsak
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Absent and not voting:

Butler	Larson, G.	Roen	Unruh
Forkner	Mutch	Swedlund	Wenstrom
Holand	Pyle		

So the bill passed and the title was agreed to.

House Bill No. 1280. A Bill for an Act to amend and reenact subsection 59 of section 40-05-01 of the North Dakota Century Code, relating to the powers of municipalities to participate with the federal government on public works projects.

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, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wilhite
Goldberg			

Absent and not voting:

Butler	Larson, G.	Roen	Unruh
Forkner	Mutch	Sorlie	Wenstrom
Holand	Pyle	Swedlund	

So the bill passed and the title was agreed to.

House Bill No. 1293. A Bill for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to the advertisement of bids by counties for the purchase and rental of heavy equipment.

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, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Jacobson	Morgan	Sanstead
Berube	Jones	Nasset	Schultz
Chesrown	Just	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Holand	Pyle	Unruh
Coughlin	Larson, G.	Sorlie	Wenstrom
Forkner	Mutch	Swedlund	

So the bill passed and the title was agreed to.

House Bill No. 1307. A Bill for an Act to create and enact sub-

division c of subsection 5 of section 19-02.1-10 of the North Dakota Century Code relating to the misbranding of foods.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 738 of the Senate Journal, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nothing	Sorlie
Christensen	Just	Page	Strinden
Coughlin	Kautzmann	Pyle	Stroup
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite

Absent and not voting:

Butler	Holand	Mutch	Unruh
Forkner	Larson, G.	Swedlund	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1391. A Bill for an Act to amend and reenact section 57-15-28 of the North Dakota Century Code, relating to county emergency 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, 39; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Sorlie
Chesrown	Just	Page	Strinden
Christensen	Kautzmann	Pyle	Stroup
Coughlin	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite
Gronhovd	Melland	Roen	

Absent and not voting:

Butler	Holand	Mutch	Unruh
Doherty	Larson, G.	Swedlund	Wenstrom
Forkner			

So the bill passed and the title was agreed to.

House Bill No. 1409. A Bill for an Act to amend and reenact section 40-47-04 of the North Dakota Century Code, relating to notice of public hearings in zoning matters.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Pyle	Stroup
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson

Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire		
Absent and not voting:			
Butler	Larson, G.	Roen	Unruh
Forkner	Mutch	Swedlund	Wenstrom
Holand	Page		

So the bill passed and the title was agreed to.

House Bill No. 1510. A Bill for an Act to amend and reenact section 12-44-42 of the North Dakota Century Code, relating to county jails and workhouses.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Christensen	Just	Pyle	Stroup
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Butler	Larson, G.	Page	Unruh
Forkner	Mutch	Swedlund	Wenstrom
Holand			

So the bill passed and the title was agreed to.

SECOND READING OF A
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3023. A Concurrent Resolution urging the United States Congress and the Administration to make more funds available for Farmers Home Administration loans.

Which has been read.

Senator Nasset moved that House Concurrent Resolution No. 3023 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 26, 1971

Mr. President: I have the honor to return:

House Bill No. 1261

Which the Senate has requested.

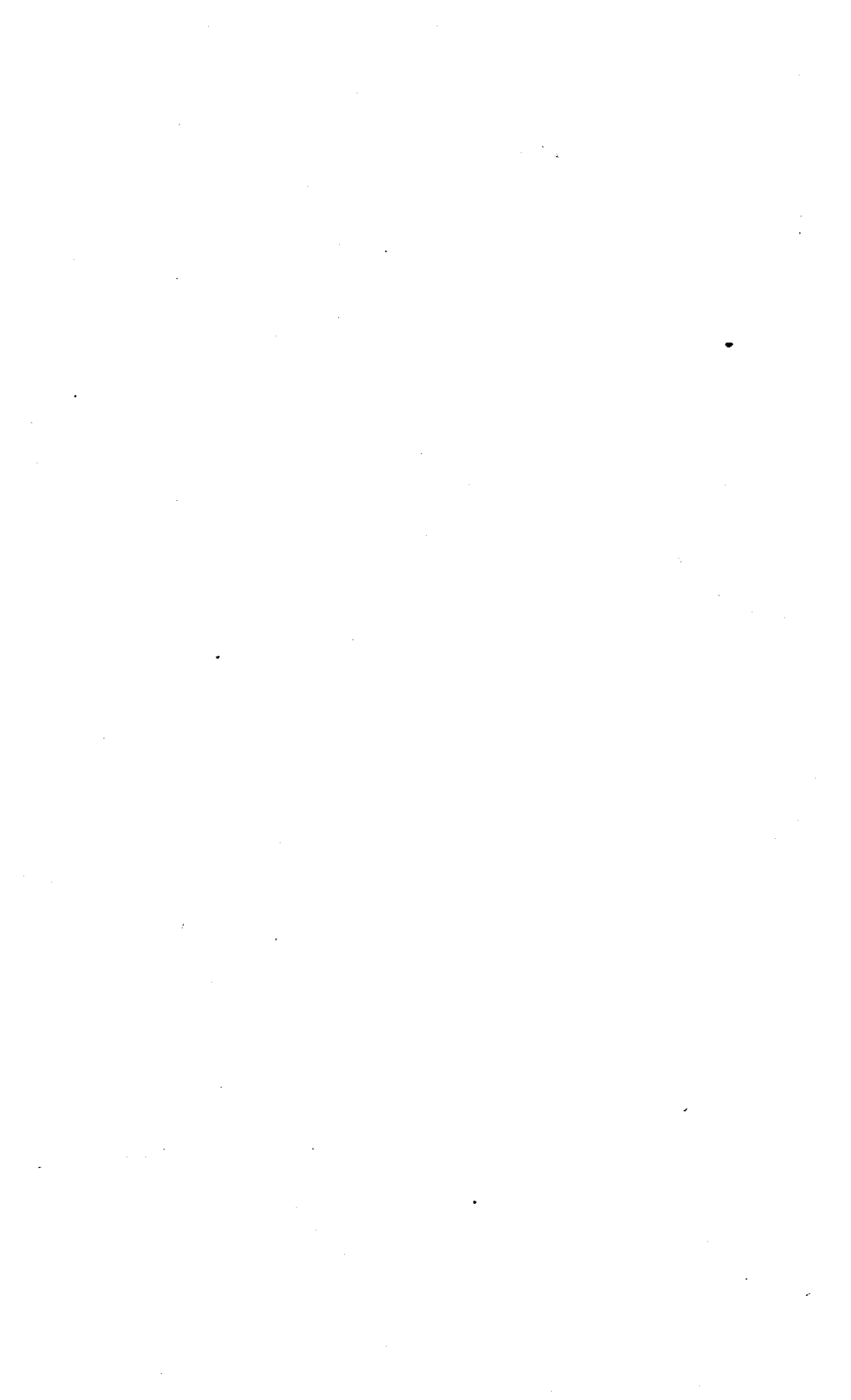
ROY GILBREATH, Chief Clerk

MOTION

Senator Longmire moved that House Bill No. 1261 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4037, 4055, 4072, 4075, 4078, House Bills Nos. 1005, 1006 1012, 1018, 1021, 1022, 1032 1042, 1054, 1065, 1110, 1159, 1164, 1174, 1183, 1269, 1275, 1342, 1353, 1364, 1413, 1421, 1435, 1439, 1441, 1442, 1444, 1484, 1508, 1556, and House Concurrent Resolutions Nos. 3027, and 3058, the Senate recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-SIXTH DAY AFTER RECESS, FORTY-SEVENTH DAY,
AND FORTY-EIGHTH -DAY

Bismarck, March 1, 1971

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that the have examined the following bills:

Senate Concurrent Resolution No. 4037

Senate Concurrent Resolution No. 4072

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4001 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 Concurrent Resolution No. 4042 has had the same under consideration and recommends that the same do pass and be re-referred to Legislative Council Resolutions Committee.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4042 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4052 has had the same under consideration and recommends that the same be amended as follows:

Page 3 line 7 of the engrossed Senate Concurrent Resolution after "to" insert "substantially increase the funding of P. L. 566 and"

Page 3 line 8 after "lation" delete "substantially increasing" and insert "liberalizing"

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.

Mr. President: Your Committee on Education to whom was re-

ferred Senate Concurrent Resolution No. 4054 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 Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4058 has had the same under consideration and recommends that the same do pass and be re-referred to Legislative Council Resolutions Committee.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4058 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4063 has had the same under consideration and recommends that the same do pass.

GEORGE LONGMIRE, Chairman

Senator Longmire 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. 4065 has had the same under consideration and recommends that the same do pass and be re-referred to Legislative Council Resolutions Committee.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed and Senate Concurrent Resolution No. 4065 was referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4070 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 6 after "Fisheries" delete "and"

Page 2 line 7 after the second comma insert the following

"Soil Conservation Committee, North Dakota State University Experiment Station, and the Agricultural Research Service,"

Page 2 after line 8 insert the following

"BE IT FURTHER RESOLVED, that the North Dakota Cooperative Extension Service is hereby requested to coordinate the research activities performed and to compile and to make available to all interested parties any information derived from such research; and"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass and be re-referred to the Legislative Council Resolutions Committee.

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 Concurrent Resolution No. 4076 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR HERNETT, Chairman

Senator Hernettt 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 2, line 8 delete the figure "35,000.00" and insert in lieu thereof the figure "45,000.00"

On page 2, line 9 delete the figure "40,000.00" and insert in lieu thereof the figure "45,000.00"

On page 2, line 11 delete the figure "100,000.00" and insert in lieu thereof the figure "115,000.00"

On page 2, line 12 delete the figure "90,000.00" and insert in lieu thereof the figure "105,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to allow other agencies to use the Law Enforcement Training Center. The increase in fees and services and supplies and materials was offset by increasing the estimated income.

SENATOR SORLIE, Chairman

Senator Lips 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 be amended as follows:

On page 1, line 15 delete the figure "131,775.00" and insert in lieu thereof the figure "134,575.00"

On page 1, line 16 delete the figure "97,671.00" and insert in lieu thereof the figure "94,871.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to provide additional funds in salaries and wages, reduced from fees and services to provide for more meetings of the board if necessary.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations 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 11 delete the figure "367,750.00" and insert in lieu thereof the figure "407,750.00"

On page 1, line 11 delete the figure "317,750.00" and insert in lieu thereof the figure "357,750.00"

On page 1, line 20 add the following new line:

"20a Horse Barn 40,000.00"

On page 1, line 21 delete the figure "367,750.00" and insert in lieu thereof the figure "407,750.00"

On page 1, line 22 delete the figure "317,750.00" and insert in lieu thereof the figure "357,750.00"

On page 1, after line 23 add the following:

"SECTION 2. INTENT.) It is the intent of the legislature that \$50,000.00 general fund appropriation by the state will be used for premiums. It is the further intent of the legislature that \$40,000.00 of the appropriation shall be used for the construction of a horse barn and the income from non-fair usage of the building is to be used to amortize construction costs of the horse barn."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was re-

ferred House Bill No. 1046 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 House Bill No. 1235 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1321 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1322 has had the same under consideration and recommends that the same do pass unopposed and be placed on the Consent Calendar.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1336 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1378 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1386 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 House Bill No. 1452 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1498 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 and House Bill No. 1498 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Education to whom was re-

ferred House Bill No. 1533 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 House Bill No. 1539 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed and House Bill No. 1539 we re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1542 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1559 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Concurrent Resolution No. 3002 has had the same under consideration and recommends that the same be amended as follows:

On page 2, in line 5 after the word "Department" add the following: "provided, however, that pilot selection is the responsibility of the agency of ownership"

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 assure pilot choice being the responsibility of the department that owns the plane.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1437, 1478, and 1553 be dispensed with, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1437 as recommended by the Committee on Transportation, and and printed on page 779 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1478 as recommended by the Committee on Transportation, and printed on page 779 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1553 as recommended by the Committee on Transportation, and printed on page 780 of the Senate Journal, be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do not concur in the

House amendments to Senate Bill No. 2230 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. 2230,

Senators:
Freed
Ringsak
Barth

Senator Roen 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.

The President appointed as a Conference Committee on Senate Bill No. 2269,

Senators:
Jacobson
Wilhite
Christensen

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4037. A Concurrent Resolution relating to the intent of the Legislative Assembly in the allocation of monies appropriated for salaries of employees of the State.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended, on page 752 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Ringsak

So the resolution was declared adopted.

MOTION

Senator Forkner moved that House Concurrent Resolution No. 3027 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Sanstead moved that the Senate reconsider the action by which House Bill No. 1058 was lost, which motion prevailed.

Senator Holand moved that House Bill No. 1058 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1058. A Bill for an Act to create and enact section 50-06-01.1 of the North Dakota Century Code, relating to changing the name of the public welfare board of North Dakota to the social service board 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, 26; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Holand	Lips	Sanstead
Berube	Jacobson	Longmire	Sorlie
Chesrown	Jones	Melland	Swedlund
Christensen	Just	Nasset	Unruh
Erdman	Kautzmann	Rait	Van Horn
Freed	Larson, G.	Roen	Wenstrom
Gronhovd	Larson, L.		

Those voting in the negative were:

Anderson	Litten	Pyle	Strinden
Coughlin	Morgan	Redlin	Stroup
Doherty	Mutch	Ringsak	Thane
Forkner	Nothing	Robinson	Thoreson
Goldberg	Page	Schultz	Wilhite
Hernett			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

RECOGNITION

Senator Coughlin announced that there were two distinguished guests in the Senate chambers, namely, Mrs. Elvira Jestrab, 1971 State Campaign Chairman of the Easter Seals Society for Crippled Children and Adults in North Dakota, and Vee Ann Steen, eight year old daughter of Mr. and Mrs. Walter Steen of Minot, the Easter Seal Poster Child for 1971, and the two guests were recognized by the Senate. A gift was presented to Vee Ann by the Lieutenant Governor on behalf of the North Dakota Senate, and Vee Ann presented an Easter Lily and Easter Seals to the Lieutenant Governor.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

FORTY-SEVENTH DAY

Bismarck, March 1, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Roger Hedberg, Mandan Baptist.

"Oh God, I ask Thy presence and blessing on the session of the day. From minds and hearts dedicated to service comes the desire for wisdom and understanding. To men who seek to give their best grant Thy presence and guidance, that through the choices they make might come benefit to many. Grant also the greater wisdom that teaches us that decisions are best made when Thy guidance is sought and followed. I pray in the Name of Christ our Lord. Amen."

Roll call: All Senators present except Senator Butler.

A quorum was declared by the President.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senators Longmire, Christensen, Forkner, Holand, Kautzmann, Sanstead, Sorlie and Wenstrom introduced:

Senate Concurrent Resolution No. 4082. A Concurrent Resolution thanking the North Dakota Congressional Delegation for its courtesies to the North Dakota group during its conferences in Washington and thanking the President for the time spent with the North Dakotans.

Was read the first time.

Senator Longmire moved that the rules be suspended, that Senate

Concurrent Resolution No. 4082 be not printed as a bill but printed in the journal, not referred to committee but placed on second reading and final passage, which motion prevailed.

PAGE 1

SENATE CONCURRENT RESOLUTION No. 4082

Introduced by Senators Longmire, Christensen, Forkner, Holand, Kautzmann, Sanstead, Sorlie and Wenstrom

1 A concurrent resolution thanking the North Dakota Congressional
2 Delegation for its courtesies to the North Dakota group during
3 its conferences in Washington and thanking the President for
4 the time spent with the North Dakotans.

5
6 WHEREAS, a delegation of 27 North Dakota legislators
7 and state officials made a two-day visit to Washington, D.C.,
8 February 22-23, 1971, to confer with federal officials and
9 the President on programs affecting North Dakota; and

10 WHEREAS, Senators Milton Young and Quentin Burdick,
11 and Representatives Mark Andrews and Arthur Link, in spite of
12 many pressing duties, conferred extensively with the North
13 Dakota group and were very helpful and courteous; and

14 WHEREAS, Senator Young arranged meetings with officials
15 of the Department of Health, Education, and Welfare; the
16 Law Enforcement Assistance Administration; and the President;
17 and

18 WHEREAS, the North Dakotans were particularly honored
19 to have the opportunity to meet and discuss matters with
20 President Nixon; and

21 WHEREAS, the knowledge and information gained by the
22 conferences will be of inestimable value to the legislators
23 and officials in making decisions, and hence will be of
24 great value to North Dakota and its citizens;

PAGE 2

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
1a OF THE

2 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES

2a CONCURRING THEREIN:

3 That the Forty-second Legislative Assembly extends
4 its sincere thanks to Senators Milton Young and Quentin
5 Burdick, and Representatives Mark Andrews and Arthur Link,
6 for their assistance and courtesies to the North Dakota
7 delegation while it was in Washington; and

8 BE IT FURTHER RESOLVED, that the Forty-second Legis-
9a lative

10 Assembly extends special thanks and appreciation to President
11 Nixon for taking time from his busy schedule to confer with
12 the North Dakotans; and

13 BE IT FURTHER RESOLVED, that the Secretary of State
14 send copies of this resolution to members of the North Dakota
15 Congressional Delegation and to the President of the United
16 States.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4082. A Concurrent Resolution thanking the North Dakota Congressional Delegation for its courtesies to the North Dakota group during its conferences in Washington and thanking the President for the time spent with the North Dakotans.

Was read the second time.

Senator Longmire moved that Senate Concurrent Resolution No. 4082 be adopted, which motion prevailed.

FIRST READING OF A SENATE RESOLUTION

Senators Rait and Roen introduced:

Senate Resolution No. 6. A Resolution thanking Senator Hernett and Representatives Raile and Welder and friends for staging their biennial Sausage Party for their colleagues and friends.

Was read the first time.

Senator Rait moved that rules be suspended, that Senate Resolution No. 6 be not printed as a bill, but printed in the journal, not referred to committee but placed on second reading and final passage, which motion prevailed.

SENATE RESOLUTION No. 6
Introduced by Senators Rait, Roen

- 1 A resolution thanking Senator Hernett and Representatives
- 2 Raile and Welder and friends for staging their biennial
- 3 Sausage Party for their colleagues and friends:

4
5 WHEREAS, it is important for the smooth functioning
6 of any large heterogeneous body such as a state legislature
7 that there exists a certain feeling of camaraderie quite
8 apart from strict legislative protocol to facilitate business
9 being done in an orderly and efficient manner; and

10 WHEREAS, there is a need in every legislative session
11 for opportunities for informal gatherings of legislators,
12 as distinguished from more formal meetings and sessions,
13 to promote good will among the members and to allow the
14 members to get to know one another better; and

15 WHEREAS, Senator Hernett and Representatives Raile
16 and Welder, the legislative delegation from the 30th District,
17 and their friends have again provided such an opportunity
18 by sponsoring the biennial Legislative Sausage Party, a
19 function of some fifteen years standing;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF
20a THE

21 STATE OF NORTH DAKOTA:

22 That it extends to Senator Hernett and Representatives
23 Raile and Welder and their friends sincere thanks and
24 appreciation for their action in hosting the traditional

PAGE No. 2

- 1 Legislative Sausage Party.

SECOND READING OF A SENATE RESOLUTION

Senator Rait moved that Senate Resolution No. 6 be adopted, which motion prevailed.

REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills.

Senate Bill No. 2184

Senate Bill No. 2401

Senate Bill No. 2443

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2017

Senate Bill No. 2018

Senate Bill No. 2028

Senate Bill No. 2035

Senate Bill No. 2050

Senate Bill No. 2051

Senate Bill No. 2052

Senate Bill No. 2053

Senate Bill No. 2069
 Senate Bill No. 2121
 Senate Bill No. 2134
 Senate Bill No. 2137
 Senate Bill No. 2140
 Senate Bill No. 2149
 Senate Bill No. 2161
 Senate Bill No. 2177
 Senate Bill No. 2209
 Senate Bill No. 2213
 Senate Bill No. 2220
 Senate Bill No. 2226
 Senate Bill No. 2232
 Senate Bill No. 2275
 Senate Bill No. 2291

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Pyle 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. 2293
 Senate Bill No. 2336
 Senate Bill No. 2341
 Senate Bill No. 2357
 Senate Bill No. 2359
 Senate Bill No. 2360
 Senate Bill No. 2402
 Senate Bill No. 2424
 Senate Bill No. 2429
 Senate Bill No. 2506

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-EIGHTH DAY

Bismarck, March 1, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Richard Hagestuen, First Lutheran, Mandan.
 "Dear God and Heavenly Father,

"We come before Your presence seeking guidance in solution to problems large and small. Be with each Senator here assembled, give them clear minds and the will to do what is right. Help us, Dear God in the best way possible to alleviate as much pain and suffering as possible and to give to each human the dignity of mankind. Amen."

Roll call: All Senators present except Senators Butler, Chesrown 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 forty-fifth day after recess and forty-sixth day and finds the same correct.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 1, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2015
Senate Bill No. 2173
Senate Bill No. 2196
Senate Bill No. 2242
Senate Bill No. 2256
Senate Bill No. 2257
Senate Bill No. 2284
Senate Bill No. 2292
Senate Bill No. 2317
Senate Bill No. 2376
Senate Bill No. 2382
Senate Bill No. 2400
Senate Bill No. 2416
Senate Bill No. 2510
Senate Bill No. 2511

Senate Concurrent Resolution No. 4015
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 1, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2203

Senate Bill No. 2297

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2203

On page 1, line 15 after the comma insert the following language
"and is the successful bidder,"

On page 1, line 15 after the word "sheriff" insert the words **"or his designated agent"**

On page 1, line 15 insert beginning triple parentheses before the word "or" and on line 15 of the same page insert ending triple parentheses after the word "person"

On page 1, line 16 following the word "fee" insert the following words **"to be remitted to the county"**

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2297

On page 1, line 23 after the word "office" and before the period insert the following language: **", and also, upon a resolution of the County Commissioners, extra copies of the list of delinquent real estate taxes may be placed in banks and such other places as designated by the County Commissioners"**

And renumber the pages and lines accordingly.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 1, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2409

Which the House failed to pass.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 1, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2065

Senate Bill No. 2200

Senate Bill No. 2243

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 1, 1971

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 3086

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4055. A Concurrent Resolution urging the United States Congress to appropriate adequate funds to speed the development of the science of magneto-hydro-dynamics (MHD) electrical power generation.

Which has been read.

Senator Stroup moved that Senate Concurrent Resolution No. 4055 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4072. A Concurrent Resolution urging the Congress and the Secretary of Transportation to take action to ensure continued rail passenger service along the former Northern Pacific Railroad route and Great Northern route.

Which has been read.

Senator Just moved that Senate Concurrent Resolution No. 4072 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4075. A Concurrent Resolution urging the Department of the Interior to ensure that the Bureau of Sport Fisheries and Wildlife operate according to its agreements and contracts.

Which has been read.

Senator G. Larson moved that Senate Concurrent Resolution No. 4075 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4078. A Concurrent Resolution urging the Congress of the United States to enact legislation permitting States to disclose information relative to assistance received by welfare recipients.

Which has been read.

Senator Roen moved that Senate Concurrent Resolution No. 4078 be adopted, which motion prevailed.

MOTION

Senator Sorlie moved that the House be requested to return House Bill No. 1029, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1005. A Bill for an Act making an appropriation to the North Dakota park service for administration, operation, maintenance and development of state parks.

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, 5.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sorlie
Barth	Jones	Nething	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Holand	Mutch	Schultz	

Absent and not voting:

Berube	Chesrown	Freed	Larson, G.
Butler			

So the bill passed and the title was agreed to.

MOTION

Senator Robinson moved that House Bill No. 1364 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1364. A Bill for an Act to provide for a revolving fund for concessions for the state park service, and to make 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, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Christensen	Just	Nething	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Holand			

Absent and not voting:

Berube	Butler	Chesrown
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1006. A Bill for an Act making an appropriation for the use of the North Dakota business and industrial development 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, 41; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Mutch	Sanstead
Barth	Just	Nasset	Schultz
Berube	Kautzmann	Nething	Sorlie
Christensen	Larson, G.	Page	Stroup
Doherty	Larson, L.	Pyle	Swedlund

Forkner	Lips	Rait	Thane
Goldberg	Litten	Redlin	Unruh
Gronhovd	Longmire	Ringsak	Van Horn
Hernett	Melland	Robinson	Wenstrom
Holand	Morgan	Roen	Wilhite
Jacobson			

Those voting in the negative were:

Coughlin	Freed	Strinden	Thoreson
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Absent and not voting:

Butler	Chesrown	Erdman
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So the bill passed and the title was agreed to.

House Bill No. 1012. A Bill for an Act making an appropriation to continue the operation of North Dakota civil defense as provided for by Chapter 37-17 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, 41; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Roen	Van Horn
Freed	Longmire	Sanstead	Wenstrom
Gronhovd	Melland	Schultz	Wilhite
Hernett			

Those voting in the negative were:

Goldberg	Litten	Mutch	Robinson
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Absent and not voting:

Butler	Chesrown	Redlin
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So the bill passed and the title was agreed to.

House Bill No. 1018. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota according to chapter 43-12 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 752 and 753 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Berube	Just	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Holand			

Absent and not voting:

Butler Chesrown Hernett

So the bill passed and the title was agreed to.

House Bill No. 1021. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the North Dakota mill and elevator association.

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, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Schultz
Barth	Jones	Mutch	Sorlie
Berube	Just	Nasset	Strinden
Christensen	Kautzmann	Nothing	Swedlund
Coughlin	Larson, G.	Page	Thane
Doherty	Larson, L.	Pyle	Thoreson
Erdman	Lips	Rait	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Holand			

Those voting in the negative were:

Goldberg Redlin Stroup

Absent and not voting:

Butler Chesrown Hernett Roen

So the bill passed and the title was agreed to.

House Bill No. 1022. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the state wheat commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 753 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite

Absent and not voting:

Butler Chesrown Just Roen

So the bill passed and the title was agreed to.

House Bill No. 1032. A Bill for an Act making an appropriation for the use of the state planning agency.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler	Chesrown	Stroup
--------	----------	--------

So the bill passed and the title was agreed to.

House Bill No. 1042. A Bill for an Act to create and enact 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 or other revenue producing campus improvements.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Christensen	Jones	Nothing	Strinden
Coughlin	Just	Page	Stroup
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Mutch	Ringsak	Swedlund	Thoreson
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Absent and not voting:

Butler	Chesrown
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So the bill passed and the title was agreed to.

House Bill No. 1054. A Bill for an Act to amend and reenact subsection 16 of section 57-02-08 of the North Dakota Century Code, to provide that property owned by nonprofit corporations organized to promote athletic and educational needs and uses at any state educational institution shall be exempt from taxation only if used exclusively for athletic or educational 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, 40; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Stroup
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thoreson

Freed	Larson, L.	Rait	Van Horn
Goldberg	Lips	Robinson	Wenstrom
Gronhovd	Litten	Roen	Wilhite

Those voting in the negative were:

Forkner	Redlin	Thane	Unruh
Mutch	Ringsak		

Absent and not voting:
Butler Chesrown

So the bill passed and the title was agreed to.

House Bill No. 1065. A Bill for an Act to amend and reenact section 39-17-07 of the North Dakota Century Code, relating to 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, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:
Butler Chesrown

So the bill passed and the title was agreed to.

House Bill No. 1110. A Bill for an Act to create and enact sections 43-20-12 and 43-20-12.1 of the North Dakota Century Code, relating to the delegation of duties to dental hygienists and to continuing education requirements for dental hygienists; to amend and reenact sections 43-20-02 and 43-20-03 of the North Dakota Century Code, relating to acceptance of a national test in lieu of graduation from hygienist school and practice by dental hygienists.

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, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Berube	Jacobson	Nasset	Sorlie
Christensen	Jones	Nothing	Strinden
Coughlin	Just	Page	Stroup
Doherty	Kautzmann	Pyle	Swedlund
Erdman	Larson, G.	Redlin	Thane
Forkner	Lips	Ringsak	Thoreson
Freed	Litten	Robinson	Unruh
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Those voting in the negative were:

Barth	Mutch	Rait	Van Horn
Larson, L.			

Absent and not voting:

Butler Chesrown

So the bill passed and the title was agreed to.

House Bill No. 1159. A Bill for an Act to amend and reenact section 16-13-03 of the North Dakota Century Code, relating to keeping the county auditor's office open on election nights.

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, 17; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Holand	Nething	Schultz
Berube	Jacobson	Pyle	Sorlie
Christensen	Jones	Rait	Strinden
Coughlin	Just	Redlin	Stroup
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Larson, L.	Roen	Van Horn
Goldberg	Litten	Sanstead	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Anderson	Kautzmann	Mutch	Swedlund
Chesrown	Lips	Nasset	Thane
Forkner	Melland	Page	Thoreson
Freed	Morgan	Robinson	Wenstrom
Hernett			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 1, 1971

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 1029.

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 1, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4053

Senate Concurrent Resolution No. 4056

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 1, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1059
House Bill No. 1060
House Bill No. 1061
House Bill No. 1064
House Bill No. 1108
House Bill No. 1109
House Bill No. 1121
House Bill No. 1131
House Bill No. 1189
House Bill No. 1280
House Bill No. 1293

House Bill No. 1391
House Bill No. 1409
House Bill No. 1510
House Concurrent Resolution No. 3023
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 1, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1307
Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 1, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1320
House Bill No. 1411
House Bill No. 1432
House Bill No. 1480
House Concurrent Resolution No. 3005
House Concurrent Resolution No. 3024
House Concurrent Resolution No. 3030
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 1, 1971

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to Senate Bills Nos. 2230 and 2269 and the President has appointed as a conference committee to act with a like committee from the House,

Senators:
Freed
Ringsak
Barth

To serve on House Bill No. 2230.

Senators:
Jacobson
Wilhite
Christensen

To serve on House Bill No. 2269.

Very respectfully,
LEO LEIDHOLM, Secretary of Senate

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 1, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2056
Senate Bill No. 2060
Senate Bill No. 2126
Senate Bill No. 2221
Senate Bill No. 2241
Senate Bill No. 2271
Senate Bill No. 2313
Senate Bill No. 2315
Senate Bill No. 2326
Senate Bill No. 2327
Senate Bill No. 2328
Senate Bill No. 2330

Senate Bill No. 2335
 Senate Bill No. 2338
 Senate Bill No. 2344
 Senate Bill No. 2353
 Senate Bill No. 2356
 Senate Bill No. 2358
 Senate Bill No. 2365
 Senate Concurrent Resolution No. 4020
 Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 1, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Bill No. 2240
 Senate Bill No. 2261
 Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 1, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Bill No. 2106
 Senate Bill No. 2164
 Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

MOTION

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened pursuant to call of the Chair, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign
 Senate Bill No. 2017
 Senate Bill No. 2018
 Senate Bill No. 2028
 Senate Bill No. 2035
 Senate Bill No. 2050
 Senate Bill No. 2051
 Senate Bill No. 2052
 Senate Bill No. 2053
 Senate Bill No. 2069
 Senate Bill No. 2121
 Senate Bill No. 2134
 Senate Bill No. 2137
 Senate Bill No. 2140
 Senate Bill No. 2149
 Senate Bill No. 2161
 Senate Bill No. 2177
 Senate Bill No. 2184
 Senate Bill No. 2209
 Senate Bill No. 2213
 Senate Bill No. 2220
 Senate Bill No. 2226
 Senate Bill No. 2232
 Senate Bill No. 2275
 Senate Bill No. 2291
 Senate Bill No. 2293
 Senate Bill No. 2336
 Senate Bill No. 2341
 Senate Bill No. 2357
 Senate Bill No. 2359

Barth	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Berube	Jones	Nasset	Van Horn
Butler	Just	Sanstead	

So the bill passed and the title was agreed to.

House Bill No. 1174. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claim for refund of motor fuel tax.

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sorlie
Barth	Holand	Mutch	Strinden
Chesrown	Jacobson	Nothing	Stroup
Christensen	Jones	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Schultz	

Absent and not voting:

Berube	Just	Nasset	Sanstead
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1183. A Bill for an Act to create and enact a new section to chapter 57-23 of the North Dakota Century Code, relating to the abatement and refund of property taxes.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Sanstead
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So the bill passed and the title was agreed to.

House Bill No. 1269. A Bill for an Act to amend and reenact section 40-29-03 of the North Dakota Century Code, relating to required notice to construct, rebuild, or repair sidewalks.

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, 19; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Sorlie
Barth	Hernett	Longmire	Stroup
Berube	Just	Melland	Swedlund
Chesrown	Kautzmann	Page	Unruh
Christensen	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wilhite
Goldberg	Lips	Sanstead	

Those voting in the negative were:

Coughlin	Jacobson	Nothing	Strinden
Doherty	Jones	Pyle	Thane
Forkner	Morgan	Ringsak	Thoreson
Freed	Mutch	Robinson	Wenstrom
Holand	Nasset	Schultz	

Absent and not voting:

Butler Roen

So the bill passed and the title was agreed to.

House Bill No. 1275. A Bill for an Act to amend and reenact sections 39-12-02 and 39-12-06 of the North Dakota Century Code, relating to extended loads on 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, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1342. A Bill for an Act authorizing the director of institutions to convey certain land owned by the state of North Dakota to the Grafton park 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, 47; nays 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden.

Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1353. A Bill for an Act relating to excess mill levies in townships.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Coughlin	Just	Page	Stroup
Doherty	Kautzmann	Pyle	Swedlund
Erdman	Larson, G.	Redlin	Thane
Forkner	Larson, L.	Ringsak	Thoreson
Freed	Lips	Robinson	Unruh
Goldberg	Litten	Roen	Wenstrom
Gronhovd	Longmire	Sanstead	Wilhite
Hernett	Melland		

Those voting in the negative were:

Barth	Morgan	Rait	Van Horn
Christensen			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1413. A Bill for an Act to amend and reenact subsections 2 and 3 of section 23-25-02 and section 61-28-03 of the North Dakota Century Code, relating to the membership of the state air pollution control advisory council and the state water pollution control 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, 39; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Schultz
Barth	Hernett	Longmire	Sorlie
Berube	Holand	Melland	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Goldberg	Lips	Roen	

Those voting in the negative were:

Freed	Mutch	Robinson	Wilhite
Morgan	Ringsak	Thane	

Absent and not voting:

Butler Sanstead

So the bill passed and the title was agreed to.

House Bill No. 1421. A Bill for an Act to amend and reenact section 18-10-06 of the North Dakota Century Code, relating to the powers and duties of directors of rural fire protection districts, and section 18-10-10 of the North Dakota Century Code, relating to contracts of rural fire protection districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Those voting in the negative were:

Strinden

Absent and not voting:

Butler Freed

So the bill passed and the title was agreed to.

House Bill No. 1435. A Bill for an Act to amend and reenact section 39-04-13 of the 1969 supplement to the North Dakota Century Code, relating to number plates, tabs, stickers or registration card for 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, 45; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd			

Those voting in the negative were:

Mutch Redlin

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1439. A Bill for an Act to provide for the issuance of a duplicate certificate of title to 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, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Page

So the bill passed and the title was agreed to.

House Bill No. 1441. A Bill for an Act to amend and reenact subsection 7 of section 39-04-01 of the North Dakota Century Code, relating to the definition of commercial freighting.

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, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1442. A Bill for an Act to repeal section 39-04-03 of the North Dakota Century Code, relating to furnishing of tire size on application for registration of trucks.

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, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson

Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1444. A Bill for an Act to amend and reenact section 39-05-09 of the 1969 supplement to the North Dakota Century Code, relating to the issuance of a title to 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, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1484. A Bill for an Act to amend and reenact section 9 of chapter 462 of the 1969 Session Laws of the state of North Dakota, relating to the periods during which the constitutional convention can meet in plenary session.

Which has been read.

Senator Wilhite moved that House Bill No. 1484 be laid over one legislative day, which motion prevailed.

House Bill No. 1508. A Bill for an Act to amend and reenact subsections 7, 8, 9, and 10 of section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for fishing licenses; and to provide 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, 33; nays, 12; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Roen
Berube	Holand	Melland	Sanstead
Chesrown	Jacobson	Nasset	Sorlie
Christensen	Just	Nothing	Stroup
Coughlin	Larson, G.	Page	Swedlund
Erdman	Larson, L.	Pyle	Thane
Forkner	Lips	Rait	Van Horn
Goldberg	Litten	Redlin	Wenstrom
Gronhovd			

Those voting in the negative were:

Barth	Jones	Mutch	Schultz
Doherty	Kautzmann	Ringsak	Strinden
Freed	Morgan	Robinson	Wilhite

Absent and not voting:

Butler	Thoreson	Unruh
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So the bill passed and the title was agreed to.

House Bill No. 1513. A Bill for an Act to amend and reenact sections 54-03-06 and 54-35-04 of the North Dakota Century Code, providing that all hearings of the legislative assembly and its committees shall be open to the public.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 27; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Gronhovd	Lips	Sanstead
Berube	Just	Longmire	Swedlund
Christensen	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Van Horn
Erdman			

Those voting in the negative were:

Anderson	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Coughlin	Jones	Nothing	Stroup
Forkner	Kautzmann	Pyle	Thane
Freed	Litten	Ringsak	Wenstrom
Goldberg	Melland	Robinson	Wilhite
Hernett	Morgan	Schultz	

Absent and not voting:

Butler	Page	Roen	Unruh
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So the bill was declared lost.

House Bill No. 1556. A Bill for an Act to amend and reenact section 39-05-22 of the North Dakota Century Code, relating to surrendered certificates of title to a motor vehicle; 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, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire	Sanstead	

Absent and not voting:

Butler	Page	Roen	Unruh
Freed			

So the bill passed and the title was agreed to and the emergency clause carried.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3058. A Concurrent Resolution urging North Dakotans who ride or operate snowmobiles to use helmets, and to urge state organizations and agencies to encourage the use of helmets.

Which has been read.

Senator Forkner moved that House Concurrent Resolution No. 3058 be adopted, which motion prevailed.

MOTION

Senator Goldberg moved that House Bill No. 1132 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 1, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1434 and refused to concur in the Senate amendment to House Bill No. 1208 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Hensrud
Gunderson
Patrick

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 1, 1971

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. 2025

Representatives:

Jenkins
Wagner
H. Johnson

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 1, 1971

Mr. President: I have the honor to transmit herewith the following,
House Bill No. 1019
House Bill No. 1031
House Bill No. 1041
House Bill No. 1078
House Bill No. 1087
House Bill No. 1107
House Bill No. 1155
House Bill No. 1173
House Bill No. 1178
House Bill No. 1179
House Bill No. 1180
House Bill No. 1198
House Bill No. 1204
House Bill No. 1215
House Bill No. 1216
House Bill No. 1223
House Bill No. 1227
House Bill No. 1241
House Bill No. 1243
House Bill No. 1245

House Bill No. 1249
House Bill No. 1268
House Bill No. 1300
House Bill No. 1366
House Bill No. 1369
House Bill No. 1472
House Bill No. 1505
House Bill No. 1530

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of House Concurrent Resolutions Nos. 4001, 4054, 4063, 4076, and House Bills Nos. 1046, 1235, 1321, 1322, 1336, 1378, 1386, 1437, 1452, 1478, 1533, 1542, 1553, and 1559 that the Senate recess until 1:15 p.m., March 2, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-EIGHTH DAY AFTER RECESS
AND FORTY-NINTH DAY

Bismarck, March 2, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 2, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2017
Senate Bill No. 2018
Senate Bill No. 2028
Senate Bill No. 2035
Senate Bill No. 2050
Senate Bill No. 2051
Senate Bill No. 2052
Senate Bill No. 2053
Senate Bill No. 2069
Senate Bill No. 2121
Senate Bill No. 2134
Senate Bill No. 2137
Senate Bill No. 2140
Senate Bill No. 2149
Senate Bill No. 2161
Senate Bill No. 2177
Senate Bill No. 2184
Senate Bill No. 2209
Senate Bill No. 2213
Senate Bill No. 2220
Senate Bill No. 2226
Senate Bill No. 2232
Senate Bill No. 2275
Senate Bill No. 2291
Senate Bill No. 2293
Senate Bill No. 2336
Senate Bill No. 2341
Senate Bill No. 2357
Senate Bill No. 2359
Senate Bill No. 2360
Senate Bill No. 2401
Senate Bill No. 2402
Senate Bill No. 2424
Senate Bill No. 2429
Senate Bill No. 2443
Senate Bill No. 2506

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Concurrent Resolutions Nos. 4052, 4070, and House Bills Nos. 1003, 1008, 1028 and House Concurrent Resolution No. 3002 be dispensed with, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution No. 4052 as recommended by the Committee on Natural Resources, and printed on page 793 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that Senate Concurrent Resolution No. 4070 be re-referred to the Committee on Natural Resources, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1003 as recommended by the Committee on Appropriations, and printed on pages 794 and 795 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1008 as recommended by the Committee on Appropriations, and printed on page 795 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1028 as recommended by the Committee on Appropriations, and printed on page 795 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Concurrent Resolution No. 3002 as recommended by the Committee on Appropriations, and printed on page 797 of the Senate Journal, be adopted, which motion prevailed.

MOTION

Senator Wilhite moved that Senate Concurrent Resolution No. 4076 be removed from the Consent Calendar and placed on the calendar immediately following Senate Concurrent Resolution No. 4063, which motion prevailed.

SECOND READING OF HOUSE BILL
ON CONSENT CALENDAR

House Bill No. 1322. A Bill for an Act to amend and reenact subsection 4 of section 43-11-02 of the 1969 Supplement to the North Dakota Century Code, to allow a licensed cosmetologist to perform manicuring services in a licensed barber shop.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nething	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Pyle
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So the bill passed and the title was agreed to.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3086. A Concurrent Resolution expressing confidence that the officers and men of the 91st and 321st Strategic Missile Wings at Minot and Grand Forks Air Force Bases will exhibit superior performance in participating in "Olympic Arena 71".

Which was read the first time.

Senator Willhite moved that the rules be suspended, that House Concurrent Resolution No. 3086 be not referred to committee, but printed in the Journal and placed on second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION No. 3086

Introduced by Committee on Delayed Bills
(Strinden, Streibel, Weber, Hoffner, Reimers)

1 A concurrent resolution expressing confidence that the
2 officers and men of the 91st and 321st Strategic Missile
3 Wings at Minot and Grand Forks Air Force Bases will exhibit
4 superior performance in participating in "Olympic Arena 71".
5

6 WHEREAS, the Strategic Aid Command motto states that
7 peace is their profession, whereby it logically follows that
8 their goals are no different than those of all citizens; and

9 WHEREAS, our homes, our schools, our churches, and
10 our very way of life depend on the Strategic Air Command's
11 presence and their ability to perform their mission; and

12 WHEREAS, the Strategic Air Command of the United States
13 Air Force will soon conduct the 1971 Missile Combat Competi-
14 tion at Vandenberg Air Force Base, California, such competi-
15 tion to be known as "Olympic Arena 71"; and

16 WHEREAS, the 91st Strategic Missile Wing at Minot Air
17 Force Base and the 321st Strategic Missile Wing at Grand
18 Forks Air Force Base, in combination, possess 300 Minutemen
19 missiles, of the Nation's total arsenal of 1,000; and

20 WHEREAS, "Olympic Arena 71", in which both the 91st and
21 321st Strategic Missile Wings will be participating, is being
22 undertaken for the purpose of identifying the most highly
23 professional and most capable missile operations crews,
24 maintenance teams, and units;

PAGE No. 2

1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
2 REPRESENTATIVES OF THE STATE OF NORTH DAKOTA,

2a THE SENATE

3 CONCURRING THEREIN:

4 That the Forty-second Legislative Assembly hereby
5 expresses confidence that the officers and men of the 91st
6 and the 321st Strategic Missile Wings will exhibit superior
7 performance during "Olympic Arena 71", recognizes the contri-
8 bution to the maintenance of nuclear deterrence which their
9 units represent, and expresses the pride of the State of North
10 Dakota in providing the foundation for their efforts; and

11 BE IT FURTHER RESOLVED, that copies of this resolution
12 be forwarded by the Secretary of State to General Bruce K.
13 Holloway, Commander-in-Chief, Strategic Air Command, Offutt
14 Air Force Base, Nebraska; Lt. General Paul K. Carlton, Com-
15 mander, 15th Air Force Base, March Air Force Base, California;
16 Colonel Grover C. Graves, Commander, 91st Strategic Missile
17 Wing, Minot Air Force Base; and Colonel Paul Krause, Com-
18 mander, 321st Strategic Missile Wing, Grand Forks Air Force
19 Base.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3086. A Concurrent Resolution expressing confidence that the officers and men of the 91st and 321st

Strategic Missile Wings at Minot and Grand Forks Air Force Bases will exhibit superior performance in participating in "Olympic Arena 71".

Which has been read.

Senator Wilhite moved that House Concurrent Resolution No. 3086 be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do not concur in the House amendments to Senate Bill No. 2203 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. 2203,

Senators:

Freed

Page

Gronhovd

Senator Thoreson moved that the Senate do concur in the House amendments to Senate Bill No. 2297, which motion prevailed.

Senator Thoreson moved that the rules be suspended and that Senate Bill No. 2297 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2297. A Bill for an Act to amend and reenact section 57-24-02, and to repeal section 57-24-06 of the North Dakota Century Code, relating to the posting of delinquent real estate taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Freed	Lips	Sanstead
Barth	Goldberg	Litten	Schultz
Berube	Gronhovd	Longmire	Sorlie
Chesrown	Hernett	Melland	Stroup
Coughlin	Holand	Page	Thoreson
Doherty	Jacobson	Robinson	Unruh
Erdman	Just	Roen	Wilhite
Forkner	Larson, G.		

Those voting in the negative were:

Christensen	Mutch	Rait	Swedlund
Jones	Nasset	Redlin	Thane
Kautzmann	Nething	Ringsak	Van Horn
Larson, L.	Pyle	Strinden	Wenstrom
Morgan			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4001. A Concurrent Resolution commending the State Board of Higher Education and the president and administration of each college and university within the State for past efforts in reducing the overlapping of courses and duplication of instruction at the several institutions of higher education, and for

performing studies in regard to instructional programs and space utilization at such institutions, and urging the continuance and enlargement of such efforts.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Freed	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite

Absent and not voting:

Butler	Doherty	Sanstead	Thoreson
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So the resolution was declared adopted.

Senate Concurrent Resolution No. 4054. A Concurrent Resolution requesting the State Board of Higher Education to revert to the former vacation schedules for the University of North Dakota and Ellendale Branch-UND.

Which has been read.

Senator Page moved that Senate Concurrent Resolution No. 4054 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4063. A Concurrent Resolution declaring that considerations other than tenure of service should be used in selecting persons for positions of leadership in the Legislative Assembly and urging Congress to adopt more flexible procedures for selecting persons for leadership positions.

Which has been read.

Senator Sanstead moved that Senate Concurrent Resolution No. 4063 be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2017
 Senate Bill No. 2018
 Senate Bill No. 2028
 Senate Bill No. 2035
 Senate Bill No. 2050
 Senate Bill No. 2051
 Senate Bill No. 2052
 Senate Bill No. 2053
 Senate Bill No. 2069
 Senate Bill No. 2121
 Senate Bill No. 2134
 Senate Bill No. 2137
 Senate Bill No. 2140
 Senate Bill No. 2149
 Senate Bill No. 2161
 Senate Bill No. 2177
 Senate Bill No. 2184
 Senate Bill No. 2209
 Senate Bill No. 2213

Senate Bill No. 2220
 Senate Bill No. 2226
 Senate Bill No. 2232
 Senate Bill No. 2275
 Senate Bill No. 2291
 Senate Bill No. 2293
 Senate Bill No. 2336
 Senate Bill No. 2341
 Senate Bill No. 2357
 Senate Bill No. 2359
 Senate Bill No. 2360
 Senate Bill No. 2401
 Senate Bill No. 2402

Were delivered to the Governor for his approval at the hour of 1:05 o'clock P.M., March 2, 1971.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2424
 Senate Bill No. 2429
 Senate Bill No. 2443
 Senate Bill No. 2506

Were delivered to the Governor for his approval at the hour of 1:05 o'clock P.M., March 2, 1971.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4041 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 4059 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 4068 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Vice Chairman

Senator Stroup moved that the report be adopted.

Senator Mutch requested a recorded vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Stroup, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Hernett	Litten	Roen
Berube	Holand	Longmire	Sanstead
Chesrown	Jacobson	Melland	Schultz
Christensen	Jones	Morgan	Stroup
Doherty	Just	Nasset	Swedlund
Erdman	Kautzmann	Nothing	Unruh
Forkner	Larson, G.	Page	Van Horn
Goldberg	Larson, L.	Pyle	Wenstrom
Gronhovd	Lips	Redlin	Wilhite

Those voting in the negative were:

Anderson	Mutch	Robinson	Thane
Coughlin	Rait	Strinden	Thoreson
Freed	Ringsak		

Absent and not voting:

Butler	Sorlie
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So the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4069 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1035 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1047 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. 1099 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 Finance and Taxation to whom was referred House Bill No. 1104 has had the same under consideration and recommends that the same be amended as follows:

Page 8 line 5 of the engrossed bill after "a" delete "~~written~~" and insert in lieu thereof "**quarterly**"

Page 8 line 6 after "**port**" delete "**on the first day of each month**"

Page 8 line 9 after "**shall**" insert "**, after the first offense,**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson 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. 1118 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 9 after "ments" delete "**not**"

Page 2 line 10 insert beginning triple parentheses before "**issued**" and insert ending triple parentheses after "**or**"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1167 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1182 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1185 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson 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. 1192 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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 do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1220 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1257 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson 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. 1289 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1299 has had the same under

consideration and recommends that the same do pass and be referred to the Committee on Appropriations.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed and House Bill No. 1299 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1311 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 17 delete "building" and insert in lieu thereof "service center facility"

Page 1 line 18 after "a" insert "component" and delete "the building" and insert in lieu thereof "such facility"

Page 1 line 20 delete "building" and insert in lieu thereof "facility" Renumber 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 Finance and Taxation to whom was referred House Bill No. 1327 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted.

Senator Rait requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Thoreson, the roll was called and there were ayes, 33; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Mutch	Schultz
Chesrown	Kautzmann	Nasset	Sorlie
Coughlin	Larson, G.	Nothing	Strinden
Doherty	Lips	Page	Stroup
Forkner	Litten	Pyle	Thane
Freed	Longmire	Ringsak	Thoreson
Goldberg	Melland	Robinson	Unruh
Hernettt	Morgan	Sanstead	Wilhite
Jacobson			

Those voting in the negative were:

Barth	Gronhovd	Larson, L.	Swedlund
Berube	Holand	Rait	Van Horn
Christensen	Just	Redlin	Wenstrom
Erdman			

Absent and not voting:

Butler Roen

So the motion was declared carried.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1361 has had the same under consideration and recommends that the same be amended as follows:

Page line 14 of the engrossed bill after the comma insert the following: "and its accreditation by a recognized accrediting agency." and delete "until"

Page 3 delete lines 15 through 21

Renumber 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 Finance and Taxation to whom was referred House Bill No. 1373 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1395 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1398 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1410 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1422 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1428 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, after the word "files" and before the period, insert a comma and the following words: **"provided that such record or files have been reproduced on microfilm or other similar microphotographic record, which microfilm or other record shall be maintained for not less than twenty years. Nothing herein shall be construed to permit the destruction of ledger sheets showing unpaid balances in favor of depositors or investors nor shall this section be construed to limit the time when actions may be brought to recover such balances"**

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1430 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1445 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1449 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1460 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1467 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 of the engrossed bill delete the triple parentheses before "showing"

Page 1 line 18 after the comma delete the ending triple parentheses and the remainder of the line

Page 1 line 19 delete everything after the first "the" and insert "and"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1475 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1521 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1549 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 14 of the engrossed bill delete "exception" and insert in lieu thereof "except"

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Concurrent Resolution No. 3001 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips 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. 3017 has had

the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 3018 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution No. 3026 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1019
 House Bill No. 1031
 House Bill No. 1041
 House Bill No. 1078
 House Bill No. 1087
 House Bill No. 1107
 House Bill No. 1155
 House Bill No. 1173
 House Bill No. 1178
 House Bill No. 1179
 House Bill No. 1180
 House Bill No. 1198
 House Bill No. 1204
 House Bill No. 1215
 House Bill No. 1216
 House Bill No. 1223
 House Bill No. 1227
 House Bill No. 1241
 House Bill No. 1243
 House Bill No. 1245
 House Bill No. 1249
 House Bill No. 1268
 House Bill No. 1300
 House Bill No. 1366
 House Bill No. 1369
 House Bill No. 1472
 House Bill No. 1505
 House Bill No. 1530

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

House Chamber

Bismarck, March 2, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1019
 House Bill No. 1031
 House Bill No. 1041
 House Bill No. 1078
 House Bill No. 1087
 House Bill No. 1107
 House Bill No. 1155
 House Bill No. 1173

House Bill No. 1178
 House Bill No. 1179
 House Bill No. 1180
 House Bill No. 1198
 House Bill No. 1204
 House Bill No. 1215
 House Bill No. 1216
 House Bill No. 1223
 House Bill No. 1227
 House Bill No. 1241
 House Bill No. 1243
 House Bill No. 1245
 House Bill No. 1249
 House Bill No. 1268
 House Bill No. 1300
 House Bill No. 1366
 House Bill No. 1369
 House Bill No. 1472
 House Bill No. 1505
 House Bill No. 1530

Which the President has signed.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, March 2, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2297

Refused to concur in the House amendment to:

Senate Bill No. 2203

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:

Freed
 Gronhovd
 Page

Very respectfully,
 LEO LEIDHOLM, Secretary

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-NINTH DAY

Bismarck, March 2, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Harold Vold, Sharon Lutheran, Grand Forks.

"O God, You know me inside and out, through and through.

Everything I do,
 every thought that flits through my mind,
 every step I take,
 every plan I make,
 every word I speak,

You know, even before these things happen.

You know my past;

You know my future.

"Your circumventing presence covers my every move.

Your knowledge of me sometimes comforts me, sometimes frightens me;

But always it is far beyond my comprehension.

"There is no way to escape You, no place to hide.

If I ascend to the heights of joy, You are there before me.

If I am plunged into the depths of despair, You are there to meet me.

I could fly to the other side of our world and find You there to lead the way.

I could walk into the darkest of nights, only to find You there to lighten its dismal hours.

"You were present at my very conception.

You guided the development of my unformed members within the body of my mother.

Nothing about me, from beginning to end, was hid from Your eyes.

How frightfully and fantastically wonderful it all is!

"May Your all-knowing, everywhere-present Spirit continue to search out my feelings and thoughts.

Deliver me from that which may hurt or destroy me,

And guide me along the paths of love and truth. Amen."

Roll call: All Senators present except Senator Butler.

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, forty-seventh day and forty-eighth day and finds the same correct.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4037

Senate Concurrent Resolution No. 4055

Senate Concurrent Resolution No. 4072

Senate Concurrent Resolution No. 4075

Senate Concurrent Resolution No. 4078

Senate Concurrent Resolution No. 4082

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 2, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1005

House Bill No. 1006

House Bill No. 1012

House Bill No. 1021

House Bill No. 1032

House Bill No. 1042

House Bill No. 1054

House Bill No. 1058
 House Bill No. 1065
 House Bill No. 1110
 House Bill No. 1159
 House Bill No. 1164
 House Bill No. 1174
 House Bill No. 1183
 House Bill No. 1269
 House Bill No. 1275
 House Bill No. 1342
 House Bill No. 1353
 House Bill No. 1364
 House Bill No. 1413
 House Bill No. 1421
 House Bill No. 1435
 House Bill No. 1439
 House Bill No. 1441
 House Bill No. 1442
 House Bill No. 1444
 House Bill No. 1508
 House Bill No. 1556
 House Concurrent Resolution No. 3058
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, March 2, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1018
 House Bill No. 1022
 Which the Senate has amended.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, March 2, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1513
 Which the Senate failed to pass.

LEO LEIDHOLM, Secretary

SECOND READING OF A
 SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4076. A Concurrent Resolution commending the American Oil Company Mandan Refinery for its contribution to the economy of the State and urging the continuation of North Dakota crude oil purchasing practices.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4076 be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1038. A Bill for an Act to repeal sections 48-05-02 and 48-05-04 of the North Dakota Century Code, relating to the use of native fuel by public institutions.

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, 20; absent and not voting, 2.

Those voting in the affirmative were:

Barth	Jacobson	Longmire	Pyle
Coughlin	Jones	Melland	Ringsak
Erdman	Just	Morgan	Sorlie

Freed	Larson, G.	Mutch	Strinden
Goldberg	Larson, L.	Nasset	Thane
Gronhovd	Lips	Nething	Unruh
Holand	Litten		

Those voting in the negative were:

Anderson	Forkner	Redlin	Stroup
Berube	Hernett	Robinson	Swedlund
Chesrown	Kautzmann	Roen	Thoreson
Christensen	Page	Sanstead	Van Horn
Doherty	Rait	Schultz	Wenstrom

Absent and not voting:

Butler Wilhite

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which House Bill No. 1038 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Thane moved that House Bill No. 1158 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1158. A Bill for an Act to amend and reenact section 5-02-07 of the North Dakota Century Code, relating to the sale of items other than alcoholic beverages on licensed premises.

Which has been read.

Senator Thane moved that House Bill No. 1158 be amended as follows:

On page 2, line 3 of the engrossed bill, after the period insert the following new language: **"A local governing body, by ordinance or resolution, may restrict the sale of any of the items set forth in this section, or may determine the hours during which such items may be sold."**

And renumber the lines accordingly.

Which motion prevailed.

Senator Goldberg moved that the rules be suspended and that House Bill No. 1158 be placed on second reading and final passage as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1158, as amended from the floor, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Nething	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Freed	Lips	Ringsak	Wilhite
Goldberg	Litten	Robinson	

Those voting in the negative were:

Forkner	Rait	Unruh	Wenstrom
Larson, L.	Schultz	Van Horn	

Absent and not voting:

Butler Redlin

So the bill passed and the title was agreed to.

MOTION

Senator Thoreson moved that the Senate reconsider the action by which Senate Bill No. 2297 was passed, which motion prevailed.

Senator Thoreson moved that the rules be suspended and that Senate Bill No. 2297 be placed on the calendar for second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2297. A Bill for an Act to amend and reenact section 57-24-02, and to repeal section 57-24-06 of the North Dakota Century Code, relating to the posting of delinquent real estate taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Redlin

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 2, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1307

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1971

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. 2230

Representatives:

Atkinson
Lundene
Moore

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1971

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 2269

Representatives:

Ganser
Stoltenow
GlaspeyVery respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1971

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. 2154

Representatives:

K. Johnson
Boustead
WeberVery respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1971

Mr. President: I have the honor to inform you that the House has reconsidered the action by which it concurred in the Senate amendments to:

House Bill No. 1434

And the House does not concur on those amendments, and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Boustead
Boyum
WilkieVery respectfully,
ROY GILBREATH, Chief Clerk

The President requested the President Pro Tem to preside, and the President Pro Tem presided.

SECOND READING OF HOUSE BILLS

House Bill No. 1046. A Bill for an Act to amend and reenact section 15-34.2-17 of the North Dakota Century Code, as contained in section 6 of House Bill No. 1045, relating to release time for religious 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, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litten	Robinson	Wenstrom
Freed	Longmire	Roen	Wihite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler	Just	Redlin	Thoreson
Goldberg			

So the bill passed and the title was agreed to.

House Bill No. 1135. 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, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

Which has been read.

Señator Wenstram moved that House Bill No. 1135 be laid over one legislative day, which motion prevailed.

House Bill No. 1235. A Bill for an Act to authorize a person to execute a power of attorney to provide for the care of his person or property while under disability, to provide for the manner of execution of the power, for its termination, and for the appointment of a successor, and prescribing the duties and liabilities of the attorney in fact.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom

Absent and not voting:

Butler	Hernett	Just	Wilhite
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So the bill passed and the title was agreed to.

House Bill No. 1304. A Bill for an Act to amend and reenact section 12-51-04 of the North Dakota Century Code, relating to housing and feeding of inmates at the state farm.

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, 23; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Just	Nothing	Schultz
Christensen	Kautzmann	Pyle	Sorlie
Erdman	Larson, L.	Rait	Swedlund
Goldberg	Lips	Redlin	Unruh
Gronhovd	Litten	Roen	Van Horn
Holand	Melland	Sanstead	

Those voting in the negative were:

Barth	Freed	Morgan	Strinden
Berube	Hernett	Mutch	Stroup
Chesrown	Jacobson	Nasset	Thane
Coughlin	Jones	Page	Thoreson
Doherty	Larson, G.	Ringsak	Wenstrom
Forkner	Longmire	Robinson	

Absent and not voting:

Butler Wilhite

So the bill was declared lost.

House Bill No. 1321. A Bill for an Act to create and enact subsections 11, 12, and 13 of section 27-08-24 of the North Dakota Century Code; to amend and reenact sections 27-07-28, 27-07-36, and 27-08-10 of the North Dakota Century Code; and to repeal section 27-07-32 of the North Dakota Century Code, all relating to keeping and destroying various records of county courts and county courts having increased jurisdiction.

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, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Coughlin	Jones	Nothing	Stroup
Doherty	Just	Page	Swedlund
Erdman	Kautzmann	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Ringsak	Van Horn

Absent and not voting:

Butler	Larson, G.	Robinson	Wenstrom
Christensen	Nasset	Sanstead	Wilhite

So the bill passed and the title was agreed to.

House Bill No. 1336. A Bill for an Act for the preservation of public health through the regulation of the business of water well drilling, to create a state board of water well contractors, to provide for the certification of water well contractors, to provide for bonds, and to provide a penalty.

Which has been read.

Senator Longmire moved that House Bill No. 1336 be laid over one legislative day, which motion prevailed.

House Bill No. 1378. A Bill for an Act to amend and reenact section 11-17-08 of the North Dakota Century Code, relating to destruction of certain court records by clerks of court.

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, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sanstead
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Sorlie
Chesrown	Just	Page	Strinden
Coughlin	Kautzmann	Pyle	Stroup
Doherty	Larson, L.	Rait	Swedlund
Erdman	Lips	Redlin	Thane
Forkner	Litten	Ringsak	Thoreson
Freed	Longmire	Robinson	Unruh
Goldberg	Melland	Roen	Van Horn
Gronhovd	Morgan		

Absent and not voting:

Butler	Hernett	Wenstrom	Wilhite
Christensen	Larson, G.		

So the bill passed and the title was agreed to.

House Bill No. 1386. A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the state board of public school 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Butler	Christensen	Hernett	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1437. A Bill for an Act to amend and reenact section 39-04A-03 of the North Dakota Century Code relating to motor vehicle ton fee tags.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 779 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler	Christensen	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1452. A Bill for an Act to amend and reenact section 40-21-09 of the North Dakota Century Code, relating to elections in 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, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie

Chesrown	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler Christensen Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1478. A Bill for an Act to amend and reenact section 39-09-01, subsection 1 of section 39-10-11, and subsection 1 of section 39-21-36 of the North Dakota Century Code, relating to the care required in operating a vehicle, to the overtaking of a vehicle on the left, and to the equipment of horns and warning devices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 779 of the Senate Journal, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Melland	Roen
Barth	Jacobson	Morgan	Schultz
Berube	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Gronhovd	Longmire	Robinson	Wilhite
Hernett			

Those voting in the negative were:

Chesrown Goldberg Mutch Strinden

Absent and not voting:

Butler Sanstead Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1533. A Bill for an Act to amend and reenact sections 15-20.1-01, 15-20.1-05, 15-20.1-14, and 15-20.1-15 of the North Dakota Century Code, as contained in section 4 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to definitions, custody, and payment of vocational education and vocational rehabilitation funds, and rehabilitational 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Rait	Thane

Erdman	Larson, G.	Redlin	Thoreson
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Robinson	Van Horn
Goldberg	Litten	Roen	Wilhite

Absent and not voting:

Butler	Nething	Pyle	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1542. A Bill for an Act to amend and reenact section 40-21-02 of the North Dakota Century Code, to provide for the appointment of poll clerks for 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Rait	Thane
Erdman	Larson, G.	Redlin	Thoreson
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Robinson	Van Horn
Goldberg	Litten	Roen	Wilhite

Absent and not voting:

Butler	Nething	Pyle	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1553. A Bill for an Act to amend and reenact subsection 1. of section 39-04-18 of the 1969 Supplement to the North Dakota Century Code, relating to registration requirements of motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 780 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nething	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:

Butler	Chesrown
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So the bill passed and the title was agreed to.

House Bill No. 1559. A Bill for an Act authorizing and directing transfer of the "Judge A. M. Christianson Project" established by resolution of the thirty-fourth session of the legislative assembly of

the state of North Dakota to the Bank of North Dakota, subject to existing contracts and encumbrances.

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, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		
Absent and not voting:			
Butler	Hernett		

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Longmire 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. 1208

Which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1208

Senators:

Stroup
Morgan
Just

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. 4052

And find the same correctly re-engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

PERSONAL PRIVILEGE

Senator Longmire: "Mr. President: I rise on a point of personal privilege."

President Pro Tem: "State your privilege."

Senator Longmire: "Mr. President: I request that these remarks be printed in the Journal.

"This is the eighth session that I have had the privilege of serving the people of my area in this body. I do not regret this service, but this has been a financial sacrifice for me and my family.

"During these years of service I have never made a personal attack on any member of this body or anyone else. I have made some mistakes from the head but none from the heart.

"I have never knowingly attempted to pull any trick or anything slimy to promote or kill any piece of legislation under consideration. I did not do so last Friday.

"I quote from by line entitled "On the Hill" in the Bismarck Tribune under date of March 1, 1971 as follows: "Senator Robert L. Stroup, R-Hazen, figures he was the victim of what he calls the "Red River Mafia".

"The Mercer County lawmaker was a legislative victim during the reconsideration Friday of the native fuels law repealer . . .

"Friday Longmire moved for reconsideration and there was no argument. Lt. Gov. Richard Larsen called for the voice vote, which sounded reasonably close, slammed down the gavel and announced the bill would go on the calendar. In other words, Longmire had won.

"Stroup, immediately rose to his feet but Larsen, who is an economics professor on leave from UND, ignored him and gave the floor to another Senator who immediately launched into a request for reconsideration of another bill . . ." unquote.

"Gentlemen, I take the above remarks as not only a reflection on my character but also on the character of the President of this Senate.

"There was nothing more that took place than the routine handling of a motion to reconsider. I did not even discuss the matter in any way with the President. I felt his ruling was fair and proper, and was no different from the one which followed on the reconsideration of the next bill.

"I appreciate your indulgence in permitting me to attempt to clear what I consider to be a reflection on my character and that of the President of this assembly."

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4052, 4059, 4069, and House Bills Nos. 1003, 1008, 1014, 1028, 1035, 1047, 1099, 1185, 1192, 1219, 1220, 1289, 1410, 1430, 1445, 1460, 1521, and House Concurrent Resolutions Nos. 3001, 3002, 3017, 3018 and 3026 that the Senate recess until 1:15 p.m., March 3, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-NINTH DAY AFTER RECESS
AND FIFTIETH DAY

Bismarck, March 3, 1971

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

MEMORIAL SERVICE

The Senate convened at 11:00 a.m., March 3, 1971, for a Memorial Service for Senator Kenneth C. Lowe, Lieutenant Governor Richard F. Larson, presiding.

MEMORIAL SERVICE

for SENATOR KENNETH C. LOWE
Wednesday, March 3, 1971 — 11:30 a.m.
Senate Chambers

- Invocation and Devotional:.....Rev. Hensel Hendrickson
Trinity Lutheran Church
Bismarck, North Dakota
- The Lord's Prayer sung by:.....Mrs. George Longmire
Accompanist:.....Mrs. Richard Forkner
- Eulogy Prepared by:.....Senators
Guy Larson
George Longmire
Frank Wenstrom
- Eulogy Read by:.....Senator Guy Larson
- Benediction:.....Rev. Hensel Hendrickson

EULOGY FOR SENATOR KENNETH C. LOWE

Kenneth C. Lowe was born at Bemidji, Minnesota, on February 13, 1904. His parents moved to East Grand Forks, Minnesota, while he was still a small child. The family lived in East Grand Forks only a short time before moving to Grand Forks, North Dakota, where Ken lived until the time of his death on February 15, 1971.

At the early age of eleven, Ken started employment with the old Metropolitan Theater in Grand Forks. He was employed in the theater business from that time until his death, having served most of those years as a projectionist. He was the chief projectionist at the new Cinema International Theater in Grand Forks when death ended his service. One of his many prized honors happened recently when he was presented a membership in the National Pioneer Motion Picture Association.

Ken's public activities and services were numerous. He was elected to the Grand Forks city council in 1947 and served continually until 1956, having served one term as president of the council during this period. In 1956 he was elected to the North Dakota House of Representatives from the old sixth district. He served continuously through the 1963 session in the House. In 1966 he was elected to the State Senate and served continuously in this body until he was taken from our midst.

Our departed colleague, under three different governors, served nine years as a member of the North Dakota State Electrical Board from 1949 to 1958.

For the past few years he had been serving as a life member of the Board of Governors of the United States Merchant Marine Association. His two (twin) sons, John and James, graduated from the United States Merchant Marine Academy in 1959. Since that time he had been responsible for getting other North Dakota boys into the academy.

In addition to his public service, Ken devoted many hours of his time to community, fraternal, and church service. He was a member of the Shrine, the Elks, and the United Lutheran Church. He served in different capacities and positions in his church throughout the years.

Our departed colleague was a great family man. He and Julie Sorenson were married at Grand Forks on March 24, 1924. They had four children: William, now a business executive, of Philadelphia, Pennsylvania; Mrs. Sam (Patricia) Pung, of San Francisco, California; John of Long Beach, California; and James, of Seattle, Washington. The first Mrs. Lowe died in 1958, and Ken and Rosamond O'Brien, a former Senator of this body, and who survives, were married on April 11, 1959. He is also survived by a brother, Howard, and a sister, Mrs. Victor (Helen, Grassel, both of East Grand Forks, Minnesota.

Mrs. Lowe, Gentlemen of the Senate:

It is my opinion that the Senate is a place of caring. We care for each other, we care about the problems of our communities, we care about the problems of our state and nation, and we care enough to go through hours of serious thought and study in search of answers for the good of mankind.

Ken Lowe, throughout his life, was a part of this type of voluntary service about self. In his quiet way, he devoted himself, his judgment, his thought, his efforts, toward making life better for other people. Amidst the noisy by-play, the interchange that takes place in a political body like this, Ken was a quiet man, a friendly thoughtful person, devoted to his work. He never, to my knowledge, sought the lime-light on the floor of this Senate, and his quiet attention to what he thought was really important was an inspiration to his colleagues. He had the deep respect of all of us, and his example would be a worthy one for us to follow.

Many of us worried about Ken when he came back in the early days of this session. I am sure he came out of a deep sense of loyalty to this body, and a devotion to the people he served. He will long be remembered by all of us as a friend worth having and a companion in this fellowship.

We express to Mrs. Lowe and the members of the family our sincerest sympathy and share with her and the family a great sense of loss. May this example of the depths of feeling that we have for each other in this body serve as an inspiration to us in our work.

Thank you.

Senator Longmire moved that a copy of the program and of the Eulogy given by Senator Guy Larson be printed in the journal, and copies thereof mailed to the immediate members of Senator Lowe's family, which motion prevailed.

Senator Longmire moved that the Memorial Service for Senator Kenneth C. Lowe be dissolved, which motion prevailed, and the Memorial Service was dissolved.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution No. 4064 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 15 after the first comma insert "and"

Page 2 line 16 after the comma delete "and the University of North"

Page 2 line 17 delete "Dakota"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire 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. 4067 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete the words "of a merger of the States"

On page 1, line 3, delete the words "of North Dakota and South Dakota, and a study"

On page 1, line 3, after the word "of" insert the word "developing"

On page 1, line 4, delete the comma after the word "cooperation" and insert the following: "between the States of North Dakota and South Dakota"

On page 1, line 5, delete the words "study, and action"

On page 1, delete lines 16 through 19

On page 1, line 21, delete the words "if a single," and insert in lieu thereof the words "and made more"

On page 1, line 21, after the word "efficient", insert the words "if similar"

On page 1, line 22, delete the word "agency" and insert in lieu thereof the word "agencies"

On page 2, delete lines 1 through 5

On page 2, line 6, delete the words "regardless of whether a merger of the two"

On page 2, line 7, delete the words "governments is accomplished,"

On page 2, line 14, delete the word "a" where it last appears

On page 2, delete lines 15 and 16

On page 2, line 18, delete the words "the two States" and insert in lieu thereof the words "North Dakota and South Dakota"

And renumber the lines accordingly.

And when so amended recommends the same do pass and be referred to the Legislative Council Resolutions Committee.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4070 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 6 after "Fisheries" delete "and"

Page 2 line 7 after the second comma insert the following

"Soil Conservation Committee, North Dakota State University Experiment Station, and the Agricultural Research Service."

Page 2 after line 8 insert the following

"BE IT FURTHER RESOLVED, that the North Dakota State University is hereby requested to coordinate the research activities performed and to compile and to make available to all interested parties any information derived from such research; and"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass, and be referred to the Legislative Council Resolutions Committee.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

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 14 delete the figure "103,348.00" and insert in lieu thereof the figure "115,548.00"

On page 1, line 18 delete the figure "83,500.00" and insert in lieu thereof the figure "95,700.00"

On page 1, line 22 delete the figure "103,348.00" and insert in lieu thereof the figure "115,548.00"

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 to help compensate an auditor.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

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 1, line 13, delete the figure "1,622,826.00" and insert in lieu thereof the figure "1,647,826.00"

On page 1, line 18 delete the figure "421,276.00" and insert in lieu thereof the figure "431,276.00"

On page 1, line 21 delete the figure "220,550.00" and insert in lieu thereof the figure "235,550.00"

On page 2, line 2 delete the figure "1,622,826.00" and insert in lieu thereof the figure "1,647,826.00"

On page, after line 2 add the following: "No refunds of registration fees shall be made, except where the vehicle has been improperly registered, or where the motor vehicle has been destroyed."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purposes of the Amendment: The intent of the amendments is to provide \$10,000.00 toward the salary of a field auditor and \$15,000.00 to allow for increases in postage.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1048 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 10 after "tax" insert "dollars"

Page 2 line 13 after "tax" insert "dollars"

Page 2 line 15 after "amount" insert "in dollars"

Page 2 line 17 after "tax" insert "dollars"

Renumber 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.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1063 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1113 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1161 has had the same under consideration and recommends that the same be amended as follows:

Page 5 line 30 of the engrossed bill after "consenting" delete "voluntarily" and insert in lieu thereof "voluntarily"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1203 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of page 1 of the engrossed bill, following the word "producing" insert the words "buildings and other"

In line 17 of page 1, following the word "producing" insert the words "buildings and other"

In line 22 of page 1, following the numerals "\$50,000.00" insert the following:

- | | |
|--|---------------|
| "b. Married student housing | 3,000,000.00 |
| c. Dormitory-type buildings to be leased to student groups | 1,500,000.00" |

In line 1 of page 2, following the numerals "\$100,000.00" insert the following:

- | | |
|---|--------------|
| "b. Married student housing | 1,000,000.00 |
| c. Student dormitories | 480,000.00 |
| 3. North Dakota state university, Fargo | |
| a. Student dormitories | 1,200,000.00 |
| 4. Dickinson state college | |
| a. Dormitory | 1,000,000.00 |
| b. Food service building | 500,000.00 |

The bonds authorized by this Act for the construction of married student housing shall be retired solely from revenues from such buildings."

In line 7 of page 2, following the word "construction" insert the words "and equipment of the buildings and facilities"

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 amendments is to authorize construction of the listed self liquidating buildings.

SENATOR SORLIE, Chairman

Senator Lips 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. 1218 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1238 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Melland 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. 1261 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 10 delete "38-05-53" and insert in lieu thereof "38-06-53"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: The Majority of your Committee on Education to whom was referred House Bill No. 1313 Has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 7 after "land" insert the following " , and declaring an emergency"

Page 2 after line 18 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."

Renumber pages and lines accordingly

For the Majority:

Senator Holand

Senator Nasset

Senator Pyle

Senator Berube

Senator Roen

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted,

Mr. President: The Minority of your Committee on Education to whom was referred House Bill No. 1313 Has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 5 of the engrossed bill delete "appropriating the" and insert in lieu thereof "declaring an emergency."

Page 1 delete all of lines 6 and 7

Page 2 line 8 after "proceeds" delete "of the sale are" and insert in lieu thereof "shall be deposited in the general fund in the state treasury."

Page 2 delete lines 9 through 14

Page 2 line 15 delete "general fund at the end of the biennium."

Page 2 after line 18 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."

Renumber pages and lines accordingly

For the Minority:

Senator Redlin

Senator Van Horn

And when so amended recommends the same do pass.

Senator Redlin moved that the report of the minority be substituted for that of the majority which motion lost.

The question being on the motion of Senator Holand, 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 HERNETT, Chairman

Senator Hernettt 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. 1414 Has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion lost and House Bill No. 1414 was placed on the calendar.

Mr President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution 3051 Has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 5 after "the" delete "several"

Page 1 line 20 after "Government" insert ", the staffs of the legislative council, and the departments of the executive and judicial State Government"

Renumber the pages and lines accordingly

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations. to whom was referred HOUSE CONCURRENT RESOLUTION 3077 Has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete lines 10 through 30 inclusive and insert in lieu thereof

BE IT FURTHER RESOLVED, that all farming activities, with the exception of vegetable gardening, be phased out and discontinued at the Grafton State School inasmuch as the therapeutic value of the farming operation for the training and rehabilitation of residents at the school is of questionable value and that management officials of the institution have gone on record stating that in their opinion, therapeutic value of the farming operation is of rather minimal value; and

BE IT FURTHER RESOLVED, that the State Department of Health and the Jamestown State Hospital are hereby directed to cooperate with the Director of Institutions in fully utilizing the available farming resources at the Jamestown State Hospital in the establishment of the most efficient nonduplicating farming operations as may be possible at those penal and charitable institutions which are engaged in farming activities; and

BE IT FURTHER RESOLVED, that all penal and charitable institutions be involved in the receipt and consumption of any farm production which may be in surplus at any of the producing institutions; and

BE IT FURTHER RESOLVED, that the Director of Institutions proceed with the implementation of major recommendations contained within the report of the Governor's Agricultural Advisory Council insofar as staff and funding provisions will allow; that the institutions maintaining farming operations provide information about such operations based upon a Cost Accounting System to the State

Auditor for inclusion in his annual report of the institutions. Such financial information shall set forth the value of the farm production and the actual cost of the farming operations.

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 amendments is to clarify the relationship between agencies involved in farming.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1104, 1118, 1311, 1361, 1428, 1467, and 1549, be dispensed with, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1104 as recommended by the Committee on Finance and Taxation, and printed on page 829 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 1118 as recommended by the Committee on Industry, Business and Labor, and printed on page 830 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1311 as recommended by the Committee on Education, and printed on page 831 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1361 as recommended by the Committee on Education, and printed on page 831 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 1428 as recommended by the Committee on Industry, Business and Labor, and printed on page 832 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1467 as recommended by the Committee on Finance and Taxation, and printed on page 833 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1549 as recommended by the Committee on Finance and Taxation, and printed on page 833 of the Senate Journal, be adopted, which motion prevailed.

MOTION

Senator Ringsak moved that the House be requested to return House Bill No. 1085, which motion prevailed.

Senator Chesrown moved that House Bill No. 1135 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTIETH DAY

Bismarck, March 3, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Ronald L. Smith, Capitol Heights Baptist Church, Bismarck.

Heavenly Father, we read in Thy Word that government is ordained of God. We thank Thee that Thou hast permitted us to govern ourselves and hast given us the ability to make decisions.

We pray that these men in the Senate will always remember that they are servants of the people and not of themselves. May they follow Thy leadership in making decisions in the interest of those who sent them here. May they be unselfish. May their deliberations and decisions be conducted and made in a manner that it befitting their position.

We pray, above all else, that they may honor God with their minds and their lives. For these are gifts from Thee. May all of us remember that we are "one nation under God." Help us to see that it is better to fail in a cause that will ultimately succeed than to succeed in a cause that will ultimately fail.

May Thy will be done here, and may Thy program be carried out, above party and personality, beyond time and circumstance, for the good of North Dakota and the peace of America.

Through Jesus Christ, our Lord.

Amen.

Roll call: All Senators present except Senator Butler.

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 forty-ninth day and recommends that the same be corrected as follows:

On page 824, line 5, delete the word "adopted", and insert in lieu thereof the words "dispensed with"

On page 826, lines 10 and 14, delete the figure "2230" and insert in lieu thereof the figure "2203".

On page 828, line 11, correct the spelling of the word "delivered"

On page 842, delete lines 31, 32 and 33, and insert in lieu thereof the following: "House Bill No. 1336. A Bill for an Act for the preservation of public health through the regulation of the business of water well drilling, to create a state board of water well contractors, to provide for the certification of water well contractors, to provide for bonds, and to provide a penalty."

On page 847, line 5 from the bottom after the figure "1219" insert the figure "1220"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1971

Mr. President: I have the honor to return:

House Bill No. 1029

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

Senate Concurrent Resolution No. 4052. A Concurrent Resolution urging the United States Department of Agriculture, Soil and Water Conservation Districts, and other appropriate agencies and departments to review the adequacy of current watershed programs and plans to meet the urgent needs of the present and the future.

Which has been read.

Senator Christensen moved that Senate Concurrent Resolution No. 4052 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state

services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4059 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 4069. A Concurrent Resolution urging the Congress of the United States to increase its financial support of elementary and secondary educational programs.

Which has been read.

Senator Sanstead moved that Senate Concurrent Resolution No. 4069 be adopted, which motion lost.

SECOND READING OF HOUSE BILLS

House Bill No. 1003. A Bill for an Act making an appropriation out of the state highway fund in the state treasury for the operation and maintenance of the highway patrol and the law enforcement training center, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 794 and 795 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Goldberg	Nothing
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So the bill passed and the title was agreed to and the emergency clause carried.

Senator Lips: Mr. President. I want to read a statement into the record and the desk has a copy.

It is the intent of the Legislative Assembly, by the passage of House Bill No. 1003, that the increased obligation provided in this Act shall be used as matching funds for purposes of compliance with the Omnibus Crime Control and Safe Streets Act. It is the further intent of the Legislative Assembly that such funds be used to improve, expand, and strengthen law enforcement, to improve criminal justice, and to develop new methods for the prevention and reduction of crime in the State of North Dakota. Such funds received through the Omnibus Crime Control and Safe Streets Act shall not be spent until approval has been obtained from the Emergency Commission.

Senator Lips moved that his statement be printed in the Journal, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1008. A Bill for an Act making an appropriation to the livestock sanitary board to pay the operating and maintenance expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 795 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Goldberg	Nothing
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So the bill passed and the title was agreed to.

House Bill No. 1014. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the state highway department and to authorize expenditures for highway project construction 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, 43; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Pyle	Swedlund
Coughlin	Just	Rait	Thane
Doherty	Kautzmann	Redlin	Thoreson
Erdman	Larson, G.	Ringsak	Unruh
Forkner	Larson, L.	Robinson	Van Horn
Freed	Lips	Roen	Wenstrom
Goldberg	Litten	Sanstead	

Those voting in the negative were:

Mutch	Page	Wilhite
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Absent and not voting:

Butler	Nothing
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So the bill passed and the title was agreed to.

House Bill No. 1028. A Bill for an Act making an appropriation to the North Dakota state fair association.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 795 of the Senate Journal, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Page	Strinden
Chesrown	Jones	Pyle	Swedlund
Christensen	Just	Rait	Thoreson
Coughlin	Kautzmann	Redlin	Unruh

Doherty	Larson, G.	Robinson	Van Horn
Erdman	Larson, L.	Roen	Wenstrom
Forkner	Lips	Sanstead	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Freed	Morgan	Ringsak	Thane
Goldberg	Mutch	Stroup	

Absent and not voting:

Butler	Litten	Nothing
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So the bill passed and the title was agreed to.

Senator Freed: Mr. President, I rise to explain my vote. I voted against the last bill. I am not against the State Fair being at Minot, but I can recall in previous sessions when we debated whether the State Fair should be had. Minot said, "Just give us the State Fair — let us have it in Minot to get started and we won't come back and ask for any more money.

SECOND READING OF HOUSE BILLS

House Bill No. 1035. A Bill for an Act to provide payment of expenses to certain elected state officers, and making an appropriation.

Which has been read.

Senator Wilhite moved that House Bill No. 1035 be laid over one legislative day, which motion prevailed.

House Bill No. 1047. A Bill for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the medical 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Coughlin	Just	Page	Stroup
Doherty	Kautzmann	Pyle	Swedlund
Erdman	Larson, G.	Rait	Thane
Forkner	Larson, L.	Redlin	Thoreson
Freed	Lips	Ringsak	Unruh
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Christensen	Nothing	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1099. A Bill for an Act to create and enact sections 43-11-20.1, 43-11-20.2, 43-11-20.3, and 43-11-20.4 of the North Dakota Century Code, relating to partial refunds of tuition paid by students cancelling their enrollment in a school of hairdressing and cosmetology, providing the rate of refund, providing the procedure for cancellation of contracts of instruction, prohibiting the negotiation of promissory instruments given in payment of student tuition until after a certain portion of the course of instruction has been completed and requiring a solicitor's 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, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Christensen	Nothing
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So the bill passed and the title was agreed to.

House Bill No. 1185. A Bill for an Act to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to personal property tax exemptions; subsection 3 of section 57-37-02 and subsection 2 of section 57-37-07 of the North Dakota Century Code, relating to the gross estate for estate tax purposes, adoption of internal revenue definition of powers of appointment for estate tax purposes and declaring an emergency; subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to penalties for sales tax purposes; section 57-39.2-23 of the North Dakota Century Code, relating to confidential information for sales tax purposes; section 57-46-01.1 of the North Dakota Century Code, relating to extension of time for filing income tax returns and payment of income tax by certain members of the armed forces and merchant marine; section 57-52-10 of the North Dakota Century Code, relating to special fuels tax returns; subsection 8 of section 57-54.1-03 of the North Dakota Century Code, relating to the definition of "Importer for use" for importers for use tax purposes and section 57-54.1-15 of the North Dakota Century Code, relating to refunds of importers for use tax.

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, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Melland	Sanstead
Barth	Jacobson	Morgan	Schultz
Berube	Jones	Mutch	Strinden
Chesrown	Just	Nasset	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Those voting in the negative were:

Ringsak

Absent and not voting:

Butler	Hernett	Sorlie	Stroup
Christensen	Nothing		

So the bill passed and the title was agreed to.

House Bill No. 1192. A Bill for an Act to create and enact subdivision d of subsection 3 of section 52-06-01 of the North Dakota Century Code, relating to unemployment compensation eligibility requirements.

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, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown,	Just	Nasset	Strinden
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Barth	Hernett	Nothing	Stroup
Butler	Jones	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1219. A Bill for an Act to amend and reenact section 49-13-18 of the North Dakota Century Code, relating to the hours of service of railroad 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, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire	Roen	

Absent and not voting:

Butler	Nothing	Stroup	Thoreson
Christensen			

So the bill passed and the title was agreed to.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4083. A Concurrent Resolution directing the Legislative Council, with the assistance and cooperation of the State Tax Department, to make a comprehensive study of the income tax laws of this State.

Was read the first time and referred to the committee on Legislative Council Resolutions Committee.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 3, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2008
Senate Bill No. 2072
Senate Bill No. 2089
Senate Bill No. 2176

Senate Bill No. 2239
 Senate Bill No. 2267
 Senate Bill No. 2272
 Senate Bill No. 2286
 Senate Bill No. 2287
 Senate Bill No. 2339
 Senate Bill No. 2345
 Senate Bill No. 2386
 Senate Bill No. 2467
 Senate Bill No. 2491
 Senate Bill No. 2502

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2110
 Senate Bill No. 2206
 Senate Bill No. 2304
 Senate Bill No. 2389
 Senate Bill No. 2403

Which the House has amended.

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL No. 2110

On page 2, line 13, of the engrossed bill, after the word "agriculture" insert the following new language: " , who shall serve as chairman."

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2206

On page 3, line 7, add the following language: "Under this chapter no fee shall be paid for the adoptive study and/or the supervision and evaluation of the placement."

AMENDMENTS TO SENATE BILL No. 2304

On page 1, line 2, of the engrossed bill, after the numerals "44-08-04" add the following: "and subsection 1 of section 54-06-09"

On page 2, after line 1, insert the following:

"SECTION 2. AMENDMENT.) Subsection 1 of section 54-06-09 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The sum of ((nine)) **ten** cents per mile for each mile actually and necessarily traveled in the performance of official duty. (((when such travel is by motor vehicle. The sum of eleven cents per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by private airplane. If only one person shall engage in such travel in a motor vehicle exceeding at any geographical point one hundred fifty miles beyond the borders of this state, reimbursement shall be limited to seven cents per mile for the out-of-state portion of the travel.))) When (((any such))) **official travel is by** motor vehicle or airplane (((is))) owned by the state or by any department or political subdivision thereof, no allowance shall be made or paid for such mileage;"

And renumber the pages, lines and sections accordingly.

AMENDMENTS TO SENATE BILL No. 2389

Page 1, Line 2, delete "40-12-15" and insert in lieu thereof "40-22-15"

AMENDMENTS TO SENATE BILL No. 2403

On page 1, line 3, after the word "inventories" insert the following: " , and declaring an emergency"

On page 2, following line 20, 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 the date of its passage and approval."

And renumber the lines and sections accordingly.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1971

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2238

Senate Bill No. 2251

Senate Bill No. 2265

Senate Bill No. 2277

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1971

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2059

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1971

Mr. President: I have the honor to transmit herewith the following:

House Concurrent Resolution No. 3087

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4001

Senate Concurrent Resolution No. 4054

Senate Concurrent Resolution No. 4063

Senate Concurrent Resolution No. 4076

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary.

Senate Chamber

Bismarck, March 3, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1038

House Bill No. 1046

House Bill No. 1235

House Bill No. 1321

House Bill No. 1322

House Bill No. 1378

House Bill No. 1386

House Bill No. 1452

House Bill No. 1533

House Bill No. 1542

House Bill No. 1559

House Concurrent Resolution No. 3086

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 3, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1158

House Bill No. 1437
House Bill No. 1478
House Bill No. 1553
Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 3, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1167
House Bill No. 1182
House Bill No. 1257
House Bill No. 1327
House Bill No. 1373
House Bill No. 1395
House Bill No. 1398
House Bill No. 1422
House Bill No. 1449
House Bill No. 1475
Which the Senate indefinitely postponed.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 3, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1304
Which the Senate failed to pass.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 3, 1971

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. 1208
Senators:
Stroup
Morgan
Just

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 3, 1971

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered the action by which it concurred in House amendments and passed Senate Bill No. 2297. On reconsideration House amendments to Senate Bill No. 2297 were adopted and Senate Bill No. 2297 was passed. The vote was 46 ayes, 0 nays, 2 absent and not voting.

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 3, 1971

Mr. Speaker: The Senate requests the return of:
House Bill No. 1085

Very respectfully,
LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1220. A Bill for an Act to amend and reenact subsection 10 of section 52-06-02 of the 1969 Supplement to the North

Dakota Century Code, relating to unemployment compensation benefit disqualifications.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Stroup
Chesrown	Just	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, G.	Redlin	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wenstrom
Freed	Longmire	Sanstead	Wilhite
Goldberg			

Those voting in the negative were:

Melland	Page	Strinden
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Absent and not voting:

Butler	Hernett	Holand	Nothing
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So the bill passed and the title was agreed to.

House Bill No. 1289. A Bill for an Act to create a North Dakota insurance guaranty association.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Nothing
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So the bill passed and the title was agreed to.

MOTION

Senator Longmire moved that House Bill No. 1336 be placed at the head of calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1336. A Bill for an Act for the preservation of public health through the regulation of the business of water well drilling, to create a state board of water well contractors, to provide for the certification of water well contractors, to provide for bonds, and to provide a penalty.

Which has been read.

Senator Longmire moved that House Bill No. 1336 be amended as follows:

On page 5, line 32 of the engrossed bill, after the word: "person" insert a comma and the following words: ", partnership, association, or corporation"

On page 5, line 33 of the engrossed bill, after the first word "his" insert the words "or its", and after the second word "his" insert the words "or its"

And renumber the lines accordingly.

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 1336 be placed on second reading and final passage, as amended from the floor, 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, 40; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sorlie
Barth	Hernett	Nasset	Strinden
Chesrown	Holand	Page	Stroup
Christensen	Jacobson	Pyle	Swedlund
Coughlin	Jones	Redlin	Thane
Doherty	Just	Ringsak	Thoreson
Erdman	Kautzmann	Robinson	Unruh
Forkner	Larson, G.	Roen	Van Horn
Freed	Lips	Sanstead	Wenstrom
Goldberg	Longmire	Schultz	Wilhite

Those voting in the negative were:

Berube	Morgan	Mutch	Rait
Larson, L.			

Absent and not voting:

Butler	Litten	Nothing
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So the bill passed and the title was agreed to.

House Bill No. 1410. A Bill for an Act to amend and reenact section 54-27-10 of the North Dakota Century Code, relating to the availability of appropriations and the allocation of same.

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, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Nothing
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Those voting in the negative were:

So the bill passed and the title was agreed to.

House Bill No. 1430. A Bill for an Act to repeal subsection 9 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for 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, 43; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite
Gronhovd	Longmire	Sanstead	

Those voting in the negative were:

Freed	Page	Strinden
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Absent and not voting:

Butler	Nothing
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1971

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. 2203.

Representatives:

Austin
Raile
Rocheleau

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1022 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Halcrow
Jenkins
Opedahl

Very respectfully,
ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of House Bills Nos. 1063, 1104, 1113, 1118, 1218, 1238, 1311, 1315, 1361, 1414, 1428, 1467, and 1549, that the Senate recess until 1:30 p.m., March 4, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTIETH DAY AFTER RECESS
AND FIFTY-FIRST DAY

Bismarck, March 4, 1971

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Sorlie 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. 1022, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1022,

Senators:

Wenstrom

Coughlin

L. Larson

Senator Forkner 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. 1434, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1434,

Senators:

Forkner

Page

Erdman

MOTION

Senator Sorlie moved that the Senate reconsider the action by which House Bill No. 1029 was passed, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1029. A Bill for an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

Which has been read.

Senator Sorlie moved that House Bill No. 1029 be amended as follows:

On page 1, line 16, after the word "this" insert the following: "Act to and including June 30, 1973, and also shall be used for the"

Which motion prevailed.

Senator Sorlie moved that the rules be suspended and that House Bill No. 1029 be placed on second reading and final passage, as amended from the floor, 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, 40; nays, 0; absent and not voting 8.

Those voting in the affirmative were:

Anderson

Holand

Mutch

Schultz

Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Page	Strinden
Chesrown	Just	Pyle	Swedlund
Christensen	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite

Absent and not voting:

Butler	Freed	Kautzmann	Nething
Coughlin	Goldberg	Melland	Stroup

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Pyle moved that the Senate do concur in the House amendments to Senate Bill No. 2110 which motion prevailed.

Senator Pyle moved that the rules be suspended and that Senate Bill No. 2110 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2110. A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, and 4-09-20 of the North Dakota Century Code, relating to the transfer of the state seed department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2206 which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Bill No. 2206 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2206. A Bill for an Act to amend and reenact subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to payments to adoptive families for children with special needs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2304 which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2304 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2304. A Bill for an Act to amend and reenact subsections 1, 2, 3 and 4 of section 44-08-04 and subsection 1 of section 54-06-09 of the North Dakota Century Code, relating to travel expenses, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2389 which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2389 be deemed properly engrossed and placed on second reading and final passage, as amended, by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2389. A Bill for an Act to amend and reenact sections 40-22-09, 40-22-10, 40-22-11, 40-22-15, 40-22-18, 40-22-19 and 40-22-36, North Dakota Century Code, relating to improvement dis-

tricts in municipalities, and changing procedures with respect thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 2403 which motion prevailed.

Senator Hernett 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.

Senate Bill No. 2403. A Bill for an Act to amend and reenact section 39-22-09 of the 1969 Supplement to the North Dakota Century Code, relating to the reporting of used motor vehicle inventories, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House the roll was called and there were ayes, 45; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler Stroup Wenstrom

So the bill passed and the title was agreed to and the emergency clause carried.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4057 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 Senate Concurrent Resolution No. 4081 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 House Bill No. 1015 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 delete the figure "1,284,785.00" and insert in lieu thereof the figure "1,308,810.00"

On page 1, line 18 delete the figure "803,723.00" and insert in lieu thereof the figure "821,748.00"

On page 1, line 22 delete the figure "204,666.00" and insert in lieu thereof the figure "208,666.00"

On page 1, line 23 delete the figure "58,370.00" and insert in lieu thereof the figure "60,370.00"

On page 2, line 3 delete the figure "1,284,785.00" and insert in lieu thereof the figure "1,308,810.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to increase line items to transfer the office of the Mine Inspector to the Workmens' Compensation Bureau.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1089 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "sections" insert the numerals "4-13-03,"

On page 1, line 2, delete the word "and", and after the numerals "4-13-07" insert the following: ", 4-13-10, 4-13-12, and 4-13-14"

On page 1, line 3, after the word "Code", insert the following: "and to repeal sections 4-13-01, 4-13-02, 4-13-11, and 4-13-13 of the North Dakota Century Code,"

On page 1, line 4, following the word "board" and before the period insert the words "providing for a penalty and for an appropriation"

On page 1, line 9, insert the following new section:

"SECTION 1. AMENDMENT.) Section 4-13-03 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-13-03. NORTH DAKOTA POULTRY IMPROVEMENT BOARD — PURPOSE.) The North Dakota poultry improvement board shall have for its purposes the following:

- (((1. To promote the welfare of and stimulate interest in the poultry industry;
2. To co-operate with the North Dakota department of agriculture and labor, and all other state and federal agencies in all activities and programs designed for the advancement, promotion, and improvement of the poultry industry of this state;
- 3.)) 1. To improve poultry breeding and to cooperate with the North Dakota livestock sanitary board in controlling and eradicating communicable diseases of poultry (((;)))
- (((4.)) 2. To act as the official state agency for North Dakota in cooperation with the bureau of animal industry, United States department of agriculture, for the pur-

pose of furthering the objectives and supervising the state's participation in the national poultry improvement plan (((;))).

- ((5.)) 3. To act as the state agency to cooperate with the United States department of agriculture, to provide federal-state grading service for poultry and poultry products, and to require identification as to grade of poultry and poultry products offered for sale at the retail level, and to supervise the federal-state poultry grading service (((;))), and to enforce regulations at the retail level as to identification by grade of all poultry sold.
- ((6.)) 4. To promote generally the welfare and improvement of the poultry industry and the marketing of poultry and poultry products within this state through such means and in such manner as may be deemed by the board conducive to such improvement, and to effectuate these purposes the provisions relating to the poultry improvement board shall be construed liberally.

On page 1, line 20, delete the word "five" and insert in lieu thereof the word "three"

On page 2, line 11, after the comma where it first appears, insert the word "and"

On page 2, line 11, after the word "federation" delete the words "the North Dakota"

On page 2, delete line 12

On page 2, line 13, delete the words "tion of food retailers"

On page 2, line 22, delete the comma following the words "egg production" and insert in lieu thereof the word "or"

On page 2, line 23, delete the words "feed manufacturing, or food retailing,"

On page 2, line 29, delete the word "five" and insert in lieu thereof the word "three"

On page 2, line 32, place triple parentheses before the word "one" and remove the triple parentheses before and after the numerals "1945"

On page 2, line 33, place triple parentheses after the comma where it first appears and before the word "one" where it last appears, and delete the numerals "1973"

On page 2, line 34, remove the triple parentheses before the numerals "1947"

On page 2, line 35, remove the triple parentheses following the numerals "1948"

On page 2, line 35, place triple parentheses after the comma following the numerals "1975" and delete the numerals "1975"

On page 3, line 28, delete the word "three" and insert in lieu thereof the word "two"

On page 4, line 10, insert triple parentheses before the word "The", and on line 12 of the same page insert triple parentheses after the period.

On page 4, line 18, delete the word "the"

On page 4, line 19, delete the words "poultry improvement fund" and insert in lieu thereof the words "funds appropriated by the legislative assembly for this purpose. The amounts herein specified shall be the only compensation allowable."

On page 4, following the period in line 19, insert the following new sections:

"SECTION 6. AMENDMENT.) Section 4-13-10 of the North

Dakota Century Code is hereby amended and reenacted to read as follows:

4-13-10. **LICENSES AND FEES.**) No person shall engage in the business of poultry or turkey buyer, processor, packer, hatchery operator, baby chick jobber, or salesman, (((record of performance breeder, or poultry or turkey feed manufacturer, wholesaler, or retailer,))) without first securing from the North Dakota poultry improvement board a license to engage therein. All such licenses shall expire on the first day of July of each year, and shall be issued or renewed only upon payment to the board of (((such))) **the license fees** (((as it may fix))) for each of said occupations (((, not exceeding, however,))) in the amounts hereinafter set forth:

1. For poultry and turkey buyers, processors, and packers, the annual license fee shall (((not exceed))) **be** one dollar (((plus twenty-five cents per thousand pounds or fraction thereof, of poultry and turkeys processed, packed, or sold;))).
2. For hatcheries, the annual license fee shall (((not exceed))) **be** one dollar (((plus fifty cents per thousand eggs, or fraction thereof, based upon manufacturer's rated incubating capacity;))).
3. For baby chick and turkey poult jobbers and salesmen, the annual license fee shall (((not exceed))) **be** one dollar (((plus fifty cents per thousand chicks and poults, or fraction thereof sold;))).
4. For record of performance breeders, the annual license fee shall not exceed ten dollars plus five cents per pullet candidate over one hundred birds entered in record of performance work; and
5. For poultry and turkey feed manufacturers, wholesalers, and retailers, the annual license fee shall not exceed one dollar plus fifty cents per ton for all mixed poultry feeds produced or sold in this state. The poultry improvement board shall collect a license fee from only one source, and if the fee is paid by the manufacturer or wholesaler, it shall not be collected from the retailer. A person shall be deemed to be a retailer who sells poultry or turkey feed to the ultimate consumer.

The foregoing schedule of license charges and fees shall constitute the maximum to be charged and collected, but the North Dakota poultry improvement board, if it determines that any or all such fees or charges are excessive or unduly burdensome, or that a lesser schedule of fees will produce all income necessary for carrying on the work of the board, may reduce the license charges and fees of any or all of such occupations))). The annual license fees for the ensuing year (((, plus all other fees previously accrued,))) must be paid before any license is issued (((, and all accrued fees other than license fees must be remitted at the time of making the reports hereinafter required))). Failure to pay any (((fee or))) license charge within ten days after the same shall become due shall constitute a violation of this chapter.

SECTION 7. AMENDMENT. Section 4-13-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-13-12. **POULTRY IMPROVEMENT FUND — DEPOSIT OF FEES** (((— AUDITING))) .) All license charges (((and fees))) collected under this chapter shall be deposited in the state treasury in (((a special))) the **general** fund (((to be known as the poultry improvement fund, and shall be disbursed upon proper vouchers approved by the chairman of the North Dakota poultry improvement board. The fund shall constitute the sole source of revenue for carrying out the provisions of this chapter, and the fund and the affairs of the board shall be audited in the same manner and by

the same officer as other similar public funds and boards of the state are audited))).

SECTION 8. AMENDMENT.) Section 4-13-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-13-14. PENALTY.) A violation of this chapter **or the rules and regulations promulgated thereunder** shall constitute a misdemeanor and shall be punishable by a fine of not more than fifty dollars for each offense, and as additional or alternative penalties, the board may revoke any license issued and may restrain by injunction the continuance of any operations covered by this chapter.

SECTION 9. APPROPRIATION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$48,000.00, or so much thereof as may be necessary, to the poultry improvement board for salaries and administrative expenses for the biennium beginning July 1, 1971, and ending June 30, 1973.

SECTION 10. REPEAL.) Sections 4-13-11 and 4-13-13 of the North Dakota Century Code, and sections 4-13-01 and 4-13-02 of the 1969 Supplement to the North Dakota Century Code are hereby repealed."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1094 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1101 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 23 of the engrossed bill delete "in the presence of the court"

Page 1 line 24 after the comma insert "the recount shall take place"

Page 2 line 4 delete ", which shall be rendered"

Page 2 line 5 delete "at once"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1102 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1135 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 following "Act" delete "to create and enact section 16-04-01.1 of"

Page 1 delete all of line 2

Page 1 line 3 delete "preference primary election; and"

Page 1 line 4 after the first comma delete "16-04-02,"

Page 2 delete all of lines 4 through 35

Page 3 delete all of lines 1 through 14

Renumber pages, lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1193 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1224 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1239 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1271 has had the same under consideration and recommends that the same be amended as follows:

Page 10 line 30 of the engrossed bill after "exceed" insert triple parentheses before and after "seven" and insert in lieu thereof "eight"

Renumber 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 House Bill No. 1299 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1308 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 Judiciary to whom was referred House Bill No. 1392 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1473 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1487 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1532 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin 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. 1548 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 17 after the period delete "notwithstanding the pro-"

Page 2 delete all of lines 18 through 35

Page 3 delete all of lines 1 through 5

Page 3 line 6 delete "examiners for nursing home administrators."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1551 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution No. 3022 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution No. 3025 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 House Concurrent Resolution No. 3033 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 Concurrent Resolution No. 3042 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 re-

ferred House Concurrent Resolution No. 3044 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. 3047 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 Concurrent Resolution No. 3080 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.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Concurrent Resolutions Nos. 4064, 4067, 4070, House Bills Nos. 1007, 1013, 1048, 1161, 1203, 1261, 1313, and House Concurrent Resolutions Nos. 3051 and 3077, be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution No. 4064, recommended by the Committee on State and Federal Government, and printed on page 851 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution No. 4067, recommended by the Committee on State and Federal Government, and printed on page 851 of the Senate Journal, be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4067 was re-referred to the Legislative Council Resolutions Committee.

Senator Roen moved that the amendments to Senate Concurrent Resolution No. 4070, recommended by the Committee on Natural Resources, and printed on page 851 of the Senate Journal, be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4070 was re-referred to the Legislative Council Resolutions Committee.

Senator Coughlin moved that House Bill No. 1007 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1013 as recommended by the Committee on Appropriations, and printed on page 852 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1048 as recommended by the Committee on Education, and printed on page 852 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1161 as recommended by the Committee on Judiciary, and printed on page 853 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1203 as recommended by the Committee on Appropriations, and printed on page 853 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that House Bill No. 1203 be further amended as follows:

On page 1, line 17, after the word "constructing" insert the words "or purchasing".

Which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1261 as recommended by the Committee on State and Federal Government, and printed on page 854 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1313 as recommended by the Committee on Education, and printed on page 854 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Concurrent Resolution No. 3051 as recommended by the Committee on State and Federal Government, and printed on page 855 of the Senate Journal, be adopted.

Senator Longmire moved that the amendment to House Concurrent Resolution No. 3051 be amended as follows:

In line 4 of the amendment after the word "judicial" insert the words "branches of"

Which motion prevailed.

The question being on the motion of Senator Longmire that the amendments to House Concurrent Resolution No. 3051, as amended, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Concurrent Resolution No. 3077 as recommended by the Committee on Appropriations, and printed on pages 855 and 856 of the Senate Journal, be adopted, which motion prevailed.

RECOGNITION

Senator Thoreson announced that Miss Debbie Huffman of Minnewaukan, North Dakota's 1969 Dairy Princess, was in the chambers, and requested that the following statement be printed in the Journal. Senator Thoreson:

I think it's appropriate at this time to enter into the Journal some words of praise and congratulations for one of my constituents — one of my most charming constituents, I might add — Miss Debbie Huffman of Minnewaukan, North Dakota's 1969 Dairy Princess.

Miss Huffman, now a senior at the University of North Dakota, represented the State in the National Dairy Princess Contest at Boston, Massachusetts, last summer where she was chosen first runner-up for the title of American Dairy Princess. This was a remarkable achievement for this young lady, and certainly shows what a fine and able representative she was for North Dakota and its dairy industry.

During her reign as State Dairy Princess, Miss Huffman made many appearances on behalf of the State's dairy industry at fairs, agricultural shows, conventions, etc., and always proved to be an excellent and very persuasive spokesman for the dairy industry.

I know I speak for all the members of this Chamber when I offer to Debbie sincere congratulations upon her achievements and extend to her our very best wishes in all her future activities.

Senator Thoreson moved that a Committee of two be appointed to escort Miss Huffman to the rostrum, which motion prevailed.

The President appointed as such committee Senators Thoreson and Just, and Miss Huffman was escorted to the rostrum and recognized by the Senate.

MOTION

Senator Sorlie moved that the House be requested to return House Bill No. 1021, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FIRST DAY

Bismarck, March 4, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain S. A. Freeman, Church of Christ, Bismarck.

Almighty God, we approach you as our King and Redeemer. Help us to realize, Father, that by thy providence kings rule and princes decree justice.

We know that all blessings flow from thee. We also know that without you we can do nothing. We ask you to guide us by thy providence and accept our thanks for all blessings, both material and spiritual.

We know that by thy providence civil governments are instituted and executed. May we always look to you with fear and reverence, with a desire to do thy biddings.

Help all in this legislative body to realize each one is an instrument in your hand to execute justice and peace in these troublesome times. May all look to you for wisdom and courage to institute laws pleasing to you and just for all.

Father, may we be able to find ways for peace, not only in the various communities of our own land but throughout the world. May the ones at the conference tables be able to negotiate with unselfishness and concern for all.

Help us as parents and adults to so live as to give our youth the help they need to look to you as their God, that our nation may remain free. May we give them the example that will cause our sons to grow up as plants in their youth and our daughters as cornerstones, polished after the likeness of a palace.

In Christ's name we pray,
Amen

Roll call: All Senators present except Senators Anderson and Butler.

A quorum was declared by the present.

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 fiftieth day and recommends that the same be corrected as follows:

On page 855, delete all of line 30

On page 856, line 5, delete the sign "&" and insert in lieu thereof the word "and"

On page 858, line 12 from the bottom, correct spelling of the word "criminal".

On page 859, line 5, correct spelling of the word "voting"

On page 868, line 4 from the bottom, after the figure "1361" insert the figure "1414"

On page 840, line 6, delete the name "Henry" and insert in lieu thereof the name "Glaspey"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2019
Senate Bill No. 2139

Senate Bill No. 2391
 Senate Bill No. 2448
 Senate Bill No. 2449
 Senate Bill No. 2452
 Senate Bill No. 2459
 Senate Bill No. 2496

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 4, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Concurrent Resolution No. 4013
 Senate Concurrent Resolution No. 4019
 Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 4, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Bill No. 2363
 Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2363

On page 1, line 15 after the comma insert the following words
 "except where an estate of a ward is subject to Section 25-09-03 it
 shall not exceed five hundred dollars in value,"

On page 2, line 2 after the comma insert the following words "or
 a value of less than one thousand dollars where the estate of the
 ward is subject to Section 25-09-03,"

And renumber the pages and lines accordingly.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 4, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Bill No. 2260
 Senate Bill No. 2431
 Senate Bill No. 2432
 Senate Bill No. 2433
 Senate Bill No. 2492
 Senate Bill No. 2498

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 4, 1971

Mr. President: I have the honor to transmit herewith the following,
 House Concurrent Resolution No. 3089
 Which the House has passed and your favorable consideration is
 requested.

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 4, 1971

Mr. President: I have the honor to transmit herewith the follow-
 ing House Bill No. 1522, on which the House has adopted the Con-
 ference Committee report.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred

Senate Bill No. 2025 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Coughlin
 Senator Wenstrom
 Senator Larson

For the House:

Representative Jenkins
 Representative Wagner
 Representative Johnson

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2199 has had the same under consideration and recommends that the Senate concur with the House amendments and recommends that it be further amended as follows:

Page 1 line 14 after the word "thousand" insert "five hundred"

Page 1 line 16 delete the word "fourteen" and insert in lieu thereof "fifteen"

Page 1 line 19 delete the word "sixteen" and insert in lieu thereof "seventeen"

Renumber the lines accordingly.

For the Senate:

Senator Holand
 Senator Ringsak
 Senator Barth

For the House:

Representative Stone
 Representative Dick
 Representative Dotzenrod

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2199 be deemed properly engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2199. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:

Butler Goldberg

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. 1522 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator Jacobson
 Senator Forkner
 Senator Just

For the House:

Representative Hilleboe
 Representative Hentges
 Representative Solberg

Senator Jacobson moved that the report be adopted, which motion prevailed.

Senator Jacobson moved that the rules be suspended and that House Bill No. 1522 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1522. A Bill for an Act to amend and reenact subsection 6 of section 25-01-01, sections 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-10.1, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, sections 25-05-33, 25-05-34, 25-09-01, subsection 1 of section 25-09-10, and section 54-23-01 of the North Dakota Century Code, relating to changing the name of the North Dakota state tuberculosis sanatorium to the San Haven state hospital, and providing the state director of institutions with authority to accept federal funds and programs on behalf of the hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swediund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1445. A Bill for an Act to amend and reenact section 26-14-10 of the North Dakota Century Code, relating to the right of members of a mutual insurance company to vote by proxy.

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, 1.

Those voting in the affirmative were:

Anderson	Holand	Melland	Sorlie
Berube	Jacobson	Morgan	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Schultz	Wilhite
Gronhovd			

Those voting in the negative were:

Barth	Mutch	Ringsak	Sanstead
Hernett	Nething		

Absent and not voting:
Butler

So the bill passed and the title was agreed to.

House Bill No. 1460. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges or educational centers and the method of payment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sorlie
Barth	Holand	Morgan	Strinden
Berube	Jacobson	Mutch	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Larson, L.	Roen	Van Horn
Forkner	Lips	Sanstead	Wenstrom
Freed	Litten	Schultz	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Goldberg	Pyle	Redlin	Robinson
Nething			

Absent and not voting:
Butler

So the bill passed and the title was agreed to.

House Bill No. 1484. A Bill for an Act to amend and reenact section 9 of chapter 462 of the 1969 Session Laws of the state of North Dakota, relating to the periods during which the constitutional convention can meet in plenary session.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 755 of the Senate Journal, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Strinden
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Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Stroup
Christensen	Jones	Nething	Swedlund
Doherty	Just	Page	Thoreson
Erdman	Kautzmann	Rait	Unruh
Forkner	Larson, G.	Redlin	Van Horn
Freed	Larson, L.	Ringsak	Wenstrom
Goldberg	Lips	Sanstead	Wilhite
Gronhovd	Litten		

Those voting in the negative were:

Coughlin	Pyle	Roen	Thane
Mutch	Robinson	Schultz	

Absent and not voting:

Butler	Chesrown	Longmire
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 1521. A Bill for an Act to provide that county auditors shall reduce certain levies for political subdivisions for monies received for personal property tax replacement.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Christensen	Just	Nething	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Chesrown	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. 3001. A concurrent resolution advising the Board of Higher Education to exercise caution in issuing bonds for revenue producing buildings and other campus improvements.

Which has been read.

Senator Lips moved that House Concurrent Resolution No. 3001 be adopted, which motion prevailed.

House Concurrent Resolution No. 3002. A concurrent resolution directing the State Highway Department, the Aeronautics Commission, and the Game and Fish Department to establish an Aircraft Pool.

Which has been read.

Senator Melland moved that House Concurrent Resolution No. 3002 be adopted, which motion prevailed.

House Concurrent Resolution No. 3017. A Concurrent Resolution requesting the President of the United States to direct the release of \$300,000.00 appropriated for the establishment of an Economic Development Administration Region comprised of North Dakota, South Dakota, Nebraska, Wyoming, and Montana.

Which has been read.

Senator Morgan moved that House Concurrent Resolution No. 3017 be adopted, which motion lost.

House Concurrent Resolution No. 3018. A Concurrent Resolution supporting North Dakota's efforts to commemorate the two-hundredth anniversary of the American Revolution.

Which has been read.

Senator Stroup moved that House Concurrent Resolution No. 3018 be adopted, which motion prevailed.

House Concurrent Resolution No. 3026. A Concurrent Resolution directing the Commissioner of Insurance to conduct a study of the field of nonprofit hospital and medical service plan corporations.

Which has been read.

Senator Goldberg moved that House Concurrent Resolution No. 3026 be adopted, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4059 be laid over three legislative days, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1063. A Bill for an Act to create an industrial building mortgage program under the supervision of the Bank of North Dakota, providing for the administration of such programs and for the transfer of certain moneys from the accumulated and undivided profits of the Bank of North Dakota to the mortgage insurance fund, and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litlen	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Longmire

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4 1971

Mr. Speaker: I have the honor to inform you that the Senate requests the return of:

House Bill No. 1021

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 4 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1014
House Bill No. 1047
House Bill No. 1099
House Bill No. 1185
House Bill No. 1192
House Bill No. 1219
House Bill No. 1220
House Bill No. 1289
House Bill No. 1410
House Bill No. 1430

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 4, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1003
House Bill No. 1008
House Bill No. 1028
House Bill No. 1336

Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 4, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4052

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 4, 1971

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. 1022
House Bill No. 1434

Senators:

Wenstrom
Coughlin
L. Larson

To serve on House Bill No. 1022

Senators:

Forkner
Page
Erdman

To serve on House Bill No. 1434

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 4, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2110
Senate Bill No. 2206
Senate Bill No. 2304
Senate Bill No. 2389

Senate Bill No. 2403

Very respectfully,
 LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, March 4, 1971

Mr. Speaker: I have the honor to transmit:
 Senate Bill No. 2025
 Senate Bill No. 2199
 House Bill No. 1522
 On which the Senate has adopted the Conference Committee reports.

Very respectfully,
 LEO LEIDHOLM, Secretary

Senator Wilhite 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.

SECOND READING OF HOUSE BILLS

House Bill No. 1104. A Bill for an Act to create and enact section 57-55-01.1 of the North Dakota Century Code, and to amend and reenact sections 57-55-01, 57-55-02, 57-55-03, 57-55-04, 57-55-05, 57-55-06, 57-55-07, 57-55-08, 57-55-10, 57-55-11, and 57-55-12 of the North Dakota Century Code, relating to the taxation of mobile homes, providing that county directors of tax equalization shall administer such tax, and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 829 of the Senate Journal, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Roen
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Gronhovd	Melland	Robinson	Wilhite
Hernett	Morgan		

Those voting in the negative were:

Doherty

Absent and not voting:

Barth	Just	Sanstead	Sorlie
Butler	Longmire	Schultz	Stroup
Goldberg			

So the bill passed and the title was agreed to.

House Bill No. 1113. A Bill for an Act to provide for the transfer of moneys in the state water commission construction bond guarantee fund to the 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, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie

Berube	Jacobson	Nething	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rajt	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Longmire

So the bill passed and the title was agreed to.

House Bill No. 1118. A Bill for an Act to amend and reenact section 21-10-07 of the North Dakota Century Code, relating to legal investments of the state investment board.

Which has been read.

Senator Hernettt moved that House Bill No. 1118 be amended as follows:

Page 2 line 15 delete the beginning triple parentheses before the numeral "7"

Page 2 line 20 delete the ending triple parentheses after the numeral "8." and delete the numeral "7."

Page 2 line 30 delete the triple parentheses before and after the numeral "9." and delete the numeral "8."

Page 2 line 35 delete the triple parentheses before and after the numeral "10." and delete "9."

Renumber pages and lines accordingly.

Which motion prevailed.

Senator Hernettt moved that the rules be suspended and that House Bill No. 1118 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1118, as amended, on pages 829 and 830 of the Senate Journal, and from the floor, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernettt	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rajt	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Melland	Sanstead	

Those voting in the negative were:

Gronhovd

Absent and not voting:

Butler Longmire Ringsak Thoreson

So the bill passed and the title was agreed to.

House Bill No. 1218. A Bill for an Act to amend and reenact sections 21-09-01 and 21-09-05 of the North Dakota Century Code, changing the title of "The 1969 Bond Validating Act" to "The 1971 Bond Validating Act", and relating to the application of chapter 21-09

of the North Dakota Century Code to bonds issued and proceedings taken prior to July 1, 1971.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Chesrown	Longmire
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So the bill passed and the title was agreed to.

House Bill No. 1238. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code relating to salaries of supreme and district court judges.

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, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Redlin	Thoreson
Forkner	Lips	Robinson	Unruh
Freed	Litten	Roen	Van Horn
Goldberg	Melland	Sanstead	Wenstrom
Gronhovd	Morgan	Schultz	Wilhite

Those voting in the negative were:

Larson, L.	Rait
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Absent and not voting:

Berube	Chesrown	Longmire	Ringsak
Butler	Hernett		

So the bill passed and the title was agreed to.

Senator Melland moved that the following statement of intent be printed in the Journal, which motion prevailed.

Senator Melland: "It is the intent of the Legislative Assembly, by the passage of House Bill No. 1238, that the increased obligation provided in this Act shall be used as matching funds for purposes of compliance with the Omnibus Crime Control and Safe Streets Act. It is the further intent of the Legislative Assembly that such funds be used to improve, expand, strengthen law enforcement, to improve criminal justice, and to develop new methods for the prevention and reduction of crime in the State of North Dakota. Such funds received through the Omnibus Crime Control and Safe Streets Act shall not be spent until approval has been obtained from the Emergency Commission."

House Bill No. 1311. A Bill for an Act to authorize the state board of higher education to approve construction of a sugar beet research and service center on or off the campus of North Dakota state university, and repealing chapter 198 of the 1969 Session Laws of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 831 of the Senate Journal, the roll was called and there were ayes, 38; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Ringsak	Thoreson
Freed	Lips	Robinson	Unruh
Goldberg	Litten	Sanstead	Van Horn
Gronhovd	Melland	Schultz	Wenstrom
Holand	Morgan	Sorlie	Wilhite
Jacobson	Mutch		

Those voting in the negative were:

Erdman	Rait	Redlin
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Absent and not voting:

Anderson	Butler	Hernett	Roen
Berube	Chesrown	Longmire	

So the bill passed and the title was agreed to.

House Bill No. 1315. A Bill for an Act to create and enact section 1-03-02.1 of the North Dakota Century Code, relating to holidays which fall on Saturdays, and to amend and reenact section 1-03-04 of the North Dakota Century Code, relating to business days.

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, 21; absent and not voting, 5.

Those voting in the affirmative were:

Christensen	Lips	Pyle	Sanstead
Doherty	Litten	Redlin	Schultz
Freed	Melland	Ringsak	Thoreson
Holand	Morgan	Robinson	Unruh
Kautzmann	Mutch	Roen	Van Horn
Larson, G.	Nothing		

Those voting in the negative were:

Anderson	Gronhovd	Nasset	Stroup
Barth	Jacobson	Page	Swedlund
Coughlin	Jones	Rait	Thane
Erdman	Just	Sorlie	Wenstrom
Forkner	Larson, L.	Strinden	Wilhite
Goldberg			

Absent and not voting:

Berube	Chesrown	Hernett	Longmire
Butler			

Senator Goldberg changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

House Bill No. 1361. A Bill for an Act to create and enact section 15-50-12 of the North Dakota Century Code, relating to the regulation of trade and correspondence schools and to amend and reenact sections 15-50-01, 15-50-02, 15-50-03, 15-50-04, 15-50-08, 15-50-09, 15-50-10 and 15-50-11.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 831 of the Senate Journal, the roll was called and there were ayes, 40; nays, 0 absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Robinson	Van Horn
Goldberg	Litten	Sanstead	Wenstrom
Gronhovd	Morgan	Schultz	Wilhite

Absent and not voting:

Berube	Chesrown	Longmire	Redlin
Butler	Hernett	Melland	Roen

So the bill passed and the title was agreed to.

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

Was read the second time.

Senator Mutch moved that House Bill No. 1414 be laid over one legislative day, which motion prevailed.

House Bill No. 1428. A Bill for an Act to amend and reenact section 7-04-23 of the North Dakota Century Code, relating to the destruction of records of savings and loan associations.

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, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Holand			

Absent and not voting:

Berube	Chesrown	Longmire	Thoreson
Butler	Hernett	Redlin	

So the bill passed and the title was agreed to.

House Bill No. 1467. A Bill for an Act to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to tax receipts for property tax purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 833 of the Senate Journal, the roll was called and there were ayes, 27; nays, 14; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Schultz
Barth	Gronhovd	Melland	Swedlund
Christensen	Holand	Nething	Thane
Coughlin	Jones	Pyle	Thoreson
Erdman	Just	Rait	Unruh
Forkner	Larson, G.	Roen	Van Horn
Freed	Larson, L.	Sanstead	

Those voting in the negative were:

Doherty	Morgan	Ringsak	Strinden
Jacobson	Mutch	Robinson	Wenstrom
Kautzmann	Nasset	Sorlie	Wilhite
Lips	Page		

Absent and not voting:

Berube	Chesrown	Longmire	Stroup
Butler	Hernett	Redlin	

So the bill passed and the title was agreed to.

House Bill No. 1549. A Bill for an Act to create and enact a new section to chapter 21-02 of the North Dakota Century Code, relating to the issuance of certificates of indebtedness by a political subdivision in anticipation of the revenue it will receive as personal property tax replacement revenue pursuant to section 57-58-01 of the North Dakota Century Code, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 833 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sorlie
Barth	Jones	Nething	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Ringsak	Thoreson
Forkner	Lips	Robinson	Unruh
Freed	Litten	Roen	Van Horn
Goldberg	Melland	Sanstead	Wenstrom
Gronhovd	Morgan	Schultz	Wilhite
Holand	Mutch		

Absent and not voting:

Berube	Chesrown	Longmire	Redlin
Butler	Hernett		

So the bill passed and the title was agreed to and the emergency clause carried.

REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2318
 Senate Bill No. 2356
 Senate Bill No. 2358
 Senate Bill No. 2365

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2318

Senate Bill No. 2356

Senate Bill No. 2358

Senate Bill No. 2365

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2318

Senate Bill No. 2356

Senate Bill No. 2358

Senate Bill No. 2365

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 4, 1971

Mr. President: I have the honor to return:

House Bill No. 1085

House Bill No. 1021

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Sorlie moved that the Senate reconsider the action by which House Bill No. 1021 was passed, which motion prevailed.

Senator Sorlie moved that House Bill No. 1021 be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 4, 1971

Mr. President: I have the honor to inform you that on the Conference Committee on:

House Bill No. 1434

Rep. DeGroot will replace Rep. Wilkie.

Very respectfully,
ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4057, 4064, 4081, House Bills Nos. 1013, 1048, 1094, 1102, 1161, 1193, 1203, 1224, 1261, 1299, 1308, 1313, 1392, 1473, 1487, and House Concurrent Resolutions Nos. 3022, 3025, 3033, 3042, 3047, 3051, 3077, 3080 that the Senate recess until 1:15 p.m., March 5, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

**FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY**

Bismarck, March 5, 1971

The Senate convened at 1:15 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. 4064

Senate Concurrent Resolution No. 4067

Senate Concurrent Resolution No. 4070

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Legislative Rules recommends that the report of this Committee regarding the creation of Senate Rule 38.1, as printed on pages 690 and 691 of the Senate Journal, be rescinded, and that the Senate Rules be amended as follows:

SECTION 1.) Senate Rule No. 38.1 is hereby created and adopted to read as follows:

38.1. DETERMINATION OF SENIORITY — DETERMINATIONS MADE — BASES FOR.) Seniority shall be measured and determined by the total number of years a member has served in the Legislative Assembly, regardless of whether such service has or has not been for continuous or consecutive years, and shall include any service as a member of the House of Representatives. Determination as to the seating of Senators in seats vacated during or since the previous legislative session shall be made according to seniority based on length of service in the Senate. The preceding sentence shall not apply to Floor Leaders and Assistant Floor Leaders. Appointments to honorary offices of the Senate shall be on the basis of seniority based on length of service in the Senate. If the most senior members refuses election or appointment, the office shall be received by the next most senior member, and so on until the office is filled. When two or more Senators have exactly the same seniority as determined pursuant to the first sentence of this Rule, seniority as between those Senators shall be determined by the birth dates of those Senators, with the oldest of the group being the most senior, and so on until all members of the group are ranked. The provisions of this Rule shall not be effective during the regular session of the Forty-second Legislative Assembly.

In making committee assignments pursuant to Rule No. 39, the Committee on Committees shall first consider the best interest of North Dakota and a Senator's individual committee assignment preference shall be the second consideration.

In making appointments of Committee Chairmen and Committee Vice Chairmen, the Committee on Committees shall give no less weight to ability, knowledge of subject matter, and experience than it gives to seniority.

Senator Wilhite moved that the report of the Rules Committee on Senate Rule No. 38.1 be adopted, which motion prevailed.

SECTION 1. AMENDMENT.) Senate Rule No. 41 is hereby amended and adopted to read as follows:

41. MEETING OF COMMITTEES — OPEN TO PUBLIC — EXCEPTION

The Committee on Appropriations shall meet on Monday, Tuesday, Wednesday, Thursday, and Friday of each week from 9:00 a.m. to 12:00 noon. The Committees on Finance and Taxation; Judiciary; Industry, Business and Labor; Education; and State and Federal Government shall meet on Monday, Tuesday, and Wednesday of each week from 9:00 a.m. to 12:00 noon. The Committees on Political Subdivisions; Social Welfare and Veterans' Affairs; Transportation; Agriculture; and Natural Resources shall meet on Thursday and Friday of each week from 9:00 a.m. to ((12:02)) 12:00 noon. Any committee may schedule Saturday morning meetings. **All meetings and hearings of standing committees shall be open to the public and press, unless upon motion passed by a majority of the committee members voting on the question, the meeting is ordered closed. This section shall not be construed as permitting broadcasting from, or televising, filming, or recording, any committee meeting or hearing without the express permission of the Committee Chairman, or member serving in his stead.**

Senator Wilhite moved that the report of the Rules Committee on Senate Rule No. 41 be adopted, which motion prevailed.

MOTION

Senator Nething moved that House Bill No. 1299 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1299. 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; 32-09-02, relating to the exemption of wages from garnishment; 32-09-03, relating to notice before garnishment of wages; 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 13-04, 51-13, and 51-14, of the North Dakota Century Code; providing a penalty; and providing for 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, 31; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Schultz
Barth	Holand	Nothing	Sorlie
Chesrown	Kautzmann	Page	Strinden
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Erdman	Litten	Redlin	Unruh
Forkner	Longmire	Ringsak	Wenstrom
Goldberg	Melland	Sanstead	

Those voting in the negative were:

Berube	Jacobson	Morgan	Thoreson
Doherty	Jones	Robinson	Van Horn
Freed	Just	Roen	Wilhite
Gronhovd	Larson, L.	Stroup	

Absent and not voting:

Butler	Mutch
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So the bill passed and the title was agreed to.

Senator Nothing moved that the vote by which House Bill No. 1299 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Thoreson moved that the Senate reconsider the action by which House Bill No. 1467 was passed, which motion prevailed.

Senator Thoreson moved that House Bill No. 1467 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Goldberg moved that the Senate reconsider the action by which House Bill No. 1315 was lost, which motion prevailed.

Senator Goldberg moved that House Bill No. 1315 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1315. A Bill for an Act to create and enact section 1-03-02.1 of the North Dakota Century Code, relating to holidays which fall on Saturdays, and to amend and reenact section 1-03-04 of the North Dakota Century Code, relating to business days.

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, 8; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Roen
Barth	Hernett	Longmire	Sanstead
Chesrown	Holand	Melland	Schultz
Christensen	Jacobson	Nasset	Sorlie
Coughlin	Jones	Nothing	Swedlund
Doherty	Just	Pyle	Thoreson
Erdman	Kautzmann	Redlin	Unruh
Forkner	Larson, G.	Ringsak	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg			

Those voting in the negative were:

Berube	Morgan	Rait	Thane
Larson, L.	Page	Strinden	Wilhite

Absent and not voting:
 Butler Mutch Stroup
 So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4002 has had the same under consideration and recommends that the same be amended as follows:

Page 2 delete all of lines 3 through 6

Page 2 line 31 delete "Develop the use" and insert in lieu thereof "Consider the development"

Renumber the pages, lines and subsections accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 4023 has had the same under consideration and recommends that the same do pass.

Be re-referred to Legislative Council Resolutions Committee.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4023 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4061 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 Political Subdivisions to whom was referred House Bill No. 1132 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 12 of the engrossed bill delete "ten" and insert in lieu thereof "fifteen"

Page 2 line 27 delete "ten" and insert in lieu thereof "fifteen"

Page 3 line 17 insert triple parentheses before and after "ten" and insert in lieu thereof "fifteen"

Renumber pages and lines accordingly.

And when so amended recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1205 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner 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. 1260 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was

referred House Bill No. 1276 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman
 Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1328 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.
 Senator Ringsak moved that House Bill No. 1328 be re-referred to the Committee of Agriculture, which motion lost.

The question being on the motion of Senator Morgan, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1355 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 House Bill No. 1374 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman
 Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1440 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman
 Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1514 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 2 of the engrossed bill insert triple parentheses around "Security" and insert in lieu thereof "Securely"

Page 2 line 24 insert beginning triple parentheses before "On"

Page 2 line 27 insert ending triple parentheses after the period

Page 3 line 31 insert beginning triple parentheses before "upon"

Page 3 line 32 delete triple parentheses before "street" and after "or" and insert ending triple parentheses after "highway"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman
 Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1518 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. 1531 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. 1555 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3027 has had the same under consideration and recommends that the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3055 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 Social Welfare and Veterans Affairs to whom was referred House Concurrent Resolution No. 3066 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 after "of" delete "Health, Education, and Welfare" and insert in lieu thereof "Housing and Urban Development"

Page 1 line 21 after "of" delete "Health,"

Page 1 line 22 delete "Education, and Welfare" and insert in lieu thereof "Housing and Urban Development"

Page 2 line 2 after "of" delete "Health, Education, and"

Page 2 line 3 delete "Welfare" and insert in lieu thereof "Housing and Urban Development"

Re-number pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3067 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 Concurrent Resolution No. 3069 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 Social Welfare and Veterans Affairs to whom was referred House Concurrent Resolution No. 3073 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 3081 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1015, 1089, 1101, 1135, 1271, and 1548, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1015 as recommended by the Committee on Appropriations, and printed on page 872 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1089 as recommended by the Committee on Agriculture, and printed on pages 873, 874, and 875 of the Senate Journal, be adopted, which motion prevailed, and House Bill No. 1089 was re-referred to the Committee on Appropriations.

Senator Chesrown moved that the amendments to House Bill No. 1101 as recommended by the Committee on Judiciary, and printed on page 876 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1135 as recommended by the Committee on Judiciary, and printed on page 876 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1271 as recommended by the Committee on Natural Resources, and printed on page 877 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 1548 as recommended by the Committee on State and Federal Government, and printed on pages 877 and 878 of the Senate Journal, be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do not concur in the House amendments to Senate Bill No. 2363 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. 2363,

Senators:

Freed

Page

Barth

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 5, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2252

Senate Bill No. 2301

Senate Bill No. 2351

Senate Bill No. 2368

Senate Bill No. 2418

Senate Bill No. 2434

Senate Bill No. 2435

Senate Bill No. 2439

Senate Bill No. 2456

Senate Bill No. 2477

Senate Concurrent Resolution No. 4082

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 5, 1971

Mr. President: I have the honor to return herewith the following, Which the House has amended.

Senate Bill No. 2002

Senate Bill No. 2011

Senate Bill No. 2016

Senate Bill No. 2466

Senate Bill No. 2486

Senate Bill No. 2500

Senate Concurrent Resolution No. 4016

AMENDMENTS TO SENATE BILL No. 2002

Page 2, line 7, delete the figure "226,662.00" and insert in lieu thereof the figure "235,662.00"

Page 2, line 9, delete the figure "4,630.00" and insert in lieu thereof the figure "5,630.00"

Page 2, line 11, delete the figure "256,551.00" and insert in lieu thereof the figure "266,551.00"

Page 2, line 14, delete the figure "1,861,650.00" and insert in lieu thereof the figure "2,068,500.00"

Page 2, line 15, delete the figure "1,861,650.00" and insert in lieu thereof the figure "2,068,500.00"

Page 2, line 30, delete the words "STATE COMMISSION ON ALCOHOLISM" and insert in lieu thereof the words "DIVISION OF ALCOHOLISM AND DRUG ABUSE — STATE HEALTH DEPARTMENT"

Page 3, line 8, delete the figure "2,436,486.00" and insert in lieu thereof the figure "2,653,336.00"

AMENDMENTS TO SENATE BILL No. 2011

Page 1, line 18, delete the figure "2,478,220.00" and insert in lieu thereof the figure "2,481,820.00"

Page 1, line 20, delete the figure "487,000.00" and insert in lieu thereof the figure "483,400.00"

AMENDMENTS TO SENATE BILL No. 2016

Page 1, line 13, delete the figure "15,000.00" and insert in lieu thereof the figure "30,000.00"

Page 1, line 19, delete the figure "15,000.00" and insert in lieu thereof the figure "30,000.00"

Page 1, line 20, delete the figure "15,000.00" and insert in lieu thereof the figure "30,000.00"

AMENDMENTS TO SENATE BILL No. 2466

On page 1, line 4, of the engrossed bill after the word "assessor" and before the period insert the following " , and declaring an emergency"

On page 2, after line 16 of the engrossed bill 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.

AMENDMENTS TO SENATE BILL No. 2486

On page 1, line 6, before the period, insert the following language: " , and the sale of property received as a gift or bequest"

On page 3, following the period on line 11, insert the following language: "The state board of higher education may, with the approval of the budget committee of the legislative council, authorize the sale of any real property or buildings which an institution of

higher learning has received by gift or bequest. The budget committee may prescribe such conditions for the sale of the property as it deems necessary, including, but not limited to, requiring an appraisal and the advertisement for bids."

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2500

On page 1, line 9, delete the figure "5,000.00" and insert in lieu thereof the figure "2,500.00"

On page 1, line 13, after the word "subsistence" delete the "," and insert in lieu thereof ""

On page 1, line 14, delete all of the line

On page 1, line 15, delete all of the line

On page 1, line 16, delete the words "and recommendations"

And renumber the lines accordingly.

AMENDMENTS TO

SENATE CONCURRENT RESOLUTION No. 4016

On page 2, line 5 delete the word "majority" and insert in lieu thereof the following word "sixty percent"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 5, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2141

Senate Bill No. 2445

Senate Concurrent Resolution No. 4012

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 5, 1971

Mr. President: I have the honor to transmit herewith the following,

House Bill No. 1045

House Bill No. 1147

House Bill No. 1359

House Bill No. 1433

House Bill No. 1459

House Bill No. 1479

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SECOND DAY

Bismarck, March 5, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Austin Engel, United Church of Christ, Bismarck.

Roll call: All Senators present except Senators Butler and Mutch.

A quorum was declared by the President.

Prayer —

"Our Father — Thou hast created us as we are — with Spirits

that are restless until they find their peace in Thy Spirit. Thou hast given us this rich and good land — and Thou hast given us the freedom to govern ourselves and determine our own destiny.

“Help us, O Lord, to be worthy stewards of these Thy precious gifts — as we move into the closing days of this Legislative Assembly. Help us, our Father, to put aside whatever narrow and self-centered interests may be tugging at our hearts. Help us to make the final and decisive decision of this Assembly guided only by Thy Spirit of concern for all the peoples of this State.

“May Thy Spirit of concern for all, and Thy Peace, be at work in this Chamber, through these chosen servants, in all that is done here this day and in the days to come. Amen.”

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 fifty-first day and recommends that the same be corrected as follows:

On page 872, after line 30 insert the following:

Senate Bill No. 2403. A Bill for an Act to amend and reenact section 39-22-09 of the 1969 Supplement to the North Dakota Century Code, relating to the reporting of used motor vehicle inventories.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nething	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Butler	Stroup	Wenstrom
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So the bill passed and the title was agreed to and the emergency clause carried.

On page 873, line 31, capitalize “North”

On page 882, line 2, delete the word “BIL” and insert in lieu thereof the word “BILL”.

On page 882, line 27, delete the word “on”

On page 883, delete lines 41 through 60.

On page 884, delete lines 2 through 7.

On page 884, above the words “House Bill No. 1445” insert “SECOND READING OF HOUSE BILLS”

On page 892, delete line 2

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1013. 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 register of motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 852 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Mutch Schultz

So the bill passed and the title was agreed to.

House Bill No. 1035. A Bill for an Act to provide payment of expenses to certain elected state officers, and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Van Horn
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Mutch

So the bill passed and the title was agreed to.

House Bill No. 1048. A Bill for an Act to amend and reenact sections 57-16-03 and 57-16-06 of the North Dakota Century Code, relating to the requirements for notice and the form of ballots for excess mill levy elections.

Which has been read.

Senator Redlin moved that House Bill No. 1048 be amended as follows:

On page 1, line 4, after the word "elections" and before the period, insert a comma and the following words: ", and declaring an emergency"

On page 3, after line 21, insert the following new section:

"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 Redlin moved that the rules be suspended and that House Bill No. 1048 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

House Bill No. 1048. A Bill for an Act to amend and reenact sections 57-16-03 and 57-16-06 of the North Dakota Century Code, relating to the requirements for notice and the form of ballots for excess mill levy elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 852 of the Senate Journal, and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nething	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Mutch

So the bill passed and the title was agreed to and the emergency clause carried.

MOTION

Senator Chesrown moved that House Bill No. 1135 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1135. 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, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 876 of the Senate Journal, the roll was called and there were ayes, 23; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Chesrown	Kautzmann	Nething	Sorlie
Doherty	Larson, G.	Page	Thane
Forkner	Longmire	Redlin	Thoreson
Freed	Melland	Ringsak	Unruh
Hernett	Morgan	Roen	Wenstrom
Jones	Nasset	Schultz	

Those voting in the negative were:

Anderson	Goldberg	Lips	Strinden
Barth	Gronhovd	Litten	Stroup
Berube	Holand	Pyle	Swedlund
Christensen	Jacobson	Rait	Van Horn

Coughlin	Just	Robinson	Wilhite
Erdman	Larson, L.	Sanstead	

Absent and not voting:

Butler	Mutch
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Senator Wilhite changed his vote from aye to nay for the purpose of reconsideration.

So the bill was declared lost.

MOTION

Senator Ringsak moved that the Senate reconsider the action by which House Bill No. 1085 was indefinitely postponed, which motion prevailed.

Senator Ringsak moved that House Bill No. 1085 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1085. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to 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, 36; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Hernett	Melland	Roen	Wenstrom
Holand	Morgan	Schultz	Wilhite

Those voting in the negative were:

Barth	Erdman	Larson, L.	Sanstead
Berube	Gronhovd	Rait	Swedlund
Christensen	Just		

Absent and not voting:

Butler	Mutch
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So the bill passed and the title was agreed to.

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

Which has been read.

Senator Chesrown moved that House Bill No. 1094 be laid over two legislative days, which motion prevailed.

House Bill No. 1102. A Bill for an Act to amend subdivision h of subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the computation of the adjusted gross estate for purposes of determining the exemption of a surviving spouse for estate tax purposes, and providing an effective date.

Which has been read.

Senator Freed moved that House Bill No. 1102 be re-referred to the Committee on Judiciary, which motion prevailed.

House Bill No. 1161. A Bill for an Act to create chapter 14-15 of the North Dakota Century Code, relating to adoptions and constituting

the Revised Uniform Adoption Act, and to repeal chapter 14-11 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, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Larson, G.	Mutch
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So the bill passed and the title was agreed to.

House Bill No. 1193. A Bill for an Act to amend and reenact sections 14-10-01 and 14-10-02 of the North Dakota Century Code, relating to the definition of a minor and an adult.

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, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Hernett	Melland	Roen
Chesrown	Holand	Morgan	Sanstead
Christensen	Jacobson	Nasset	Schultz
Coughlin	Jones	Nothing	Strinden
Doherty	Just	Page	Stroup
Erdman	Kautzmann	Pyle	Swedlund
Forkner	Larson, L.	Rait	Thane
Freed	Lips	Redlin	Thoreson
Goldberg	Litten	Ringsak	Unruh

Those voting in the negative were:

Berube	Van Horn	Wenstrom	Wilhite
Sorlie			

Absent and not voting:

Butler	Larson, G.	Mutch
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So the bill passed and the title was agreed to.

House Bill No. 1203. 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 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 other purposes as are hereinafter provided.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 852 of the Senate Journal the roll was called and there were ayes, 34; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sorlie
Barth	Hernett	Melland	Strinden
Chesrown	Holand	Nasset	Thane
Christensen	Jacobson	Page	Thoreson
Coughlin	Jones	Pyle	Unruh
Doherty	Just	Ringsak	Van Horn
Erdman	Kautzmann	Sanstead	Wenstrom
Freed	Lips	Schultz	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Berube	Morgan	Redlin	Stroup
Forkner	Nething	Robinson	Swedlund
Larson, L.	Rait	Roen	

Absent and not voting:

Butler	Larson, G.	Mutch
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So the bill passed and the title was agreed to.

House Bill No. 1224. A Bill for an Act to amend and reenact subsection 2 of section 40-10-06, section 40-40-04 and subsection 2 of section 40-40-06 of the North Dakota Century Code, relating to the preparation and submission of a preliminary budget in city manager cities, the dates of preparation of a preliminary budget in all other municipalities and the date the governing body is to meet for the purpose of adopting the final budget and making the annual tax levy.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Mutch	Sorlie
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So the bill passed and the title was agreed to.

House Bill No. 1261. A Bill for an Act to create and enact subsection 8 of section 38-03-07 of the North Dakota Century Code, relating to inspector's powers and duties relating to mine inspections; and to amend and reenact sections 38-03-03, 38-03-04, 38-03-06, subsection 5 of section 38-03-07, subsection 7 of section 38-03-07, sections 38-03-11, 38-03-17, 38-04-04, 38-05-01, 38-06-01, 38-06-02, 38-06-03, 38-07-01, 38-07-03, 38-07-04, 38-07-06, 38-07-07, and 38-07-08 of the North Dakota Century Code, relating to bond of inspector; salary of inspector; vacancy in office; inspector's powers and duties relating to mine inspections; posting inspection statement of mine and posting regulations governing carriage of men posted; inspector to order immediate compliance when provision or rule violated and failure to comply; license fee collections to workmen's compensation bureau; board of examiners for mine foreman; safety rules and regulations may be promulgated and enforced by state coal mine in-

spector; employment of mine foreman, inability of mine foreman to act and substitutes; map or plan of coal mine; map of seams; maps to include surface description; survey of active mines to be made annually and results of survey shown on map; refusal to furnish map, plan, or extension of mine and inspector to order survey and cost; operator of worked out, abandoned, or indefinitely closed mine to make survey and extension of maps; and to repeal sections 38-01-02, 38-01-03, 38-01-04, 38-01-05, 38-01-09, 38-03-15, 38-03-16, 38-05-02, 38-05-03, 38-05-04, 38-05-05, 38-05-06, 38-05-08, 38-05-09, 38-05-10, 38-05-11, 38-06-04, 38-06-05, 38-06-06, 38-06-07, 38-06-08, 38-06-09, 38-06-10, 38-06-11, 38-06-12, 38-06-13, 38-06-14, 38-06-15, 38-06-16, 38-06-17, 38-06-18, 38-06-19, 38-06-20, 38-06-21, 38-06-22, 38-06-23, 38-06-24, 38-06-25, 38-06-26, 38-06-27, 38-06-28, 38-06-29, 38-06-30, 38-06-31, 38-06-32, 38-06-33, 38-06-34, 38-06-35, 38-06-36, 38-06-37, 38-06-38, 38-06-39, 38-06-40, 38-06-41, 38-06-42, 38-06-43, 38-06-44, 38-06-45, 38-06-46, 38-06-47, 38-06-48, 38-06-49, 38-06-50, 38-06-51, 38-06-52, 38-05-53, 38-06-54, 38-06-58, and 38-06-59 of the North Dakota Century Code, and sections 38-03-12 and 38-05-07 of the 1969 supplement to the North Dakota Century Code are hereby repealed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 854 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Ringsak	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite

Absent and not voting:

Butler	Mutch	Redlin	Sorlie
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So the bill passed and the title was agreed to.

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

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, 13; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Holand	Melland	Sorlie
Chesrown	Jacobson	Morgan	Strinden
Christensen	Kautzmann	Nasset	Stroup
Coughlin	Larson, G.	Nothing	Swedlund
Doherty	Larson, L.	Pyle	Thoreson
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Wilhite
Hernett	Longmire	Schultz	

Those voting in the negative were:

Anderson	Gronhovd	Rait	Thane
Berube	Jones	Roen	Unruh
Erdman	Just	Sanstead	Van Horn
Goldberg			

Absent and not voting:
 Butler Mutch Page Redlin
 So the bill lost for lack of a two-thirds majority.

MOTION

Senator Goldberg moved that the Senate reconsider the action by which House Bill No. 1308 was lost, which motion prevailed.

Senator Goldberg moved that House Bill No. 1308 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

Which has been read.

Senator Ringsak requested a call of the Senate, which request was granted.

Senator Ringsak moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Goldberg moved that House Bill No. 1308 be laid over one legislative day, which motion prevailed.

House Bill No. 1313. A Bill for an Act directing the state board of higher education to sell and transfer certain land and improvements thereon owned by the state of North Dakota for the use and benefit of the North Dakota state university of agriculture and applied science, and appropriating the proceeds of such 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, as amended, on page 854 of the Senate Journal, the roll was called and there were ayes, 40; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhoyd	Longmire	Sanstead
Barth	Holand	Melland	Sorlie
Berube	Jacobson	Morgan	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite

Those voting in the negative were:

Rait	Schultz	Van Horn
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Absent and not voting:

Butler	Hernett	Mutch	Redlin
Goldberg			

So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 1392. A Bill for an Act to create and enact section 59-02-22 of the North Dakota Century Code, relating to the activities of private foundations, charitable trusts, and split-interest trusts.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Strinden
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nething	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Ringsak	Van Horn
Freed	Lips	Robinson	Wenstrom
Goldberg	Litten	Sanstead	Wilhite

Those voting in the negative were:

Erdman Rait

Absent and not voting:

Butler	Mutch	Roen	Stroup
Just	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1473. A Bill for an Act to amend and reenact sections 40-01-09 and 40-01-11 of the North Dakota Century Code, relating to publication of legal notices in municipalities without a newspaper.

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, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Stroup
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nething	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg			

Those voting in the negative were:

Strinden

Absent and not voting:

Butler	Mutch	Redlin	Roen
Just	Pyle		

So the bill passed and the title was agreed to.

House Bill No. 1487. A Bill for an Act to create and enact subsection 3 of section 18-11-15 of the North Dakota Century Code, and to amend and reenact subsection 2 of section 18-11-15 and sections 18-11-18 and 18-11-23 of the North Dakota Century Code, relating to the alternate firemen's relief association plan.

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, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sorlie
Barth	Hernett	Melland	Strinden
Berube	Holand	Morgan	Stroup
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nething	Thane

Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, G.	Ringsak	Van Horn
Forkner	Larson, L.	Robinson	Wenstrom
Freed	Lips	Sanstead	Wilhite
Goldberg	Litten	Schultz	

Absent and not voting:

Butler	Pyle	Redlin	Roen
Mutch			

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 5, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1299
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 5, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1063
House Bill No. 1113
House Bill No. 1218
House Bill No. 1238
House Bill No. 1445
House Bill No. 1460
House Bill No. 1521
House Concurrent Resolution No. 3001
House Concurrent Resolution No. 3018
House Concurrent Resolution No. 3026
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 5, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1029
House Bill No. 1104
House Bill No. 1118
House Bill No. 1311
House Bill No. 1361
House Bill No. 1428
House Bill No. 1484
House Bill No. 1549
House Concurrent Resolution No. 3002
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 5, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1239
House Bill No. 1532
House Bill No. 1551
House Concurrent Resolution No. 3017
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 5, 1971

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 2363

Senators:
Freed
Page
Barth

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 5, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2318
Senate Bill No. 2356
Senate Bill No. 2358
Senate Bill No. 2365
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign
House Bill No. 1045
House Bill No. 1147
House Bill No. 1359
House Bill No. 1433
House Bill No. 1459
House Bill No. 1479

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 5, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1045
House Bill No. 1147
House Bill No. 1359
House Bill No. 1433
House Bill No. 1459
House Bill No. 1479

Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF
SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4057. A Concurrent Resolution requesting the Congress of the United States to provide additional funds for expanding the Green Thumb Program.

Which has been read.

Senator Anderson moved that Senate Concurrent Resolution No. 4057 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4064. A Concurrent Resolution requesting the Office of the Executive Budget to present program budget recommendations on a pilot basis to the Forty-third Legislative Assembly.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4064 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4081. A Concurrent Resolution relating to the employment practices of the Legislative Assembly, the duties and responsibilities of the Senate and House Employment Committees, establishing the use of a uniform employment application form and relating to the creation of a special interim committee on legislative interns.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 33; nays, 8; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Larson, G.	Nething	Strinden
Chesrown	Larson, L.	Page	Stroup
Coughlin	Lips	Pyle	Thane
Doherty	Litten	Ringsak	Thoreson
Forkner	Longmire	Robinson	Unruh
Freed	Melland	Sanstead	Van Horn
Goldberg	Morgan	Sorlie	Wenstrom
Jones	Nasset	Schultz	Wilhite
Kautzmann			

Those voting in the negative were:

Barth	Christensen	Gronhovd	Rait
Berube	Erdman	Just	Swedlund

Absent and not voting:

Butler	Holand	Mutch	Roen
Hernett	Jacobson	Redlin	

So the resolution was declared adopted.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2318
 Senate Bill No. 2356
 Senate Bill No. 2358
 Senate Bill No. 2365

Were delivered to the Governor for his approval at the hour of 4:40 o'clock p.m., March 5, 1971.

SENATOR STRINDEN, Chairman

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, March 5, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1003
 House Bill No. 1008
 House Bill No. 1028
 House Bill No. 1336

Very respectfully,
 ROY GILBREATH, Chief Clerk

House Chamber
 Bismarck, March 5, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1158
 House Bill No. 1437
 House Bill No. 1478
 House Bill No. 1553

Very respectfully,
 ROY GILBREATH, Chief Clerk

House Chamber
 Bismarck, March 5, 1971

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. 2363

Representatives:

Moore
Murphy
Dotzenrod

Very respectfully,
ROY GILBREATH, Chief Clerk

SECOND READING OF
HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3022. A Concurrent Resolution calling to the attention of the county commissioners of certain counties the statutory deadline relating to the appointment of county directors of tax equalization.

Which has been read.

Senator Just moved that House Concurrent Resolution No. 3022 be adopted, which motion prevailed.

House Concurrent Resolution No. 3025. A Concurrent Resolution asking for a national goal and policy on distribution of opportunity and, hence, population in the United States in order to successfully absorb the projected 100 million new Americans who will be seeking jobs and homes by the year 2000.

Which has been read.

Senator Van Horn moved that House Concurrent Resolution No. 3025 be adopted, which motion prevailed.

House Concurrent Resolution No. 3033. A Concurrent Resolution urging the Congress of the United States and the Secretary of the Interior to update the in-lieu payments in wetlands acquisitions.

Which has been read.

Senator G. Larson moved that house Concurrent Resolution No. 3033 be indefinitely postponed, which motion prevailed.

House Concurrent Resolution No. 3042. A Concurrent Resolution urging Congress and the Nixon Administration to support the Rural Electrification Administration two percent loan program.

Which has been read.

Senator Wilhite moved that House Concurrent Resolution No. 3042 be laid over one legislative day, which motion prevailed.

House Concurrent Resolution No. 3044. A Concurrent Resolution expressing support to the United States Department of the Interior for its research efforts in weather modification in the Upper Midwest area.

Which has been read.

Senator Nasset moved that House Concurrent Resolution No. 3044 be adopted, which motion prevailed.

House Concurrent Resolution No. 3047. A Concurrent Resolution urging the President of the United States and the Congress of the United States to continue the school milk program.

Which has been read.

Senator Thoreson moved that House Concurrent Resolution No. 3047 be adopted, which motion prevailed.

House Concurrent Resolution No. 3051. A Concurrent Resolution commending state employees for their cooperation and assistance to the Legislative Assembly.

Which has been read.

Senator Longmire moved that House Concurrent Resolution No. 3051 be adopted, which motion prevailed.

House Concurrent Resolution No. 3077. A Concurrent Resolution regarding the discontinuance of certain farming operations at the charitable and penal institutions, providing for greater cooperation

in the farming operations between the various institutions, and calling for improved financial reporting.

Which has been read.

Senator Schultz moved that House Concurrent Resolution No. 3077 be adopted, which motion prevailed.

House Concurrent Resolution No. 3080. A Concurrent Resolution supporting construction of the Garrison Diversion Unit.

Which has been read.

Senator Van Horn moved that House Concurrent Resolution No. 3080 be adopted, which motion prevailed.

Senator Wilhite moved that after the reading of Senate Concurrent Resolution No. 4061, House Bills Nos. 1015, 1101, 1205, 1260, 1271, 1276, 1374, 1440, 1518, 1531, 1548, 1555, and House Concurrent Resolutions Nos. 3027, 3055, 3069, 3073, 3081, recess subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTY-SECOND DAY AFTER RECESS,
FIFTY-THIRD DAY AND FIFTY-FOURTH DAY

Bismarck, March 8, 1971

The Senate convened at the call of the chair, pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
Bismarck

March 5, 1971

The Honorable Richard F. Larsen
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

This is to inform you that on March 2, I signed the following Senate Bills:

Senate Bill No. 2017
Senate Bill No. 2018
Senate Bill No. 2028
Senate Bill No. 2035
Senate Bill No. 2050
Senate Bill No. 2051
Senate Bill No. 2052
Senate Bill No. 2053
Senate Bill No. 2506

On March 3, I signed the following Senate Bills:

Senate Bill No. 2121
Senate Bill No. 2134
Senate Bill No. 2149
Senate Bill No. 2177
Senate Bill No. 2184
Senate Bill No. 2209
Senate Bill No. 2220
Senate Bill No. 2226
Senate Bill No. 2232
Senate Bill No. 2275
Senate Bill No. 2291
Senate Bill No. 2336
Senate Bill No. 2357
Senate Bill No. 2401
Senate Bill No. 2424
Senate Bill No. 2429

On March 4, I signed the following Senate Bills:

Senate Bill No. 2069
Senate Bill No. 2137
Senate Bill No. 2140
Senate Bill No. 2161
Senate Bill No. 2213
Senate Bill No. 2443

Senate Bill No. 2293
 Senate Bill No. 2341
 Senate Bill No. 2359
 Senate Bill No. 2360
 Senate Bill No. 2402

Sincerely yours,
 WILLIAM L. GUY
 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. 2015
 Senate Bill No. 2038
 Senate Bill No. 2040
 Senate Bill No. 2066
 Senate Bill No. 2117
 Senate Bill No. 2123
 Senate Bill No. 2127
 Senate Bill No. 2138
 Senate Bill No. 2173
 Senate Bill No. 2196
 Senate Bill No. 2242
 Senate Bill No. 2256
 Senate Bill No. 2257
 Senate Bill No. 2284
 Senate Bill No. 2292
 Senate Bill No. 2294
 Senate Bill No. 2296
 Senate Bill No. 2303
 Senate Bill No. 2317
 Senate Bill No. 2322
 Senate Bill No. 2338
 Senate Bill No. 2353
 Senate Bill No. 2376
 Senate Bill No. 2382
 Senate Bill No. 2400
 Senate Bill No. 2416
 Senate Bill No. 2417
 Senate Bill No. 2427
 Senate Bill No. 2451
 Senate Bill No. 2510
 Senate Bill No. 2511

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3087. A Concurrent Resolution commending Bottineau and Rolette Counties and Oliver and Mercer Counties for combining their offices of County Superintendent of Schools, and urging other counties to follow suit.

Which was read the first time.

Senator Wilhite moved that the rules be suspended and that House Concurrent Resolution No. 3087 be not referred to committee but placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3087. A Concurrent Resolution commending Bottineau and Rolette Counties and Oliver and Mercer Counties for combining their offices of County Superintendent of Schools, and urging other counties to follow suit.

Was read the second time.

Senator Wilhite moved that House Concurrent Resolution No. 3087 be adopted, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3089. A Concurrent Resolution congratulating the Minot State College basketball and football teams on their fine seasons, and wishing the basketball team good luck in the district playoffs.

Which was read the first time.

Senator Wilhite moved that the rules be suspended, that House Concurrent Resolution No. 3089 be not referred to Committee, but placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3089. A Concurrent Resolution congratulating the Minot State College basketball and football teams on their fine seasons, and wishing the basketball team good luck in the district playoffs.

Was read the second time.

Senator Wilhite moved that House Concurrent Resolution No. 3089 be adopted, which motion prevailed.

MOTION

Senator Forkner moved that the House be requested to return House Bill No. 1433, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4043 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 4060 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4074 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 and Senate Concurrent Resolution No. 4074 was re-referred to the Legislative Council Resolutions Committee.

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 SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1103 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1119 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 Industry, Business and Labor to whom was referred House Bill No. 1188 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 of the engrossed bill after "accounts" insert the following " provided the parties have entered into a written agreement prior to the transaction setting forth the amount of service charge, computed on the basis of simple interest per annum"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1247 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 34 after the comma insert "two of whom shall be licensed physicians,

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt 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. 1288 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1291 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1333 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1389 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1390 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1397 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1418 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1431 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THOMPSON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources 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 1, line 4, following the word "safety" and before the period, insert the following: ", and providing a penalty"

On page 1, line 12, following the word "REGULATE", insert the words "— HEARINGS — APPEAL — PENALTY — INJUNCTION"; following the parenthesis, insert the numeral and period "1."; following the word "The", insert the word "state"; and following the word "establish", insert the word "reasonable"

On page 1, line 16, before the word "vehicles", insert the word "motor-powered"

On page 1, line 19, delete the words following the period, delete lines 20 through 24, and insert in lieu thereof the following: "Before establishing any standards, rules, or regulations as herein provided, the council shall hold public hearings thereon with appropriate notice to interested parties. An appeal from any established standard, rule, or regulation may be taken to the courts by any affected person pursuant to chapter 28-32. Any person, firm, corporation, partnership, association, or other legal entity wilfully violating these established standards, rules, or regulations shall be guilty of a misdemeanor and punishable by a fine of not more than one thousand dollars. The state health council shall have the power to apply to the state's courts to enjoin repeated violations of the standards, rules, and regulations established hereby."

On page 2, delete lines 1 through 4, and insert in lieu thereof the following:

"2. This section shall not apply to the actual operation of all types of aircraft, including, but not limited to, landing, taking off, taxiing, and in-flight operations. Other aeronautically related activities, including activities associated or connected with airports or the flying industry, shall be covered by this section. This section shall not apply to the control and abatement of aircraft noise and sonic booms as covered by the Federal Aviation Act of 1958, as amended, and regulations issued pursuant thereto.

3. The state health council shall report progress in the promulgation of standards, rules, and regulations pursuant to this Act to the Governor of the State of North Dakota prior to the Legislative Session of 1973.

And renumber the lines and pages 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 Industry, Business and Labor to whom was referred House Bill No. 1446 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete lines 29 and 30

On page 3, delete line 1

On page 3, line 2, delete the numeral "43-18.1-05" and insert in lieu thereof the numeral "43-18.1-04"

On page 3, line 26, delete the words "twenty-five" and insert in lieu thereof the word "forty"

On page 3, line 26, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 4, line 1, delete the words "twenty-five" and insert in lieu thereof the word "forty"

On page 4, line 20, delete the numeral "43-18.1-06" and insert in lieu thereof the numeral "43-18.1-05"

On page 4, line 28, delete the numeral "43-18.1-05" and insert in lieu thereof the numeral "43-18.1-04"

On page 5, line 2, delete the numeral "43-18.1-07" and insert in lieu thereof the numeral "43-18.1-06"

On page 5, line 9, delete the numeral "43-18.1-05" and insert in lieu thereof the numeral "43-18.1-04"

On page 5, line 10, delete the numeral "43-18.1-08" and insert in lieu thereof the numeral "43-18.1-07"

On page 5, line 19, delete the numeral "43-18.1-09" and insert in lieu thereof the numeral "43-18.1-08"

On page 5, line 26, delete the numeral "43-18.1-10" and insert in lieu thereof the numeral "43-18.1-09"

On page 5, line 27, delete the word "or"

On page 5, line 28, delete the words "of any applicable code of and applicable city code"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1467 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 of the engrossed bill delete the triple parentheses before "showing"

Page 1 line 18 after the comma delete the ending triple parentheses and the remainder of the line

Page 1 line 19 delete "the tax commissioner including, among other items," and insert "and"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1498 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips 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. 1525 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1529 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1541 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution No. 3035 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution No. 3083 has had the same under consideration and recommends that the same be amended as follows:

Page 1 delete all of lines 1 through 24

Page 2 delete all of lines 1 through 35

Page 3 delete all of lines 1 through 3 and insert in lieu thereof the following:

"A concurrent resolution urging Congress to direct the United States Army Corps of Engineers to construct and maintain at Federal expense additional bank stabilization works on the Missouri River in North Dakota.

WHEREAS, as a part of the Missouri River Basin Development Project, dams and large reservoirs have been constructed by the Federal Government which occupy all the reaches of the Missouri River extending from Gavins Point Dam in South Dakota to Williston, North Dakota, with the lone exception of a seventy-mile stretch between the Oahe and Garrison Reservoirs in North Dakota; and

WHEREAS, the remaining channel between the Oahe Reservoir and Garrison Dam no longer performs its function as a natural river but is now acting as a regulated channel for the conveyance of water needed to meet the requirements of flood control, irrigation, navigation, power generation, municipal and industrial water supplies, pollution control, recreation, and wildlife purposes; and

WHEREAS, the stored water in the Garrison reservoir is released in such manner as to accommodate the downstream beneficiaries as evidenced by the following facts:

1. The water is virtually silt-free when it enters the channel and has tremendous ability to pick up its former bedload in the form of silt;
2. The releases are fluctuated to accommodate the hydro-electric

generation demand with variations from four thousand to thirty-two thousand cubic feet per second, thereby causing surging conditions which aggravate any existing erosion problem and cause an annual loss of approximately six hundred forty acres of valuable agricultural bottom lands; and

WHEREAS, a portion of this threatened land is now being irrigated or has an irrigation potential which is of great economic value to the adjacent localities and to the State of North Dakota; and

WHEREAS, Federal lands, public parks, and historic sites of national prominence are a part of the area affected; and

WHEREAS, industries that desire to locate adjacent to the river are being forced to seek more distant sites because of the uncertainty of maintaining their plants at a permanent location; and

WHEREAS, some bank stabilization works already constructed by the Federal Government are effectively protecting the areas in which they are located and attest to the need for similar works at other locations;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Forty-second Legislative Assembly of the State of North Dakota recommends and respectfully urges the Congress to direct and authorize the United States Army Corps of Engineers to construct and maintain additional structures needed to stabilize the banks of the aforesaid segment of the Missouri River on an emergency basis; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted by the Secretary of State to the members of the North Dakota congressional delegation; Chief of Engineers, Department of the Army, Washington, D. C.; Division Engineer, Missouri River Division, Corps of Engineers, Omaha, Nebraska; District Engineer, Corps of Engineers, Omaha, Nebraska; and Area Engineer, Corps of Engineers, Riverdale, North Dakota."

Renumber 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.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1132 and 1514, Senate Concurrent Resolution No. 4002, and House Concurrent Resolution No. 3066, be dispensed with, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 1132 as recommended by the Committee on Political Subdivisions, and printed on page 900 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1514 as recommended by the Committee on Transportation, and printed on page 901 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Concurrent Resolution No. 4002 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 900 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Concurrent Resolution No. 3066 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 902 of the Senate Journal, be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-THIRD DAY

Bismarck, March 8, 1971

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Stanley Malmgren, First Baptist, Bismarck.

"Almighty God and Heavenly Father! We come into thy presence on this day mindful of thy greatness and of thy goodness. We are thankful that Thou are an omnipotent God and yet a God that is touched by the feelings of our infirmities. We beseech Thee to forgive our many faults and weaknesses and grant us measures of mercy as we confess our sins. We need thy guidance and we pray that now thy spirit of wisdom may be our portion. Direct us in our deliberations as we carry on the business of this day. Make us mindful that we, in this legislative assembly, have a grave responsibility unto our fellowman and before thee. Grant that we may be assured of thy presence here in this place and thy continuing guidance with us as we go our separate ways. May we ever be mindful of thy loving kindness, which is daily bestowed upon us.

"In the name of thy Son, Jesus Christ, we pray. Amen."

Roll call: All Senators present except Senators Butler, Ringsak and Stroup.

A quorum was declared by the President.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie 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 Robinson
 Senator Jones
 Senator L. Larson

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2011, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2011 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2011. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the tuberculosis sanatorium at San Haven, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Holand	Melland	Sanstead
Berube	Hernett	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson

Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Van Horn
Goldberg	Litten	Robinson	Wilhite

Absent and not voting:

Butler	Ringsak	Stroup	Wenstrom
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So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2016, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2016 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2016. A Bill for an Act making an appropriation to pay for the education of children, who are deaf as well as blind, at any school or institution, outside the state of North Dakota, for which there are no facilities in the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Netthing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Van Horn
Goldberg	Litten	Robinson	Wenstrom

Absent and not voting:

Butler	Ringsak	Stroup	Wilhite
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So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2466, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2466 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2466. A Bill for an Act to amend and reenact section 58-05-02 of the North Dakota Century Code, relating to township officers and providing an option to not elect a township assessor, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Netthing	Swedlund

Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Ringsak	Stroup
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So the bill passed and the title was agreed to and the emergency clause carried.

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2486, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2486 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2486. A Bill for an Act to create and enact section 15-10-12.1 of the North Dakota Century Code, to provide a procedure for the acceptance of buildings by the board of higher education, and to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to the acceptance of gifts and bequests by the board of higher education, and the sale of property received as a gift or bequest.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Ringsak	Stroup
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So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2500, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2500 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2500. A Bill for an Act to provide an appropriation for expenses of the education fact finding commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Robinson	Wilhite
Goldberg	Litten	Roen	

Those voting in the negative were:

Mutch Thane

Absent and not voting:

Butler Ringsak Stroup

So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4016, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Concurrent Resolution No. 4016 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 CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4016. A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the debt limits of political subdivisions.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	
Gronhovd			Wilhite

Absent and not voting:

Butler Ringsak Stroup

So the resolution was declared adopted.

REPORT OF CONFERENCE COMMITTEE

Senator Jacobson moved that the rules be suspended and that the reading of the Conference Committee amendments to Senate Bill No. 2269 be dispensed with, which motion prevailed.

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 and Senate Bill No. 2269 be amended as follows:

On page 2, delete all of lines 10 through 17 and insert in lieu thereof the following:

"Any nonsigning working interest owner may withdraw from the unit to which his interest is committed by transferring, without warranty of title, either express or implied, to the unit operator on the behalf of the other working interest owners, all of his working interest in all unit equipment and in all wells used in unit operations. The instrument of transfer shall be delivered to the unit operator. Such transfer shall relieve the withdrawing working interest owner from any liability for unit operations except any incurred pursuant to Sections 38-08-09.1 through 38-08-09.16. The interest so transferred shall be owned by the other working interest owners in proportion to their respective participation in the unit. The unit operator, on the behalf of the other working interest owners, in proportion to their respective interests so acquired, shall pay the transferor for his interest in unit equipment and wells the net salvage value thereof as determined by agreement between the transferor and the unit operator. In the event such net salvage value is not agreed upon within sixty days after such transfer, then either party may request a hearing of the matter before the commission, and, after notice and hearing, the commission shall determine such value."

And renumber the pages and lines accordingly.

For the Senate:

Senator Jacobson
 Senator Wilhite
 Senator Christensen

For the House:

Rep. Ganser
 Rep. Stoltenow
 Rep. Henry

Senator Jacobson moved that the report be adopted, which motion prevailed.

Senator Jacobson moved that the rules be suspended and that Senate Bill No. 2269 be deemed properly engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2269. A Bill for an Act to amend and reenact section 38-08-09.7 of the North Dakota Century Code, relating to the liability for expenses in unitized oil and gas fields.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Absent and not voting:

Butler	Ringsak	Stroup	Swedlund
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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 Senate Bill No. 2203 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:
 Senator Freed
 Senator Page
 Senator Gronhvd

For the House:
 Rep. Austin
 Rep. Raile
 Rep. Rocheleau

Senator Fred moved that the report be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FOURTH DAY

Bismarck, March 8, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Norman Dukart, St. Joseph's Episcopal, Mandan.

"Almighty and everlasting Heavenly Father, with reverence and humility, we ask you to pour forth your blessings on this assembled legislative body. Enlighten their minds with the gift of your wisdom so that they will see all things in their proper perspective as you see them.

"Strengthen this assembly to very conscientiously practise the virtue of justice in all their deliberations and transactions.

"Crown this wisdom and justice with the greatest of all your gifts, the gift of charity.

"We ask for these gifts to promote the welfare of our nation, our beloved state and our individual communities. In your everlasting kindness toward men grant us these requests through Christ our Lord. Amen."

Roll call: All Senators present except Senators 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 fifty-first day after recess and fifty-second day and recommends that the same be corrected as follows:

On page 901, line 45, correct spelling of the word "Renumber"

On page 905, above last line, insert the word "Prayer:"

On page 906, line 27, correct the spelling of the word "and" and the word "voting"

On page 919, line 13, delete the figure "1132"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 8, 1971

Mr. Speaker: I have the honor to inform you that the Senate request the return of:

House Bill No. 1433

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 8, 1971

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution No. 4057
Senate Concurrent Resolution No. 4064
Senate Concurrent Resolution No. 4081
Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 8, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1035
House Bill No. 1085
House Bill No. 1193
House Bill No. 1224
House Bill No. 1315
House Bill No. 1392
House Bill No. 1473
House Bill No. 1487
House Concurrent Resolution No. 3022
House Concurrent Resolution No. 3025
House Concurrent Resolution No. 3044
House Concurrent Resolution No. 3047
House Concurrent Resolution No. 3080
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 8, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1013
House Bill No. 1048
House Bill No. 1161
House Bill No. 1203
House Bill No. 1261
House Bill No. 1313
House Concurrent Resolution No. 3051
House Concurrent Resolution No. 3077
Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 8, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1328
House Bill No. 1355
House Concurrent Resolution No. 3033
House Concurrent Resolution No. 3067
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MOTION

Senator Sorlie moved that the Senate reconsider the action by which the Senate concurred in the House amendments to Senate Bill No. 2304, which motion prevailed.

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2304 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. 2304
- Senator Coughlin
- Senator Schultz
- Senator Swedlund

SECOND READING OF HOUSE BILLS

House Bill No. 1015. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the workmen's compensation bureau.

Which has been read.

Senator Sorlie moved that House Bill No. 1015 be re-referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 1101. A Bill for an Act to provide for the recounting of ballots in congressional and state elections and to provide procedures for such recounts.

Which has been read.

Senator Chesrown moved that House Bill No. 1101 be re-referred to the Committee on Judiciary, which motion prevailed.

House Bill No. 1205. A Bill for an Act to create and enact section 8-09-01.1 of the North Dakota Century Code, providing that the delivering carrier be responsible for any damages to the shipment.

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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nething	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Larson, G.	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1260. A Bill for an Act to amend and reenact subsection 4 of section 27-20-02 of the North Dakota Century Code, relating to the definition of an unruly 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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn

Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1271. A Bill for an Act to create and enact subsection 20 of section 61-16-11, and to amend and reenact subsection 4 of section 61-16-01, and sections 61-16-12, 61-16-21, 61-16-22, 61-16-23, 61-16-28, 61-16-32, 61-16-33, 61-16-34, and 61-16-35 of the North Dakota Century Code, relating to water management districts, and authorizing such districts to engage in water supply and sewage system projects.

Which has been read.

Senator Roen moved that House Bill No. 1271 be laid over two legislative days, which motion prevailed.

House Bill No. 1276. A Bill for an Act to create and enact subsection 6 of section 49-18-02 of the North Dakota Century Code, relating to exemption from regulation of the transportation, for hire, of agricultural commodities.

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, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sorlie
Barth	Holand	Mutch	Strinden
Berube	Jacobson	Nasset	Swedlund
Chesrown	Jones	Nothing	Thane
Christensen	Just	Page	Thoreson
Coughlin	Kautzmann	Pyle	Unruh
Doherty	Larson, G.	Rait	Van Horn
Erdman	Larson, L.	Redlin	Wenstrom
Forkner	Lips	Robinson	Wilhite
Gronhovd	Longmire	Sanstead	

Those voting in the negative were:

Goldberg	Melland	Roen	Schultz
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Absent and not voting:

Butler	Litten	Ringsak	Stroup
Freed			

So the bill passed and the title was agreed to.

House Bill No. 1374. A Bill for an Act to amend and reenact section 23-02-35 of the North Dakota Century Code, relating to death without medical attendance.

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, 4.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Van Horn

Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Christensen	Ringsak	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

Which has been read.

Senator Thane moved that House Bill No. 1414 be laid over one legislative day, which motion prevailed.

House Bill No. 1440. A Bill for an Act to amend and reenact sections 39-18-02 and 39-18-03 of the 1969 Supplement to the North Dakota Century Code, relating to mobile home dealers.

Which has been read.

Senator Forkner moved that House Bill No. 1440 be laid over one legislative day, which motion prevailed.

House Bill No. 1518. A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for hunting, fishing and trapping licenses; and to provide 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, 11; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Litten	Roen
Chesrown	Jacobson	Longmire	Sanstead
Christensen	Jones	Melland	Sorlie
Doherty	Just	Nething	Swedlund
Erdman	Kautzmann	Page	Thane
Freed	Larson, G.	Pyle	Unruh
Goldberg	Larson, L.	Rait	Van Horn
Gronhovd	Lips	Redlin	Wenstrom
Hernett			

Those voting in the negative were:

Barth	Forkner	Nasset	Strinden
Berube	Morgan	Robinson	Wilhite
Coughlin	Mutch	Schultz	

Absent and not voting:

Butler	Ringsak	Stroup	Thoreson
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So the bill passed and the title was agreed to.

House Bill No. 1531. A Bill for an Act to amend and reenact Sub-section 3 of Section 4-28-02, Sections 4-28-07 and 4-28-08 of the North Dakota Century Code, relating to the definition of a first purchaser, time of assessment of state wheat tax and duties and functions of the State Wheat 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, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Swedlund

Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:
 Butler Ringsak Schultz Stroup
 Hernett

So the bill passed and the title was agreed to.

House Bill No. 1548. A Bill for an Act to provide that the governor shall have authority to appoint a majority of the members of certain boards and commissions within the first six months of his regular term, and providing an effective date.

Which has been read.

Senator Longmire moved that House Bill No. 1548 be amended as follows:

Page 1 line 14 after "54-34" delete "54-42"
 Page 2 line 12 after the comma delete "merit system"
 Page 2 line 13 delete the first "council"

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 1548 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 877 and 878 of the Senate Journal, and from the floor, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:
 Butler Ringsak Stroup

So the bill passed and the title was agreed to.

House Bill No. 1555. A Bill for an Act to amend and reenact section 39-04-12, subsection 2 of section 39-04-19 of the 1969 Supplement to the North Dakota Century Code and section 39-04-21 of the North Dakota Century Code, relating to contents of number plates and motor vehicle registration fees.

Which has been read.

Senator Unruh moved that House Bill No. 1555 be re-referred to the Committee on Transportation, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, March 8, 1971

Mr. President: I have the honor to return herewith the following, Senate Bill No. 2076

Senate Bill No. 2208
 Senate Bill No. 2279
 Senate Bill No. 2283
 Senate Bill No. 2289
 Senate Bill No. 2290
 Senate Bill No. 2310
 Senate Bill No. 2314
 Senate Bill No. 2324
 Senate Bill No. 2332
 Senate Bill No. 2342
 Senate Bill No. 2364
 Senate Bill No. 2378
 Senate Bill No. 2379
 Senate Bill No. 2395
 Senate Bill No. 2404
 Senate Bill No. 2446
 Senate Bill No. 2463
 Senate Bill No. 2494
 Senate Bill No. 2503
 Senate Concurrent Resolution No. 4034
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4044
 Senate Concurrent Resolution No. 4047
 Senate Concurrent Resolution No. 4056
 Senate Concurrent Resolution No. 4071
 Senate Concurrent Resolution No. 4072
 Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 8, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2007
 Senate Bill No. 2030
 Senate Bill No. 2063
 Senate Bill No. 2211
 Senate Bill No. 2282
 Senate Bill No. 2302
 Senate Bill No. 2437

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2007

Page 2, line 28, delete the figure "150,000.00" and insert in lieu thereof the figure "100,000.00"

Page 3, line 5, delete the figure "11,000.00" and insert in lieu thereof the figure "4,000.00"

Page 3, line 6, delete the figure "4,000.00" and insert in lieu thereof the figure "1,000.00"

Page 3, line 7, delete the figure "15,000.00" and insert in lieu thereof the figure "5,000.00"

Page 3, line 10, delete the figure "900.00" and insert in lieu thereof the figure "1,500.00"

Page 3, line 11, delete the figure "200.00" and insert in lieu thereof the figure "800.00"

Page 3, line 12, delete the figure "50.00" and insert in lieu thereof the figure "100.00"

Page 3, line 13, delete the figure "1,150.00" and insert in lieu thereof the figure "2,400.00"

Page 4, after line 19, add the following:

"INTERSTATE OIL COMPACT COMMISSION	
Fees and services	\$ 2,500.00
Total	\$ 2,500.00"

Page 4, line 20, delete the figure "643,480.00" and insert in lieu thereof the figure "587,230.00"

AMENDMENTS TO SENATE BILL No. 2030

Page 1, line 12, delete the figure "3,462,300.00" and insert in lieu thereof the figure "5,462,300.00"

Page 1, line 13, delete the figure "3,000,000.00" and insert in lieu thereof the figure "5,000,000.00"

Page 1, line 21, delete the figure "3,300,000.00" and insert in lieu thereof the figure "5,300,000.00"

Page 1, line 22, delete the figure "3,462,300.00" and insert in lieu thereof the figure "5,462,300.00"

Page 1, line 23, delete the figure "3,000,000.00" and insert in lieu thereof the figure "5,000,000.00"

AMENDMENTS TO SENATE BILL No. 2063

On page 1, line 2, after the number and comma "21-03-08," insert the following "21-03-09, 21-03-25,"

On page 1, line 3, after the last comma insert the following: "40-24-02,"

On page 1, line 7, after the first comma insert the following: "61-02-47, 61-02-48, 61-02-53,"

On page 1, line 8, after the first comma insert the following: "61-16-28,"

On page 1, line 8, after the number and comma "61-16-32," insert the following: "61-21-29,"

On page 1, line 10, after the word "on" insert the word "certain"

On page 1, line 11, delete the word "the"

On page 1, line 11, after the word "state" insert the word "agenciés"

On page 1, line 12, delete the word "all" and insert in lieu thereof the word "such"

On page 1, line 15, after the comma insert the following: "to authorize interest on special assessments equal to that on bonds or warrants for which they are pledged,"

On page 1, line 18, delete the words "maturities according to standard" and insert in lieu thereof the following: "annual net interest cost"

On page 1, line 19, delete the words "tables of bond values"

On page 2, line 15, after the word "rates" insert the following: "and be sold at a price resulting in an average annual net interest cost"

On page 2, line 17, delete the words "Such interest shall be computed on the"

On page 2, delete line 18

On page 2, line 19, delete "of bond values"

On page 5, line 25, after the word "than" insert the following: "ninety-eight percent of"

On page 5, line 29, after the word "but" insert the following: "the average annual net"

On page 5, line 32, place triple parentheses before the comma

On page 5, line 33, place triple parentheses after the word "values"

On page 7, line 29, place triple parentheses before and after the word "specified"

On page 7, line 29, after the word "rate" insert the following: "or rates resulting in an average annual net interest cost"

On page 7, line 30, after the word "annum" insert the following: "if they are sold privately"

On page 8, line 10, place triple parentheses before the word "in"

On page 8, line 11, place triple parentheses after the word "dollars"

On page 8, line 14, place triple parentheses before the word "A"

On page 8, line 17, place triple parentheses after the period

On page 8, line 24, place triple parentheses before the word "If"

On page 8, line 25, delete the triple parentheses before the word "five" and after the word "one-half"

On page 8, line 25, delete the word "eight"

On page 8, line 26, delete the triple parentheses before the period

On page 8, line 26, delete the semicolon and the word "; or"

On page 8, line 27, delete the number "3" and the underscored period

On page 8, line 33, delete the triple parentheses before and after the word "No"

On page 8, line 33, delete the word "The"

On page 8, line 34, delete the words "be sold at public sale,"

On page 8, delete line 35

On page 9, delete lines 1 and 2

On page 9, line 3, after the word "rate" insert the following: "or rates and be sold privately at a price resulting in an average annual net interest cost"

On page 9, line 4, place triple parentheses before the comma

On page 9, line 4, delete the words "and computed on the basis of"

On page 9, delete line 5

On page 9, line 6, delete the word "values"

On page 9, line 8, place triple parentheses after the word "bonds"

On page 9, after line 18, insert the following new sections:

"SECTION 7. AMENDMENT.) Section 21-03-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

21-03-09. INITIAL RESOLUTION — FORM.) Proceedings for the issuance of bonds under the authority of this chapter shall be instituted by the adoption of an initial resolution therefor. Such initial resolution shall state:

1. The maximum amount of bonds proposed to be issued ((;)).
2. (((The maximum interest rate they shall bear;
3. That they will be of serial maturity;
4. The years of such maturities, but not the amounts for each of such years;
- 5.)) The purpose for which they are proposed to be issued ((;)).
- ((6.)) 3. The assessed valuation of all taxable property in the municipality as defined in section 21-03-01 ((;)).
- ((7.)) 4. The total amount of bonded indebtedness of the municipality ((;)).
- ((8.)) 5. The amount of outstanding bonds of the municipality issued for a similar purpose ((; and)).
- ((9.)) 6. Any other statement of fact deemed advisable by the governing body of voters proposing the same:

SECTION 8. AMENDMENT.) Section 21-03-25 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

21-03-25. BONDS — ADVERTISED FOR BIDS — EXCEPTION.) No municipality shall sell or enter into any contract for the sale of any issue of its bonds authorized by this chapter in an amount exceeding one hundred thousand dollars, for whatever purpose issued,

without first advertising for bids in the manner prescribed by section 21-03-26, except as **provided in section 21-03-30, and except** that bonds issued under the authorization of section 21-03-06, subsection 2, subdivision g, with the consent of the warrant holders, may be exchanged for matured warrants or matured interest coupons of warrants of the special improvement fund having the deficiency on account of which such bonds are being issued, without such advertising. The par value and accrued interest of the bonds so delivered shall not exceed the par value and accrued interest of the warrants and interest coupons, and accrued interest thereon, for which they are exchanged."

On page 9, line 22, after the word "rates" insert the following: **"resulting in an average annual net interest cost"**

On page 9, line 24, delete the words **"computed on the basis"**

On page 9, delete line 25

On page 9, line 26, delete the following: **"tables of bond values,"**

On page 10, line 9, after the word "than" insert the following: **"ninety-eight percent of"**

On page 11, line 9, insert triple parentheses before the word "shall"

On page 11, line 12, delete the triple parentheses before and after the word "bearing"

On page 11, line 12, delete the following: **". Such bonds shall be sold at public"**

On page 11, delete line 13

On page 11, line 14, delete everything before the word "interest"

On page 11, line 15, delete the words **"at a rate or rates"**

On page 11, line 15, delete the triple parentheses before and after the word "seven" and delete the word **"eight"**

On page 11, line 16, delete everything after the word "annum"

On page 11, delete lines 17 and 18

On page 11, line 19, delete everything before the word "and" and delete the triple parentheses after the word "and"

On page 11, line 20, delete the words **"The bonds shall"** and delete the triple parentheses before and after the word "to"

On page 11, line 21, delete the triple parentheses before and after the word "to"

On page 11, line 24, place triple parentheses after the word "thereby" and insert the following new language: **"may issue bonds for this purpose in accordance with chapter 21-03"**

On page 11, after line 32 insert the following new section:

"SECTION 13. AMENDMENT.) Section 40-24-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-24-02. SPECIAL ASSESSMENTS WHEN DUE AND PAYABLE — INTEREST.) All special assessments levied under the provisions of this title may be paid without interest within ten days after they have been approved by the governing body and thereafter shall bear interest at a rate of not exceeding ((seven)) **eight** percent per annum or not exceeding the average net annual interest rate on any warrants or bonds for the payment of which they are pledged, whichever is higher, on the total amount thereof remaining from time to time unpaid."

On page 13, line 13, after the word "rates" insert the following new language: **"and shall be sold at a price, not less than ninety-eight percent of par, resulting in an average annual net interest cost"**

On page 13, line 14, after the word "semiannually" insert the following new language: **"except that there shall be no interest rate ceiling on an issue sold at public sale"**

On page 16, line 22, after the word "rate" insert the following new language: **"or rates resulting in an average annual net interest cost"**

On page 16, line 24, delete everything after the period

On page 16, delete line 25

On page 16, line 26, delete the word and period "values."

On page 17, line 5, place triple parentheses before and after the word "but" and insert in lieu thereof the following: "resulting in an average annual net interest cost"

On page 17, line 7, delete everything after the word "sale"

On page 17, delete line 8

On page 17, line 9, delete everything before the comma

On page 18, line 25, after the second comma insert the following new language: "resulting in an average annual net interest cost"

On page 18, line 27, delete the words "Such interest"

On page 18, delete line 28

On page 18, line 29, delete everything before the word "Such"

On page 19, line 27, after the second comma insert the following new language: "resulting in an average annual net interest cost"

On page 19, line 30, after the word "sale" delete the period and the words "Such interest shall be computed on the basis" and insert in lieu thereof a comma

On page 19, delete line 31

On page 19, line 32, delete the following: "values. The bonds shall"

On page 20, line 3, delete the triple parentheses before and after the word "may" and delete the word "shall"

On page 20, line 5, delete the triple parentheses before the word "or" and after the word "private"

On page 20, line 4, delete the triple parentheses before the word "for"

On page 20, line 5, place triple parentheses before the comma

On page 20, line 6, delete everything after the triple parentheses

On page 20, line 7, delete everything before the period

On page 21, line 6, after the comma, insert the following new language: "resulting in an average annual net interest cost"

On page 21, line 10, delete the word "Such"

On page 21, delete line 11

On page 21, line 12, delete everything before the word "Such"

On page 21, line 14, after the word "than" insert the following new language: "ninety-eight percent of"

On page 21, delete lines 18 and 19

On page 21, line 20, delete the words and the period "thousand dollars."

On page 21, after line 32, insert the following new sections:

"SECTION 25. AMENDMENT.) Section 61-02-47 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-02-47. WHEN BONDS TO MATURE — CALLABLE BEFORE MATURITY.) The bonds which may be issued by the commission shall mature at such time or times, either serially or at one time, in not more than thirty years from their date, or dates, as may be fixed by the resolution of the commission, but may be made callable before maturity, if so stated in the resolution and on the face of each bond, (((at not to exceed one hundred five percent of the par value thereof, on any interest paying date,))) upon thirty days' notice, which shall be published once in a newspaper of general circulation published in Burleigh County.

SECTION 26. AMENDMENT.) Section 61-02-48 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-02-48. COMMISSION TO DETERMINE INTEREST RATE, FORM, DENOMINATION ((,)) AND EXECUTION OF BONDS.) The commission shall determine the rate of interest bonds issued under the provisions of this chapter shall bear, ((not exceeding five percent per annum,)) the time or times of payment of such interest, the form of the bonds and the interest coupons to be attached thereto, and the manner of executing the bonds and coupons, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereon, which may be at any bank or trust company within or without this state. **Such bonds shall be sold at public sale, except when such obligations do not exceed the total sum of one hundred thousand dollars, and shall be sold at a price resulting in an average annual net interest cost not exceeding eight percent per annum on those issues which are sold at private sale. There shall be no interest rate ceiling on those issues sold at public sale.**

SECTION 27. AMENDMENT.) Section 61-02-53 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-02-53. ISSUANCE AND SALE OF BONDS — PROCEEDS FROM SALE — USE.) The bonds authorized under the provisions of this chapter may be issued and sold from time to time, and in such amounts as may be determined by the commission. The commission may, **subject to the provisions of section 61-02-48**, sell the bonds in such manner and for such price as it may determine to be for the best interests of the state, but no such sale shall be made for less than the par value of each bond. The proceeds of such bonds shall be used solely for the payment of the cost of the works or the cost of acquiring lands and preparing or developing such lands for irrigation, as the case may be, and shall be paid out in such manner and under such restrictions as the commission may provide.”

On page 22, line 5, insert an underscored comma after the word “semiannually”

On page 22, line 6, place triple parentheses before the first word “the”

On page 22, line 8, place triple parentheses after the word “interest” and insert the following new language: **“a rate or rates resulting in an average annual net interest cost which”**

On page 22, line 10, delete everything after the period

On page 22, delete line 11

On page 22, line 12, delete the following: **“standard tables of bond values.”**

On page 23, line 31, delete the words **“be sold at”**

On page 23, delete lines 32 and 33

On page 23, line 34, delete the word **“shall”**

On page 23, line 34, after the word “rate” insert the following new language: **“or rates resulting in an average annual net interest cost”**

On page 24, line 1, delete everything after the period

On page 24, delete line 2

On page 24, line 3, delete the word and the period **“values.”**

On page 25, after line 1, insert the following new section:

“SECTION 33. AMENDMENT.) Section 61-16-28 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-28. CERTIFICATION OF ASSESSMENTS TO COUNTY AUDITOR.) When a district board of commissioners has by resolution levied, or caused to be levied, special assessments to cover the cost of constructing a water conservation or flood control project, the board shall determine the rate of interest unpaid special assessments shall bear, which rate shall not exceed ((seven)) **eight** percent per

annum and shall not be less than the warrant rate. Interest on unpaid special assessments shall commence on the date the assessments are finally confirmed by the board. Special assessments may be certified and made payable in equal annual installments, the last of which shall be due and payable not more than thirty years after date of the warrants to be paid. The secretary of the district shall certify to the county auditor of the county in which the district is situated, or if the district embraces lands situated in more than one county, to the county auditor of each county in which district lands subject to such special assessments are situated, the total amount levied against such lands in his county and the proportion or percentage of such amount assessed against each piece, parcel, lot, or tract of land. The secretary of the district shall also file with the county auditor of each county in which district lands lie a statement showing the cost of the project, the part thereof, if any, which will be paid out of general taxes, and the part to be financed by special assessments. Funds needed to pay the cost of maintaining a water conservation or flood control project may be raised in the same manner as funds were raised to meet construction costs. If the project was financed in whole or in part through the use of special assessments the board of commissioners shall prorate the costs of maintaining projects in the same proportion as were the original costs of construction or, in the event a reassessment of benefits has been adopted, the costs shall be prorated in accordance with the reassessment of benefits as authorized by section 61-16-26.1."

On page 25, after line 32, insert the following new section:

"SECTION 35. AMENDMENT.) Section 61-21-29 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-21-29. PAYMENT OF COSTS AND EXPENSES OF LOCATING, CONSTRUCTING, MAINTAINING, AND IMPROVING DRAIN — WARRANTS ISSUED.) Payment of all expenses and costs of locating and constructing any drain shall be made upon order of the board and warrants therefor shall be signed by the chairman and one other member of the board. All warrants drawn by the board in payment of items of expense of a drain shall be payable from the proper drain fund and shall be accepted by the treasurer in payment of taxes levied in regard to such drain. All such warrants, after presentation to the county treasurer for payment, if not paid for want of funds, shall be registered by him and thereafter bear interest at a rate not to exceed (((five))) **eight** percent per annum. The county commissioners, by proper resolution are authorized to purchase drainage warrants from general county funds in instances where such warrants will be funded by a bond issue within six months from the date of purchase."

On page 26, line 15, place triple parentheses before the word "of" and delete the triple parentheses before the word "five"

On page 26, line 15, after the last triple parentheses and before the word "**eight**" insert the following new language: "**determined by the board, not exceeding**"

On page 29, line 2, delete the words "**be sold at**"

On page 29, delete lines 3 and 4

On page 29, line 5, delete the word "**shall**"

On page 29, line 5, after the word "rate" insert the following new language: "**or rates resulting in an average annual net interest cost**"

On page 29, line 7, delete everything after the period

On page 29, delete line 8

On page 29, line 9, delete the words and period: "**of bond values.**"

And renumber the lines, sections, and pages accordingly.

AMENDMENTS TO SENATE BILL No. 2211

On page 2, line 3, of the engrossed bill, after the word "**employer**"

insert the following: “, provided the position is of such a nature as to require security clearance.”

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2282

On page 1, line 4 of the title of the engrossed bill, after the word “system” insert the following language: “, and to provide a legislative intent relating to prior service benefits for District Health Unit qualified employees”

On page 2 after line 27 insert the following language:

“(SECTION 3. LEGISLATIVE INTENT.) It is the intent of the Legislative Assembly that employees coming into the plan by virtue of this Act shall be granted the same prior service benefits which they would have received, had they enrolled under the original State Employee Retirement Act, provided that it is actuarially possible.”

AMENDMENTS TO SENATE BILL No. 2302

On line 16 of the engrossed bill after the third comma insert the word “or”

On line 17 of the engrossed bill delete the words “or dangerous drugs”

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2437

On page 1, line 19 place beginning triple parentheses before the second word “or”

On page 1, line 24 place ending triple parentheses after the word “mark” and before the period

And renumber the pages and lines accordingly.

ROY GILBREATH, Chief Clerk
MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 8, 1971

Mr. President: I have the honor to return herewith the following, Senate Bill No. 2373

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk
House Chamber

Bismarck, March 8, 1971

Mr. President: I have the honor to return herewith the following, Senate Bill No. 2170

Senate Bill No. 2236

Senate Bill No. 2508

Senate Concurrent Resolution No. 4078

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk
House Chamber

Bismarck, March 8, 1971

Mr. President: I have the honor to transmit herewith the following, House Concurrent Resolution No. 3088

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk
House Chamber

Bismarck, March 8, 1971

Mr. President: I have the honor to return:

House Bill No. 1433

Which the Senate has requested:

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 8, 1971

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action in concurring in the House amendment to:

Senate Bill No. 2304

And the President appointed as a Conference Committee to serve with a like committee from the house,

Senators:

Coughlin

Schultz

Swedlund

Very respectfully,
LEO LEIDHOLM, Secretary

SECOND READING OF
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4061. A Concurrent Resolution urging Congress and other federal and state agencies and departments to study the effects of various chemicals on humans, and to consider banning the use of harmful chemicals in the growing and

Which has been read.

Senator Morgan moved that Senate Concurrent Resolution No. 4061 be adopted, which motion prevailed.

SECOND READING OF
HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3027. A Concurrent Resolution urging the Congress of the United States to correct the inequalities and inadequacies in the limitations now imposed by section 127 of title 23 of the United States Code, relating to restrictions upon weights of vehicles operated upon state highways that are a part of the federal aid systems.

Which has been read.

Senator Goldberg moved that House Concurrent Resolution No. 3027 be laid over one legislative day, which motion prevailed.

House Concurrent Resolution No. 3055. A Concurrent Resolution urging the President of the United States and the Secretary of Agriculture to retain the Department of Agriculture as a separate agency, investigate ways of improving the economic plight of the North Dakota farmer, and preserve the private enterprise system of our society.

Which has been read.

Senator Morgan moved that House Concurrent Resolution No. 3055 be adopted, which motion prevailed.

House Concurrent Resolution No. 3069. A Concurrent Resolution congratulating Dr. Norman E. Borlaug, the 1970 winner of the Nobel Peace Prize.

Which has been read.

Senator Morgan moved that House Concurrent Resolution No. 3069 be adopted, which motion prevailed.

House Concurrent Resolution No. 3073. A Concurrent Resolution expressing concern for prisoners of war and men missing in action in Southeast Asia, and urging the Congress and the Governor to proclaim the week of March 21-27 as a special week of concern and March 21 as a special day of prayer for the prisoners and men missing in action.

Which has been read.

Senator Kautzmann moved that House Concurrent Resolution No. 3073 be adopted, which motion prevailed.

House Concurrent Resolution No. 3081. A Concurrent Resolution honoring North Dakotans who have died in Vietnam.

Which has been read.

Senator Kautzmann moved that House Concurrent Resolution No. 3081 be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

Which has been read.

Senator Goldberg moved that House Bill No. 1308 be laid over one legislative day, which motion prevailed.

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

Which has been read.

Senator Barth moved that House Bill No. 1094 be laid over two legislative days, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Doherty moved that Senate Concurrent Resolution No. 4059 be laid over two legislative days, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3042. A Concurrent Resolution urging Congress and the Nixon Administration to support the Rural Electrification Administration two percent loan program.

Which has been read.

Senator Barth moved that House Concurrent Resolution No. 3042 be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2015
 Senate Bill No. 2038
 Senate Bill No. 2040
 Senate Bill No. 2066
 Senate Bill No. 2117
 Senate Bill No. 2123
 Senate Bill No. 2127
 Senate Bill No. 2138
 Senate Bill No. 2173
 Senate Bill No. 2196
 Senate Bill No. 2242
 Senate Bill No. 2256
 Senate Bill No. 2257
 Senate Bill No. 2284
 Senate Bill No. 2292
 Senate Bill No. 2294
 Senate Bill No. 2296

Senate Bill No. 2303
 Senate Bill No. 2317
 Senate Bill No. 2322
 Senate Bill No. 2338
 Senate Bill No. 2353
 Senate Bill No. 2376
 Senate Bill No. 2382
 Senate Bill No. 2400
 Senate Bill No. 2416
 Senate Bill No. 2417
 Senate Bill No. 2427
 Senate Bill No. 2451
 Senate Bill No. 2510
 Senate Bill No. 2511

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 8, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2015
 Senate Bill No. 2038
 Senate Bill No. 2040
 Senate Bill No. 2066
 Senate Bill No. 2117
 Senate Bill No. 2123
 Senate Bill No. 2127
 Senate Bill No. 2138
 Senate Bill No. 2173
 Senate Bill No. 2196
 Senate Bill No. 2242
 Senate Bill No. 2256
 Senate Bill No. 2257
 Senate Bill No. 2284
 Senate Bill No. 2292
 Senate Bill No. 2294
 Senate Bill No. 2296
 Senate Bill No. 2303
 Senate Bill No. 2317
 Senate Bill No. 2322
 Senate Bill No. 2338
 Senate Bill No. 2353
 Senate Bill No. 2376
 Senate Bill No. 2382
 Senate Bill No. 2400
 Senate Bill No. 2416
 Senate Bill No. 2417
 Senate Bill No. 2427
 Senate Bill No. 2451
 Senate Bill No. 2510
 Senate Bill No. 2511

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 8, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2011
 Senate Bill No. 2016
 Senate Bill No. 2466
 Senate Bill No. 2486
 Senate Bill No. 2500

Senate Concurrent Resolution No. 4016
Refused to concur in the House amendment to:
Senate Bill No. 2002

And the President has appointed as a conference committee to act
with a like committee from the House,

Senators:
Robinson
Jones
L. Larson

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 8, 1971

Mr. Speaker: I have the honor to transmit herewith the following,
Senate Bill No. 2203
Senate Bill No. 2269

On which the Senate adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that after the reading of Senate Concurrent
Resolutions Nos. 4002, 4043, House Bills Nos. 1027, 1119, 1132, 1288,
1291, 1333, 1397, 1418, 1498, 1514, 1525, and House Concurrent Reso-
lutions Nos. 3035 and 3066, that the Senate recess until 1:15 p.m.,
March 9, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND
FIFTY-FIFTH DAY

Bismarck, March 9, 1971

The Senate convened at 1:16 p.m., pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

Bismarck, March 8, 1971

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 and Senate Bill No. 2304.

Senate Bill No. 2002
Rep. Tweten
Rep. Olienyk
Rep. Opedahl

Senate Bill No. 2304
Rep. Hilleboe
Rep. Hentges
Rep. Patrick

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 9, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 1018
House Bill No. 1137
House Bill No. 1156
House Bill No. 1258
House Bill No. 1305

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 4002
And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Schultz 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. 2297

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2008
 Senate Bill No. 2060
 Senate Bill No. 2176
 Senate Bill No. 2221
 Senate Bill No. 2239
 Senate Bill No. 2241
 Senate Bill No. 2271
 Senate Bill No. 2272
 Senate Bill No. 2313
 Senate Bill No. 2315
 Senate Bill No. 2326
 Senate Bill No. 2327
 Senate Bill No. 2328
 Senate Bill No. 2330
 Senate Bill No. 2335
 Senate Bill No. 2344

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1188, 1247, 1436, 1446, 1467 and House Concurrent Resolution No. 3083, be dispensed with, which motion prevailed.

Senator Hernettt moved that the amendemnts to House Bill No. 1188 as recommended by the Committee on Industry, Business and Labor, and printed on page 924 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 1247 as recommended by the Committee on Industry, Business and Labor, and printed on page 924 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 1436 as recommended by the Committee on Natural Resources, and printed on page 925 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 1446 as recommended by the Committee on Industry, Business and Labor, and printed on page 926 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1467 as recommended by the Committee on Finance and Taxation, and printed on page 926 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Concurrent Resolution No. 3083 as recommended by the Committee on Natural Resources, and printed on page 927 of the Senate Journal, be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2512 has had the same under consideration and recommends that the same be amended as follows:

In line 14 of page 1, following the word "Ellendale", insert the following: ", subject to its acceptance,"

In line 16 of page 1, following the word "city", insert the following: ", subject to its acceptance,"

In line 17 of page 1, following the word "dollars", delete the following: ", which" and insert in lieu thereof a period and the word "Such"; and following the word "land", insert the following: "may be sold in parts or parcels, and"

In line 1 of page 2, following the semicolon, insert the following: "lots seven through eighteen, block one, DeCoster, Flemington and Wells addition to the city of Ellendale, North Dakota; lot five, Boekelheide subdivision to the city of Ellendale, North Dakota; lots one through six, block five, DeCoster, Flemington and Wells addition to the city of Ellendale, North Dakota; lots seven, eight, nine, ten, eleven and east ten feet of lot twelve, except north seventy-five feet, all in block four, DeCoster, Flemington and Wells addition to the city of Ellendale, North Dakota; all of block three, DeCoster, Flemington and Wells addition to the city of Ellendale, North Dakota; that part of the southwest quarter (SW $\frac{1}{4}$) of section twelve (12), township one hundred twenty-nine north, range sixty-three west, described as beginning at the quarter corner between sections twelve and thirteen, thence north twenty-eight and ninety hundredths chains along the quarter line, thence west nine and six tenths chains to a point thirty-three feet east of the east line of DeCoster, Flemington and Wells addition, thence south twenty and forty-five hundredths chains to a point thirty-three feet east of the east line of DeCoster, Flemington and Wells addition if extended south, thence west sixteen and thirty-five hundredths chains to the east line of fourth street extended, thence south eight and forty-five hundredths chains to the section line, thence east twenty-five and forty-one hundredths chains to the point of beginning, containing forty (40) acres, more or less;"

In line 9 of page 2, following the period, insert the following:

"Until such time as the properties are sold and conveyed to the city of Ellendale, or to a nonprofit industrial development corporation in such city, the expense of upkeep, maintenance, and repair shall be the obligation of the state of North Dakota, and the state board of higher education is hereby authorized and directed to maintain and keep in repair such buildings until such time as they are sold or conveyed."

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 amendments is to provide a willing buyer provision; to accurately describe the property; to allow for part or parcel sale, and to provide continuing state maintenance of unsold property.

SENATOR SORLIE, Chairman

Senator Litten 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 indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1023 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 delete the figure "1,375,346.00" and insert in lieu thereof the figure "1,335,346.00"

On page 1, line 16 delete the figure "1,286,796.00" and insert in lieu thereof the figure "1,246,796.00"

On page 2, delete all of line 8

On page 2, line 9 delete the figure "1,375,346.00" and insert in lieu thereof the figure "1,335,346.00"

On page 2, line 11 delete the figure "1,286,796.00" and insert in lieu thereof the figure "1,246,796.00"

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 amendments is to remove \$40,000.00 for funding the Missouri Basins Commission because it appears it will not be necessary in the coming biennium.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1034 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1053 has had the same under consideration and recommends that the same be amended as follows:

"Strike everything after the words "A BILL" and insert the following language:

"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 of food purchased by a student from a college, university, fraternity or sorority.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new subsection to section 57-39.2-04 of the 1969 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Food purchased by a student under a boarding contract with a college, university, fraternity or sorority."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture 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 2, of the engrossed bill, after the numerals "57-02-01", insert the following: " and subsection 15 of section 57-02-08"

On page 1, line 3, after the word "farm" and before the period, insert the following: ", and to exceptions to the property tax exemption for farm structures and improvements on agricultural lands"

On page 1, line 13, insert triple parentheses before the word "which"

On page 1, line 16 delete the triple parentheses before and after the word "his", and in the same line, delete the words "**the total**", and the word "**gross**", and the words "**from all**", and insert triple parentheses after the word "income"

On page 1, delete lines 17 through 23

On page 1, line 24 delete the words "months of each year", and in the same line before the period insert the following: "**and the taxing authority, in determining whether such presumption shall apply, shall consider such things as the present use, the adaptability to use, and how similar type properties in the immediate area are classified for tax purposes**"

On page 1, after line 24, insert the following new section:

"SECTION 2. 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;**"

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.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1102 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 4 of the engrossed bill after "1971" insert "**provided, however, that the provisions of this Act as they relate to subsection 3 of section 57-37-11 shall apply to the estate of any decedent who died on or after January 1, 1966**"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 1211 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1217 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1246 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, of the engrossed bill, following the word "Act" delete the remainder of the bill and insert in lieu thereof the following: "to amend and reenact section 15-29-13 and subsection 4 of section 57-39.2-04 of the North Dakota Century Code relating to the expenditure of school district funds and sales tax exemptions for such funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-29-13 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-29-13. FORM OF WARRANTS — HOW WARRANTS PAID BY TREASURER — INCIDENTAL REVOLVING FUND.) The treasurer shall pay out moneys only upon the presentation of a warrant signed by the president of the board and countersigned by the clerk, and only if there is money in his hands or subject to his order sufficient for the payment thereof. The form of warrant to be used by a school district shall be prescribed by the superintendent of public instruction. When making payment of a warrant on school district funds, the school district treasurer shall countersign the warrant and insert the name of the depository bank thereon, and the warrant, when so countersigned, shall become a check on the school district depository. Immediately upon countersigning any warrant and inserting the name of the depository bank thereon, he shall enter the payment in his treasurer's record. The treasurer shall not issue a check on the depository bank except as provided in this section.

The school board may, by resolution, establish an incidental revolving fund in the depository bank and designate the superintendent of schools or such other school administrator as the board may select to draw checks directly on such fund for such incidental expenses as the school board may direct in the resolution. The amount in such fund shall be drawn from the general fund as provided in the first paragraph of this section and shall never exceed five thousand dollars at any one time. The superintendent or other school administrator designated to draw checks on such fund shall submit a monthly report to the school board listing the checks drawn, the payee and the purpose for which the check was drawn.

SECTION 2. AMENDMENT.) Subsection 4 of section 57-39.2-04 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Gross receipts from sales of tickets, or admissions to state, county, district, and local fairs, and the gross receipts from educational, religious, or charitable activities, where the entire amount of such receipts is expended for educational, religious, or charitable purposes and the gross receipts derived by any public school district if such receipts are expended in accordance with section 15-29-13."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: The Majority of your Committee on Agriculture to whom was referred House Bill No. 1324 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 22 of the engrossed bill delete "less" and insert in lieu thereof "more"

Page 1 line 23 delete "sixty" and insert in lieu thereof "fifty"

Page 1 at the end of line 23 insert:

- "3. To support local research efforts toward solving problems, primarily health, involved in the production of beef cattle with no less than twenty-five percent of assessments collected."

Page 1 line 24 delete the numeral "3" and insert in lieu thereof "4"

Page 1 line 24, delete "feeder"

Page 7, line 21, delete the word "market" and insert in lieu thereof the word "markets" and delete the word "operator"

Page 7 line 23 after "within" insert "sixty days after"

Page 8 line 3 after the word "assessments" insert "within sixty days"

Renumber the pages, lines, sections and subsections accordingly.

For the Majority:

Senator Morgan
Senator Pyle
Senator Thane
Senator Nassett
Senator Thoreson

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted.

Mr. President: The Minority of your Committee on Agriculture to whom was referred House Bill No. 1324 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Minority:

Senator Barth
Senator Gronhovd

Senator Barth moved that the report of the minority be substituted for that of the majority which motion lost.

The question being on the motion of Senator Morgan, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1337 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. 1343 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 Judiciary to whom was referred House Bill No. 1363 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1416 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 Judiciary to whom was referred House Bill No. 1448 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was re-

ferred House Bill No. 1469 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 13 of the engrossed bill after the second group of ending triple parentheses insert "1."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1476 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1539 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1544 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3020 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 9, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1299

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. 1299

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 9, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1299

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 9, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2015
Senate Bill No. 2038
Senate Bill No. 2040
Senate Bill No. 2066
Senate Bill No. 2117
Senate Bill No. 2123
Senate Bill No. 2127
Senate Bill No. 2138
Senate Bill No. 2173
Senate Bill No. 2196
Senate Bill No. 2242
Senate Bill No. 2256
Senate Bill No. 2257
Senate Bill No. 2284
Senate Bill No. 2292
Senate Bill No. 2294
Senate Bill No. 2296
Senate Bill No. 2303
Senate Bill No. 2317
Senate Bill No. 2322
Senate Bill No. 2338
Senate Bill No. 2353
Senate Bill No. 2376
Senate Bill No. 2382
Senate Bill No. 2400
Senate Bill No. 2416
Senate Bill No. 2417
Senate Bill No. 2427
Senate Bill No. 2451
Senate Bill No. 2510
Senate Bill No. 2511

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FIFTH DAY

Bismarck, March 9, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Benjamin Dove, First Presbyterian, Mandan.

"Gracious God our Father, you have made the hills and plains, the rivers and valleys, the broad bright skies of this state we love. In this focused place of government make us remember that above any authority or influence we may have, we are accountable to you.

"Thank you for the privilege — the miracle — of government by the people. Be with these men who represent us all. Guide and encourage them, that their work may please you even more than us. When we are falsely proud or selfish, refine and change us.

"If any are deadset in their ways, give them the saving humility of remembering they could be wrong. When they know the strain of honest indecision, give them the courage to finally act decisively — believing you guide us when we do the best we know.

"Especially in the press of these closing days, give hope in the place of any discouragement. Give to us all the easing perspective of good humor.

"All this we pray gratefully, confidently in the name of our Lord Jesus. Amen."

Roll call: All Senators present except Senators Butler 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 fifty-second day after recess, fifty-third day, and fifty-fourth day and recommends that the same be corrected as follows:

On page 923, after the word "adopted" insert the words "which motion prevailed.

On page 926, line 11, delete numeral "43-28.1-05" and insert in lieu thereof the numeral "43-18.1-05"

On page 933, line 17, correct spelling of the word "for"

On page 933, line 31, delete the name "Henry" and insert in lieu thereof the name "Glaspey"

On page 935, line 5, correct spelling of word "MESSAGE"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MOTION

Senator Forkner moved that the Senate reconsider the action by which House Bill No. 1433 was passed, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1433. A Bill for an Act to provide for the suspension or revocation of certificates of title to motor vehicles.

Which has been read.

Senator Forkner moved that House Bill No. 1433 be amended as follows:

On page 1, line 10, delete the number "32-28" and insert in lieu thereof the number "28-32"

Which motion prevailed.

Senator Forkner moved that the rules be suspended and that House Bill No. 1433 be placed on second reading and final passage, as amended from the floor, 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, 41; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Holand	Melland	Roen
Berube	Jacobson	Morgan	Sanstead
Chesrown	Jones	Mutch	Schultz
Christensen	Just	Nasset	Swedlund
Coughlin	Kautzmann	Nothing	Thane
Doherty	Larson, G.	Page	Thoreson
Erdman	Larson, L.	Pyle	Unruh
Forkner	Lips	Rait	Van Horn
Freed	Litten	Redlin	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Strinden

Absent and not voting:

Anderson	Hernett	Sorlie	Stroup
Butler	Ringsak		

So the bill passed and the title was agreed to.

MOTION

Senator Wilhite moved that the House be requested to return House Bill No. 1035, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2154 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:

Senator Unruh
 Senator Anderson
 Senator Erdman

For the House:

Rep. K. Johnson
 Rep. Boustead
 Rep. Weber

Senator Unruh moved that the report be adopted, which motion prevailed.

Senator Unruh moved that the rules be suspended and that Senate Bill No. 2154 be deemed properly reengrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2154. A Bill for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code, to provide for an annual assessment of real property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson	Hernett	Ringsak	Stroup
Butler			

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. 1208 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:

Senator Stroup
 Senator Morgan
 Senator Just

For the House:
 Rep. Hensrud
 Rep. Gunderson
 Rep. Patrick

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1172 has had the same under consideration and recommends that the House accede to the Senate amendments.

For the Senate:
 Senator Page
 Senator Thane
 Senator Barth

For the House:
 Rep. Murphy
 Rep. Moore
 Rep. Mertens

Senator Page 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. 2015
 Senate Bill No. 2038
 Senate Bill No. 2040
 Senate Bill No. 2066
 Senate Bill No. 2117
 Senate Bill No. 2123
 Senate Bill No. 2138
 Senate Bill No. 2173
 Senate Bill No. 2196
 Senate Bill No. 2242
 Senate Bill No. 2256
 Senate Bill No. 2257
 Senate Bill No. 2284
 Senate Bill No. 2292
 Senate Bill No. 2294
 Senate Bill No. 2296
 Senate Bill No. 2303
 Senate Bill No. 2317
 Senate Bill No. 2322
 Senate Bill No. 2338
 Senate Bill No. 2353
 Senate Bill No. 2376
 Senate Bill No. 2382
 Senate Bill No. 2400
 Senate Bill No. 2416
 Senate Bill No. 2417
 Senate Bill No. 2427
 Senate Bill No. 2451
 Senate Bill No. 2510
 Senate Bill No. 2511

Were delivered to the Governor for his approval at the hour of 1:45 o'clock p.m., March 9, 1971.

SENATOR STRINDEN, Chairman

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, March 9, 1971

Mr. President: I have the honor to transmit herewith the following House Bill No. 1172
 House Bill No. 1208
 On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 9, 1971

Mr. President: I have the honor to return herewith the following:
Senate Bill No. 2025
Senate Bill No. 2199
On which the House has adopted the conference committee report.
ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie 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 Coughlin
Senator Jones
Senator L. Larson

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2030, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2030 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2030. A Bill for an Act making an appropriation to the state outdoor recreation agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nething	Strinden
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Holand	Morgan		

Absent and not voting:

Anderson	Doherty	Ringsak	Stroup
Butler	Hernett		

So the bill passed and the title was agreed to.

Senator Hernett moved that the Senate do not concur in the House amendments to Senate Bill No. 2063 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. 2063
Senator Goldberg
Senator Hernett
Senator Van Horn

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2211, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2211 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2211. A Bill for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Anderson	Butler	Stroup
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So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 2302, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 2302 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsection 4 of section 29-29-21 of the North Dakota Century Code relating to the temporary questioning and searching of persons in public places suspected of possessing narcotic and other drugs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Anderson Butler Hernett Stroup

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 2437, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 2437 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2437. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to delivery of absent voters' ballots and notification of date when ballot must be returned to be canvassed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Hernett	Melland	Roen
Berube	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite

Those voting in the negative were:

Sanstead

Absent and not voting:

Anderson Butler Stroup

So the bill passed and the title was agreed to.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3088. A Concurrent Resolution urging the State Department of Health to initiate and conduct a program of testing and immunizing for rubella.

Which was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

SECOND READING OF HOUSE BILLS

House Bill No. 1027. A Bill for an Act making an appropriation for salaries and expenses 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, 36; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Gronhovd	Litten	Roen	Wenstrom
Holand	Melland	Sanstead	Wilhite

Those voting in the negative were:

Coughlin	Goldberg	Mutch	Schultz
Doherty	Morgan	Robinson	

Absent and not voting:

Anderson	Hernett	Longmire	Stroup
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1119. A Bill for an Act to create and enact section 15-39-17.1; to amend and reenact sections 15-39-03 and 15-39-17; and to repeal sections 15-39-19, 15-39-20, and 15-39-21, all of the North Dakota Century Code, relating to contributions to the teachers' insurance and retirement 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, 42; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd	Morgan		

Those voting in the negative were:

Schultz

Absent and not voting:

Anderson	Hernett	Longmire	Stroup
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1132. A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to the building, repair, and rebuilding of county bridges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 90 of the Senate Journal, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Jones	Mutch	Schultz
Berube	Just	Nasset	Sorlie
Chesrown	Kautzmann	Nothing	Strinden
Christensen	Larson, G.	Page	Swedlund
Erdman	Larson, L.	Pyle	Thane
Freed	Lips	Rait	Thoreson
Goldberg	Litten	Redlin	Unruh
Gronhovd	Longmire	Ringsak	Van Horn
Hernett	Melland	Roen	Wenstrom
Holand	Morgan	Sanstead	Wilhite
Jacobson			

Those voting in the negative were:

Coughlin	Doherty	Forkner	Robinson
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Absent and not voting:

Anderson	Butler	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1288. A Bill for an Act to create and enact Sections 43-07-20, 43-07-21 and 43-07-22, relating to employment of North Dakota residents for work performed under public contracts, providing a penalty, and establishing responsibility for enforcement of the 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, 43; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite
Hernett	Morgan	Sanstead	

Those voting in the negative were:

Goldberg	Melland	
Absent and not voting:		
Anderson	Butler	Stroup

So the bill passed and the title was agreed to.

House Bill No. 1291. A Bill for an Act to create and enact section 39-08-04.1 of the North Dakota Century Code, providing for immunity from liability for the good faith rendering of emergency care at the scene of an accident.

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, 3.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Anderson	Butler	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1333. A Bill for an Act to amend and reenact sections 16-12-05, 16-12-15, and 16-13-01 of the North Dakota Century Code, relating to the conduct of elections and the counting of ballots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	Wilhite

Absent and not voting:

Anderson	Butler	Pyle	Stroup
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1397. A Bill for an Act creating a variable contract insurance law for 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, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	Wilhite
Holand	Morgan		

Absent and not voting:

Anderson	Butler	Ringsak	Stroup
Barth	Erdman		

So the bill passed and the title was agreed to.

House Bill No. 1418. A Bill for an Act to amend and reenact section 57-23-04 of the North Dakota Century Code, relating to the abatement or refund of property taxes; section 57-23-06 of the North Dakota Century Code, relating to the hearing on abatement applications; section 57-23-07 of the North Dakota Century Code, relating to the compromise of a property tax, and section 57-23-08 of the North Dakota Century Code, relating to the effective date of abatement actions.

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, 6.

Those voting in the affirmative were:

Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Robinson	Van Horn

Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	Wilhite
Holand	Morgan		

Absent and not voting:

Anderson	Butler	Ringsak	Stroup
Barth	Erdman		

So the bill passed and the title was agreed to.

House Bill No. 1498. A Bill for an Act to amend and reenact sections 15-63-01 and 15-63-05 of the North Dakota Century Code relating to the state board of Indian scholarships and scholarship 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, 38; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Berube	Jacobson	Morgan	Sanstead
Chesrown	Jones	Nasset	Schultz
Christensen	Just	Nething	Sorlie
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Goldberg	Lips	Redlin	Van Horn
Gronhovd	Litten	Robinson	Wenstrom
Hernett	Longmire	Roen	Wilhite
Holand	Melland		

Those voting in the negative were:

Freed	Mutch	Strinden
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Absent and not voting:

Anderson	Butler	Ringsak	Unruh
Barth	Erdman	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1514. A Bill for an Act to amend and reenact sections 39-24-03 and 39-24-08, and subsections 3 and 6 of section 39-24-09 of the North Dakota Century Code, relating to the regulation of snowmobiles.

Which has been read.

Senator Longmire moved that the reading of the proposed amendments to House Bill No. 1514 be dispensed with, which motion prevailed.

Senator Longmire moved that House Bill No. 1514 be amended as follows:

On page 1, line 2, after the numeral "3", insert the following: "5,"

On page 3, line 27, after the numeral "3", insert the following: "5,"

On page 4, after line 2, insert the following new subsection:

"5. It shall be unlawful for any person to drive or operate any snowmobile in the following ways which are declared to be unsafe and a public nuisance:

- a. At a rate of speed greater than reasonable or proper under all the surrounding circumstances.
- b. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage to such person or property.
- c. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.
- d. Without a lighted head lamp and tail lamp when required for safety.

- e. In any tree nursery or planting in a manner which damages or destroys growing stock.
- f. Without the manufacturer-installed or equivalent muffler in good working order and connected to the snowmobile exhaust system.
- g. Upon any private land where the private land is posted by the owner or tenant prohibiting trespassing. The name and address of the person posting the land and the date of posting shall appear on each sign in legible characters. The posted signs shall be readable from the outside of the land and shall be placed conspicuously at a distance of not more than eighty rods apart, provided further that as to land entirely enclosed by a fence or other enclosure, posting of such signs at or on all gates through such fence or enclosure, shall be construed to be a posting of all such enclosed lands."

And renumber the lines accordingly.

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 1514 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1514, as amended, on page 901 of the Senate Journal, and from the floor, the roll was called and there were ayes, 27; nays, 16; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Melland	Roen
Christensen	Jacobson	Morgan	Schultz
Forkner	Just	Nasset	Swedlund
Freed	Larson, G.	Nething	Thane
Goldberg	Larson, L.	Pyle	Unruh
Gronhovd	Litten	Rait	Wenstrom
Hernett	Longmire	Redlin	

Those voting in the negative were:

Berube	Jones	Page	Strinden
Chesrown	Kautzmann	Robinson	Thoreson
Coughlin	Lips	Sanstead	Van Horn
Doherty	Mutch	Sorlie	Wilhite

Absent and not voting:

Anderson	Erdman	Ringsak	Stroup
Butler			

So the bill passed and the title was agreed to.

Senator Forkner moved that the vote by which House Bill No. 1514 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

House Bill No. 1525. A Bill for an Act to amend and reenact Sections 6-05-08, 6-05-14 and 6-05-34 of the North Dakota Century Code, relating to trust companies and banking institutions.

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, 7.

Those voting in the affirmative were:

Barth	Holand	Melland	Roen
Berube	Jacobson	Morgan	Sorlie
Chesrown	Jones	Mutch	Strinden

Coughlin	Just	Nasset	Swedlund
Doherty	Kautzmann	Nothing	Thane
Forkner	Larson, G.	Page	Thoreson
Freed	Larson, L.	Pyle	Unruh
Goldberg	Lips	Rait	Van Horn
Gronhovd	Litten	Redlin	Wenstrom
Hernett	Longmire	Robinson	Wilhite

Those voting in the negative were:
Christensen

Absent and not voting:

Anderson	Erdman	Sanstead	Stroup
Butler	Ringsak	Schultz	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4002. A Concurrent Resolution directing the Public Welfare Board to implement administrative recommendations of the welfare study to improve the administration of public welfare in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended on page 900 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Anderson	Jones	Ringsak	Stroup
Butler			

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4043. A Concurrent Resolution urging counties and cities which have college campuses within their jurisdictions to deputize campus policemen.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4043 be adopted, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3035. A Concurrent Resolution urging beer and soft drink manufacturers, bottlers, and distributors to use returnable containers and to commend the "Keep North Dakota Clean" organization for its work.

Which has been read.

Senator Hernett moved that House Concurrent Resolution No. 3035 be adopted, which motion prevailed.

House Concurrent Resolution No. 3066. A Concurrent Resolution requesting the President of the United States and the Secretary of Health, Education, and Welfare to simplify and speed procedures for federal funds.

Which has been read.

Senator Kautzmann moved that House Concurrent Resolution No. 3066 be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2008
 Senate Bill No. 2060
 Senate Bill No. 2176
 Senate Bill No. 2221
 Senate Bill No. 2239
 Senate Bill No. 2241
 Senate Bill No. 2271
 Senate Bill No. 2272
 Senate Bill No. 2297
 Senate Bill No. 2313
 Senate Bill No. 2315
 Senate Bill No. 2326
 Senate Bill No. 2327
 Senate Bill No. 2328
 Senate Bill No. 2330
 Senate Bill No. 2335
 Senate Bill No. 2344

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 9 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2008
 Senate Bill No. 2060
 Senate Bill No. 2176
 Senate Bill No. 2221
 Senate Bill No. 2239
 Senate Bill No. 2241
 Senate Bill No. 2271
 Senate Bill No. 2272
 Senate Bill No. 2297
 Senate Bill No. 2313
 Senate Bill No. 2315
 Senate Bill No. 2326
 Senate Bill No. 2327
 Senate Bill No. 2328
 Senate Bill No. 2330
 Senate Bill No. 2335
 Senate Bill No. 2344

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 9, 1971

Mr. Speaker: I have the honor to inform you that the Senate requests the return of:
 House Bill No. 1035

Very respectfully,
 LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 9, 1971

Mr. Speaker: I have the honor to transmit:
 Senate Concurrent Resolution No. 4061

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 9, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1205
House Bill No. 1260
House Bill No. 1276
House Bill No. 1374
House Bill No. 1518
House Bill No. 1531
House Concurrent Resolution No. 3042
House Concurrent Resolution No. 3055
House Concurrent Resolution No. 3069
House Concurrent Resolution No. 3073
House Concurrent Resolution No. 3081
House Concurrent Resolution No. 3087
House Concurrent Resolution No. 3089
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 9, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1548
Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 9, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1103
House Bill No. 1389
House Bill No. 1390
House Bill No. 1431
House Bill No. 1529
House Bill No. 1541
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 9, 1971

Mr. Speaker: I have the honor to transmit herewith the following:
Senate Bill No. 2154
On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 9, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2030
Senate Bill No. 2211
Senate Bill No. 2302
Senate Bill No. 2437

Refused to concur in the House amendment to:
Senate Bill No. 2007
Senate Bill No. 2063

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:
Coughlin
Jones
L. Larson

To serve on Senate Bill No. 2007.

Senators:

Goldberg
Hernett
Van Horn

To serve on Senate Bill No. 2063

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 9, 1971

Mr. Speaker: I have the honor to return herewith the following:
House Bill No. 1172
House Bill No. 1208
On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 9, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2203
Senate Bill No. 2269

Very respectfully,
ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of House Bills Nos. 1007, 1034, 1188, 1247, 1337, 1343, 1363, 1446, 1467, 1537, 1539, and House Concurrent Resolutions Nos. 3020 and 3083, that the Senate recess until 9:00 a.m., March 10, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FIFTH DAY AFTER RECESS
AND FIFTY-SIXTH DAY

Bismarck, March 10, 1971

The Senate convened at 9:00 a.m., pursuant to recess taken, the President presiding.

EXECUTIVE SESSION

Senator Wilhite moved that the Senate resolve itself into an Executive Session to consider confirmation of appointments by the Governor, which motion prevailed.

The Senate in Executive Session, after receiving the reports of the committees, thereupon advised and consented to the following appointments and confirmed the same:

1. **North Dakota Council on the Arts and Humanities** — (54-54-02)
Mrs. Abner Larson, Fargo, July 1, 1970 — July 1, 1975
Mr. Edward Milligan, Bottineau, July 1, 1970 — July 1, 1975
Mr. Harold Aleshire, Minot, July 1, 1970 — July 1, 1975
Mr. Robert Nelson, Grand Forks, July 1, 1970 — July 1, 1975
2. **State Historical Board** — (55-01-01 as amended)
T. S. Kopseng, Bismarck, July 1, 1970 — July 1, 1973
La Vern Neff, Williston, July 1, 1970 — July 1, 1973
Snorri Thorfinnson, Fort Ransom, July 1, 1970 — July 1, 1973
3. **State Board of Higher Education** — (15-10-02)
Vincent J. Buck, Jamestown, July 1, 1971 — July 1, 1978

The Executive Session was thereupon dissolved and the Senate resumed its regular session.

MESSAGE TO THE GOVERNOR
Office of the Lieutenant Governor

March 10, 1971

The Honorable William L. Guy
Governor
State of North Dakota
State Capitol
Bismarck, North Dakota

Dear Governor Guy:

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. **North Dakota Council on the Arts and Humanities** — (54-54-02)
Mrs. Abner Larson, Fargo, July 1, 1970 — July 1, 1975
Mr. Edward Milligan, Bottineau, July 1, 1970 — July 1, 1975
Mr. Harold Aleshire, Minot, July 1, 1970 — July 1, 1975
Mr. Robert Nelson, Grand Forks, July 1, 1970 — July 1, 1975
2. **State Historical Board** — (55-01-01 as amended)
T. S. Kopseng, Bismarck, July 1, 1970 — July 1, 1973
La Vern Neff, Williston, July 1, 1970 — July 1, 1973
Snorri Thorfinnson, Fort Ransom, July 1, 1970 — July 1, 1973

3. **State Board of Higher Education** — (15-10-02)

Vincent J. Buck, Jamestown, July 1, 1971 — July 1, 1978

Sincerely yours,
RICHARD F. LARSEN
Lieutenant Governor**MEMORIAL SERVICE**

Senator Wilhite 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:

State of North Dakota
42nd Legislative Assembly
SENATE MEMORIAL SERVICE

Wednesday
March 10, 1971
9:30 a.m.

SENATE CHAMBERS
INVOCATION AND DEVOTIONAL

Rev. James Butler
First Presbyterian Church
Bismarck, North Dakota

SOLO

The Spirit Flower by Tipton
Sung by: Senator Leland Roen
Accompanied by: Royal Hopkins

SENATE MEMORIAL RESOLUTION No. 1

By

Senator Guy Larson
Senator George Longmire
Senator Frank Wenstrom

BENEDICTION

Rev. James Butler

SENATE MEMORIAL RESOLUTION

Senator Longmire requested unanimous consent of the Senate to introduce Senate Memorial Resolution No. 1, which request was granted.

FIRST READING OF A
SENATE MEMORIAL RESOLUTION

Senators G. Larson, Longmire and Wenstrom 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 Longmire 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 second reading and final passage, which motion prevailed.

SENATE MEMORIAL RESOLUTION No. 1

Introduced by Senators G. Larson, Longmire and Wenstrom

A memorial resolution for deceased members of the Senate of the State of North Dakota.

WHEREAS, God in His wisdom has seen fit to summon to eternal rest His servants and our former colleagues:

CHARLES G. BANGERT, who served in the twenty-third Legislative Assembly, from the fourteenth district, died June 10, 1969.

EDMOND A. HUGHES, who served in the Thirteenth and Four-

teenth Legislative Assemblies, from the twenty-seventh district, died October 8, 1970.

RICHARD R. LOFTHUS, who served in the Twenty-seventh to the Thirtieth Legislative Assemblies, from the seventeenth district, died December 10, 1970.

KENNETH C. LOWE, who served in the Fortieth, Forty-first and Forty-second Legislative Assemblies, from the eighteenth district, died February 15, 1971.

HARRY C. LYNN, who served in the Twenty-fourth and Twenty-fifth Legislative Assemblies, from the twenty-sixth district, died June 2, 1969.

CARL A. MILLER, who served in the Twenty-second and Twenty-third Legislative Assemblies, from the thirty-sixth district, died August 30, 1969.

AXEL OLSON, who served in the Twenty-fifth to the Thirty-fifth Legislative Assemblies, from the forty-fourth district, died October 20, 1967.

LYNN W. SPERRY, who served in the Seventeenth, Eighteenth, and Twenty-second Legislative Assemblies, from the twenty-seventh district, died November 9, 1969.

WALTER TROXEL, who served in the Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second and Thirty-third Legislative Assemblies, from the second district, died November 18, 1969.

RICHARD E. WOLF, who served in the Thirtieth, Thirty-first, Thirty-fourth, and Thirty-fifth Legislative Assemblies, from the thirtieth district, died October 9, 1970.

WHEREAS, today, we as members of the Senate of the Forty-second Legislative Assembly of the State of North Dakota pause to mourn the passing of our former colleagues, and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the State by their contribution to their fellowmen and their communities;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE FORTY-SECOND LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

That we express our keen sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of these, our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the Senate and that duly enrolled copies of this resolution be presented by the Secretary of State to the surviving families of these deceased Senators.

SECOND READING OF A 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 Longmire moved that Senate Memorial Resolution No. 1 be adopted, which motion prevailed.

Senator Wenstrom moved that the Senate Memorial Service be dissolved, which motion prevailed.

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA
Executive Office
Bismarck

March 10, 1971

The Honorable Richard F. Larsen
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 8, I signed the following:

Senate Bill No. 2318

Senate Bill No. 2356

Senate Bill No. 2358

Senate Bill No. 2365

Sincerely yours,
William L. Guy
Governor

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2466

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2466

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 10, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2466

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 10, 1971

Mr. President: I have the honor to return herewith following,

Senate Bill No. 2466

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to Senate Bill No. 2512, House Bills Nos. 1023, 1053, 1057, 1102, 1246, 1324, and 1469, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 2512 as recommended by the Committee on Appropriations, and printed on pages 954 and 955 of the Senate Journal, be adopted.

Senator Redlin: "Mr. President. I rise on a point of personal privilege."

Lt. Governor: "State your privilege, Senator."

Senator Redlin: "Mr. President, Members of the Senate. You will have before you within the next few days a series of bills pertaining to your State Institution at Ellendale, now called the University of North Dakota, Ellendale Branch.

"As you now know, the House has taken certain action relative to this institution which has prompted the necessity of requesting an official opinion from the Attorney General. The questions asked of the Attorney General were simply this:

'Can the Forty-second Legislative Assembly, or for that matter, any legislative assembly, disregard the mandate of the North Dakota Constitution, in this case, section 216, by refusing to appropriate monies for the operation of a constitutionally established institution? Or, to put it another way, does not the existence of the institution in compliance with section 216 imply that the Legislative Assembly must appropriate funds for its operation in the manner and for the purpose for which it was established, specifically, higher education?'

"The bills that you will have before you will pertain to the funding of the institution, the removal of its Constitutional status by a vote of the people, the use of the insurance money to pay off the new dormitory, the sale or lease of the property once it is removed from the constitutional provision and the recommendations of the Special Legislative Committee which was directed to make a study of a future use of the facilities by the Budget Committee.

"Therefore, I wish to announce to this Assembly at this time that the final chapter of the Ellendale Institution will be written by the courts. I have today initiated the action to have this issue resolved by the courts.

"Mr. President, Members of the Senate — this action was a decision made by me personally after conferring at length with the Legislative Council, the Attorney General and a private attorney. It has been recommended to me that the first step I must take is to ask that the official Attorney General's opinion be made a matter of record.

"When this matter is considered by the courts, it will be necessary that the individual legislators will have had an opportunity to read the opinion.

"When the individual bills pertaining to the Ellendale Institution are being considered, it will be necessary for me to bring to this Assembly certain facts and figures and that they become a matter of record.

"I beg of you gentlemen an understanding of my action. There is no selfish motive involved or is it done to put fellow members under duress or to influence your decisions.

"The decisions you will make are important and they will set precedent.

"The problem of the Ellendale Institution is only the beginning of similar situations and our state cannot afford to ignore or disregard its investments regardless of where they exist.

"Now that the problem is before us, it is our responsibility to legislate accordingly and use our very best judgment to protect the interests of the state.

"Mr. President, Members of the Senate, May I state again that my action is not vindictive in any way. It is necessary that the courts make an official ruling so that their opinion can be used in similar situations when they occur.

"I wish to thank you for your patience and attention."

OPINION
STATE OF NORTH DAKOTA
ATTORNEY GENERAL
Bismarck, North Dakota 58501
March 4, 1971

The Honorable Earl H. Redlin
 State Senator, 28th District
 State Capitol
 Bismarck, North Dakota

Dear Senator Redlin:

This is in reply to your letter of March 3, 1971, relative to House Bill 1001 as amended by the House on pages 545 through 547 of the House Journal. You note the several pieces of legislation, both bills and resolutions, which have been introduced into the 42nd Legislative Assembly affecting the status of the institution of higher education at Ellendale. You note the effect of the legislation presently contained in House Bill 1001, as amended by the House, would require that UND — Ellendale Branch cease operation as an educational facility and that expenditures at the institution, for the period of July 1, 1971, to June 30, 1973, be limited to \$102,500 — consisting of an estimated income of \$70,000 and general fund monies of \$32,500 — with the funds to be used only for routine maintenance and custodial care. You then state the following question:

“Can the Forty-second Legislative Assembly, or for that matter, any legislative assembly, disregard the mandate of the North Dakota Constitution, in this case, section 216, by refusing to appropriate monies for the operation of a constitutionally established institution? Or, to put it another way, does not the existence of the institution in compliance with section 216 imply that the Legislative Assembly must appropriate funds for its operation in the manner and for the purpose for which it was established, specifically, higher education?”

Section 216 of the North Dakota Constitution provides in part:

“The following named public institutions are hereby permanently located as hereinafter provided, each to have so much of the remaining grant of one hundred seventy thousand acres of land made by the United States for ‘other educational and charitable institutions’ as is allocated by law, namely:

Third: An industrial school and school for manual training or such other educational or charitable institution as the legislative assembly may provide at the town of Ellendale, in the county of Dickey, with a grant of forty thousand acres.

Seventh: (a) a state normal school at the city of Dickinson, the county of Stark. (b) a state hospital for the insane at such place within this state as shall be selected by the legislative assembly, provided, that no other institution of a character similar to any one of those located by this article shall be established or maintained without a revision of this constitution. (As amended by Articles 21 and 22 of the amendments to the constitution, both approved and ratified on November 7, 1916 S.L. 1913, cc. 96 and 99; S.L. 1915, cc. 84 and 85; S.L. 1917, pp. 407 and 408.)”

We note, in the first instance, that the institution at Ellendale need not under the Constitution necessarily be an institution of higher education. The above quoted constitutional provision specifies that it will be an industrial school and school for manual training or such other educational or charitable institution as the Legislative Assembly may provide. Thus the Legislature has permitted the institution to be made a branch of the University of North Dakota. See Section 15-11-02 of the North Dakota Century Code which permits the State Board of Higher Education to unite with the Uni-

versity of North Dakota, any college in the state and make such college a branch thereof. The Legislature could, if it so desired, prescribe that some other educational or charitable institution be situated at Ellendale. In reply to that portion of your question which indicates that the Legislature must appropriate money for the operation of an institution of higher education at Ellendale, it is our opinion that the Legislature could prescribe some other educational or charitable institution for that location without violating the provisions of the Constitution.

However, the Legislature has not, to our knowledge, prescribed any institution other than an institution of higher education for Ellendale. Therefore, we must consider that portion of your question which refers to the obligation of the Legislature to appropriate moneys for the institution established at Ellendale, i.e., a branch of the University of North Dakota.

With respect to this question, we have no judicial precedents in this state which are directly in point and to which we can look for guidance. To our knowledge this is, insofar as the legal question is concerned, a question of first impression.

As to the proposition whether or not there is a mandate by the Constitution, Section 21 states that the provisions of this Constitution are mandatory and prohibitory unless by express words they are declared to be otherwise. This taken in itself indicates that the Constitution probably did contain a mandate to the Legislature to carry out the provisions of Section 216 of the North Dakota Constitution. Even though this is a mandate or can be considered as a mandate, Section 216 is not a self-executing provisions of the Constitution and requires implementation by the Legislature. We must recognize a distinction between a self-executing provision of the Constitution and a provision which requires implementation by the Legislature. As an example, the North Dakota Supreme Court with reference to a provision contained in Section 25 of the North Dakota Constitution, relating to the publishing of the publicity pamphlet said that this provision was self-executing and needed no implementation by the Legislature. In *State ex rel. Byrne vs. Baker*, 65 ND 190, 262 NW 183, it was specifically recognized that Section 25 contained the following provision: "This section shall be self-executing and all of its provisions treated as mandatory." We do not have a similar provision in Section 216 of the North Dakota Constitution.

It might be argued with some success that the legislators are bound to follow the Constitution and have taken an oath to support the Constitution, but the ultimate question is what body in our three branches of government can compel the Legislature to act in a certain manner? We are satisfied that the courts may not issue a mandate to the Legislature because both are separate co-equal, coordinated branches of government. Therefore, even if the argument could be validly made that the Legislature should follow the dictates of the Constitution, there are no means available of enforcing the taking of certain action as distinguished from declaring action taken by the Legislature as being invalid or unconstitutional. It would appear in the final analysis that there is no way of compelling the Legislature to act.

We note that the constitutional provision above quoted does not refer to appropriations made by the Legislature. It provides that certain institutions, among them the one at Ellendale, are permanently located at the places named and grants to such institution a specified amount of grant lands for their support. Thus, it could be argued that the constitution only requires the location of a specific institution at the sites named and does not necessarily require that such institutions be operated or that moneys be appropriated for the actual operation of such institutions. While such a conclusion may be derived from a literal reading of the constitutional provi-

sion, we believe that such result would be impractical and therefore favor the position that the constitutional provision indicated that an operating institution would be situated at the sites named. One such institution had actually become operative.

Whether such a conclusion can be sustained legally may be subject to question. While we believe it is the most practical construction to give the constitutional provision, we must note there is authority for a contrary view. The Supreme Court of North Dakota in construing this provision (but with respect to a different question) stated: "There is still another principle bearing directly upon this question. It may be thus stated: When the legislative assembly repeatedly construes or interprets a constitutional provision, such construction or interpretation should be followed by the courts, when it can be followed without doing violence to the fair meaning of the words used, in order to support the legislative action and give effect thereto, if the language construed admits of such construction." See **State vs. Taylor**, 133 NW 1046, 1051 (ND 1911).

In this respect we find there is precedent for this kind of action. The 1895 and 1897 sessions of the Legislative Assembly appropriated funds for the institutions of higher learning prescribed in the Constitution. The 1895 Session Laws indicate the only moneys appropriated were for janitor salary and maintenance of buildings. See e.g., Chapter 18 of the 1895 Session Laws with respect to the appropriation for the University of North Dakota. In fact, however, the Legislature had appropriated more funds including funds for salaries, etc., but such funds were vetoed by the Governor. In 1897 the funds for the operation of the institutions of higher learning were also vetoed, but the Legislature overrode the Governor's veto. See e.g., Chapter 8 of the 1897 Session Laws. Therefore, the institutions received no state support for actual operating costs in the biennium of 1895 to 1897. The institutions, such as the University of North Dakota, did operate through donations, etc. See Geiger, **University of Northern Plains**, University of North Dakota Press, 1958.

In 1923 the Governor vetoed the operating appropriation for the Forestry State Normal School at Bottineau leaving only the appropriations for maintenance of grounds, general repairs and dormitory maintenance, in the total amount of \$950 for the biennium in effect. See Chapter 58, 1923 Session Laws.

To our knowledge, these vetoes, which had the effect of denying the institutions the means with which to operate, were never challenged in the courts of this state. Whether such veto would have been sustained in the courts may be open to question in view of the decision of the North Dakota Supreme Court in **State ex rel. Dahl vs. Dewing**, 131 NW 2d 434 (ND 1964) in which the court held the Governor had no power to veto a line item appropriation for the salary of the director of the State Laboratory Commission, as the veto would have the effect of making an initiated measure ineffective in violation of Section 25 of the North Dakota Constitution providing that an initiated or referred measure may be amended or repealed only by vote of two-thirds of the Legislative Assembly. If we are to construe the provisions of the Constitution concerning the institutions of higher learning as requiring their actual operation rather than merely the location of same, the decision in the Dahl case, supra, would appear to be applicable with regard to the exercise of a veto of an operating appropriation by the Governor. If, on the other hand, the constitutional provision is merely considered to be a statement requiring the location of a specific institution at a specific site, then the decision would not appear to be applicable. As noted above, the exercise of the Governor's veto in 1895 and 1923 removing all operating funds from some of the institutions of higher learning was not challenged in the courts. The Governor's veto is a part of the legislative process. It may, therefore, be argued

the construction of this constitutional provision by the Legislature in effect requires the location of a specific institution at a given location only and does not require the actual operation of such institution. This argument would apparently bring the question within the ruling of the North Dakota Supreme Court in *State vs. Taylor*, supra, and the Court, if this question were presented to them, could conceivably hold that Section 216 of the Constitution requires the location of the institutions at a specific site only and not the actual operation of such institutions, that being a matter for legislative determination.

The issue in the Taylor case concerned an amendment to the Constitution establishing a state normal school at Minot and involved the question of whether the provision in the Constitution that no other institution of a character similar to any one of those located by Article XIX could be established or maintained without a revision of the Constitution (see Subdivision Seven of Section 216 of the North Dakota Constitution quoted above) meant the Constitution must be revised by Constitutional Convention or whether it could be done by amendment presented to the electorate by the Legislature. The Court also considered whether an appropriation for the school was valid insofar as it was based on a provision that it should become available only if the citizens of Minot should donate a suitable location of not less than sixty acres for the institution. The Court in this regard stated, Page 1052 of the reported case:

"The state contends that this is not a valid appropriation because not effective except upon the action of the citizens of Minot. It appears to us that this point is not well taken. The Legislature, in effect, said: 'It will require \$200,000 to put this school into operation during the next two years, and in addition to that, sufficient to procure a suitable site. The school is located by the Constitution at Minot, **but it is discretionary with the legislative assembly when to provide an appropriation and to determine the amount necessary to set the school in operation.** We have not sufficient money available for the purpose at this time. If the citizens of Minot are enough interested in the subject to furnish the site, and thereby relieve the state from that burden, we will make an appropriation of so much money as is available; the amount named to be subject to use if and when the site is furnished.' 'We see no reason why this is not a valid exercise of legislative power, under circumstances like these.***' (emphasis ours)

Such statement does lend weight to the argument that the Constitutional provision only specifies the location of a given institution and does not necessarily require the actual operation of such institution. The provision does prohibit the operation of a similar institution at any other location without an amendment to the Constitution. In addition we have no doubt that the income from the forty thousand acres of grant land for the institution at Ellendale can be used for no other purpose. We assume the seventy thousand dollars appropriated for the maintenance of the institution at Ellendale is derived from that income although we have no specific evidence of that fact.

We further note that the 1889 Constitutional Debates also contain some statements indicating that the location of the institutions was directory and the Legislature would have the discretion as to when and how to operate same. See e.g., Page 483 of the 1889 Constitutional Debates. While these statements are not conclusive, they are indicative of the intent of the Constitutional Convention in adopting this provision of the Constitution.

Whatever the theoretical decision might be with regard to this entire question, i.e., whether the Constitution requires the location and actual operation of an institution at a given location, or whether

the Constitution does not require the actual operation but only prescribes the location of a given institution and prohibits a similar institution to be situated anywhere else without a constitutional amendment, there is another aspect of the question which cannot be overlooked. Even if it is determined that the Constitution requires the actual operation of an institution, thus requiring the Legislature to appropriate funds for such operation, this does not answer the question of how the Legislature can be forced to appropriate funds, as a matter of law, for any given institution or the amount which is to be appropriated. Thus, if we were to hold the Constitution required the Legislature to maintain an operating institution at Ellendale and to appropriate the necessary funds therefore, we would be able to provide no answer to the question of how the Legislature could be forced to do so. We deem this observation appropriate in this discussion since the question presented involves an appropriation measure.

In summary, we favor a view that once the Legislature has, in accordance with the Constitution, established an operating institution they have an obligation to continue that institution until such time as the Constitution might be amended. This view is based on the practical consideration which has been given the constitutional provisions in the past. However, as noted above, we realize the matter is by no means free from doubt and that there is considerable collateral precedent which supports a contrary view. In this respect should the Legislature enact the appropriation bill in its present form, we assume the Court, if the matter is presented to them, would, in view of the rules of constitutional construction, resolve every possible doubt in favor of the constitutionality of the bill. We must therefore candidly admit there is a good possibility the courts would construe the bill in its present form as constitutional.

Sincerely yours,
HELGI JOHANNESON
Attorney General

Senator Redlin moved that his remarks and the opinion of the Attorney General be printed in the Journal, which motion prevailed.

The question then being on the motion of Senator Sorlie that the amendments to Senate Bill No. 2512 be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1023 as recommended by the Committee on Appropriations, and printed on page 955 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1053 as recommended by the Committee on Appropriations, and printed on page 956 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1057 as recommended by the Committee on Agriculture, and printed on pages 956 and 957 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1102 as recommended by the Committee on Judiciary, and printed on page 957 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Bill No. 1246 as recommended by the Committee on Finance and Taxation, and printed on pages 957 and 958 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1324 as recommended by the Committee on Agriculture, and printed on pages 958 and 959 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1469 as recommended by the Committee on Judiciary, and printed on page 960 of the Senate Journal, be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1025 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations 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 12 delete the figure "52,587,150.00" and insert in lieu thereof the figure "55,587,150.00"

On page 1, line 13 delete the figure "104,885.00" and insert in lieu thereof the figure "125,000.00"

On page 1, line 18 delete the figure "51,135,000.00" and insert in lieu thereof the figure "54,135,000.00"

On page 1, line 19 after the word "Law" delete the following: "85-926" and insert in lieu thereof the following: "91-230 Title VI-D"

On page 1, line 19 delete the figure "104,885.00" and insert in lieu thereof the figure "125,000.00"

On page 1, line 22 delete the figure "52,692,035.00" and insert in lieu thereof the figure "55,712,150.00"

On page 1, line 23 delete the figure "104,885.00" and insert in lieu thereof the figure "125,000.00"

On page 1, line 24 delete the figure "52,587,150.00" and insert in lieu thereof the figure "55,587,150.00"

On page 1, after line 24 add the following:

"SECTION 2. SCHOOL LUNCH PROGRAM.) The department of public instruction is directed to seek an opinion from the United States department of agriculture to the effect that moneys received by schools from the state of North Dakota's portion of the foundation program and expended to support school lunch programs will satisfy the state matching requirements as set forth in Public Law 91-248 of the Ninety-first Congress. If the department of agriculture does not render such an opinion, the state department of public instruction is authorized to request the state emergency commission to transfer, and the emergency commission shall transfer two hundred thousand dollars from the appropriation for the foundation program for the biennium ending June 30, 1973, or such lesser amount as may be necessary to match federal funds, to a line item in the same appropriation, from which the state department of public instruction is authorized to make necessary expenditures for the continuation of the school lunch program."

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 legislature that \$181,000.00 added to special education be used to pay for reimbursement to school districts for continuing and extending education of exceptional children as provided in Section 15-59-06 of the North Dakota Century Code.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was

referred House Bill No. 1033 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the figure "415,000.00" and insert in lieu thereof the figure "600,000.00"

On page 1, line 13 after the word "convention" add "."

On page 1, line 13 after the word "convention" delete the word "as"

On page 1, delete all of lines 14, 15, 16, 17, and 18

On page 2, line 1 after the word "meeting" add "."

On page 2, line 1 after the word "meeting" delete the following: "at the rates provided in section 11 of"

On page 2, line 2 delete the following: "chapter 462, 1969 Session Laws."

On page 2, line 4 delete the following: "forth in 1969 Session Laws, chapter 462, section 11" and insert in lieu thereof the following: "by law"

On page 2, line 8 after the word "for" delete the following: "four round"

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 legislature that the constitutional convention arrange its own budgeting and staffing out of the convention fund of \$600,000.00 and that delegates receive compensation and expense reimbursement as established by law for state officials.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1036 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1043 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1077 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 numerals "11-10-10" insert the following: "and sections 23-24-05, 61-06-22, and 61-16-08"

On page 1, line 3, after the word "commissioners" and before the period, insert the words "and compensation of members of the governing bodies of vector control districts, irrigation districts, and water management districts"

On page 2, line 31, delete the words "and expenses and mileage"

On page 2, line 32, delete the words "within the limits provided as follows" and insert in lieu thereof the following "which salary together with mileage and expenses as hereinafter provided shall not exceed the following limits"

On page 2, line 33, delete all triple parentheses and delete the word "five"

On page 2, delete lines 34 and 35

On page 3, line 1, delete the words "less than eight thousand" and

place triple parentheses before and after the word "two" and insert in lieu thereof the word "**three**"

On page 3, line 3, place triple parentheses before and after the word "seven" and insert in lieu thereof the word "**nine**"

On page 3, line 5, place triple parentheses before and after the word "five" and insert in lieu thereof the word "**eight**"

On page 3, following line 17, insert the following new sections:

"SECTION 2. AMENDMENT.) Section 23-24-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-24-05. BOARD OF COMMISSIONERS — APPOINTMENT AND NUMBER.) When an order of the council creating a vector control district has been filed in the office of the county auditor of a county in which such district or a part of such district is situated a board of commissioners of such vector control district shall be appointed as provided herein, consisting of three members. Any resident freeholder in the district shall be eligible for appointment to the board of commissioners thereof. The term of commissioners first appointed shall be determined by lot. One commissioner shall hold office for a term of two years, one shall serve for a term of three years and one shall serve for a term of five years. The term of a commissioner shall commence on the date of his appointment. In case the office of a commissioner shall become vacant, the commissioner appointed to fill the vacancy shall serve the unexpired term of the member of the board of commissioners and shall receive the same per diem as members of the board. ((Members)) **Each member shall receive ((the same per diem as members of the board of county commissioners and shall be reimbursed for expenses incurred in the performance of their duties on a like basis)) the sum of fifteen dollars per day while performing his duties as a member of the board, and an allowance for actual meals and lodging expense in an amount not to exceed twelve dollars per day for each day spent in the performance of his duties, plus mileage expense reimbursement at the rate provided in section 54-06-09.** The term of office of a member shall be deemed to have commenced on the date of his appointment to the board. Appointments to the board of commissioners shall be made by the state health council with the approval of the board of county commissioners, the board of city commissioners or township supervisors of any county, city, or township whose territory is embraced or included within said district.

SECTION 3. AMENDMENT.) Section 61-06-22 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-06-22. DIRECTORS AND OFFICERS — SALARY, MILEAGE, AND EXPENSES.) Each director shall receive ((compensation, mileage and actual and necessary expenses when attending meetings or while engaged in official business under order of the board not to exceed the compensation per day, mileage and expenses paid to a county commissioner)) **the sum of fifteen dollars per day while performing his duties as a member of the board, and an allowance for actual meals and lodging expense in an amount not to exceed twelve dollars per day for each day spent in the performance of his duties, plus mileage expense reimbursement at the rate provided in section 54-06-09.** The salary of the secretary, assessor, and treasurer shall be determined by the board of directors.

SECTION 4. AMENDMENT.) Section 61-16-08 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-08. ELIGIBILITY FOR APPOINTMENT TO BOARD — TERM OF OFFICE — REMOVAL — FILLING VACANCIES — COMPENSATION OF COMMISSIONERS.) When a water management district has been created any resident freeholder in the district shall be eligible for appointment to the board of commissioners there-

of. The terms of office of commissioners appointed to the first district board shall be determined by lot and shall be as herein provided. If such district board shall consist of three commissioners, one commissioner shall hold office for a term of two years, one shall serve for a term of three years, and one shall serve for a term of five years from the first day of January next following the date of their appointment. When a district board consists of five commissioners, two commissioners shall hold office for the term of two years, one for three years, one for four years and one commissioner a term of five years from the first day of January next following the date of their appointment. When a board shall consist of seven commissioners, two commissioners shall hold office for two years, two for three years, two for four years and one for five years from the first day of January next following the date of their appointment. When the term of office of a district commissioner has expired, his successor shall hold office for five years from the first day of January next following the date of their appointment. The term of office of a commissioner shall not terminate until his successor in office is appointed and qualified. In case the office of any district commissioner shall become vacant, the commissioner appointed to fill the vacancy shall serve the unexpired term of the member of the board whose office became vacant. ((Members))) **Each member of the board of commissioners shall receive ((the same per diem as members of a board of county commissioners and shall be reimbursed for expenses incurred in the performance of their duties on a like basis))) the sum of fifteen dollars per day while performing his duties as a member of the board, and an allowance for actual meals and lodging expense in an amount not to exceed twelve dollars per day for each day spent in the performance of his duties, plus mileage expense reimbursement at the rate provided in section 54-06-09.** A commissioner may be removed from the board by the board of county commissioners after it appears to the board of county commissioners by competent evidence, and after a public hearing, if so requested by the commissioner subject to removal, at which hearing such commissioner must be apprised of and allowed ample opportunity to repudiate such evidence, that such commissioner has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, habitual drunkenness, gross incompetency, or inability to perform the duties of office for reasons of health."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 1160 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1186 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1319 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 4 of the engrossed bill before the period insert "**and shall deposit the same monthly with the county treasurer**"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1326 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1335 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1382 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1506 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 2127

Senate Bill No. 2466

Were delivered to the Governor for his approval at the hour of 1:40 o'clock p.m., March 10, 1971.

SENATOR STRINDEN, Chairman

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4084. 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 on federal Indian reservations.

Was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4085. A Concurrent Resolution urging the North Dakota Judicial Council to take under consideration the problem of inadequate support payments for children left dependent through divorce and legal separation, and to recommend corrective procedures.

Was read the first time and referred to the committee on Social Welfare and Veterans' Affairs.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4086. A Concurrent Resolution commending the United States Secretaries of Agriculture and the

Treasury for bringing the food bargains American consumers enjoy to the public's attention.

Was read the first time and referred to the committee on Agriculture.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4087. A Concurrent Resolution urging the State to give consideration to the scenic, recreational, and conservational value of state land in leasing policies, and to withhold this land from sale.

Was read the first time and referred to the committee on Natural Resources.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4088. A Concurrent Resolution directing the State Auditing Board to determine and report fiscal irregularities and noncompliance with legislative intent.

Was read the first time and referred to the committee on Appropriations.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4089. A Concurrent Resolution directing the insurance commissioner to approve only those insurance forms which fully inform the public as to the scope of the coverage in health and accident policies.

Was read the first time and referred to the committee on Industry, Business and Labor.

CONSIDERATION OF A MESSAGE FROM THE HOUSE

Senator Hernettt moved that the Senate do concur in the House amendments to Senate Bill No. 2282, which motion prevailed.

Senator Hernettt moved that the rules be suspended and that Senate Bill No. 2282 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. 2282. A Bill for an Act to amend and reenact subsections 3 and 6 of section 54-52-01 and section 54-52-02 of the North Dakota Century Code, relating to definitions and formulation of plans under the state employees' retirement system, and to provide a legislative intent relating to prior service benefits for District Health Unit qualified employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44, nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhoyd	Melland	Sanstead
Barth	Hernettt	Morgan	Schultz
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Netting	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Holand	Ringsak	Sorlie
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So the bill passed and the title was agreed to.

MOTION

Senator Jones moved that Senate Concurrent Resolution No. 4048 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Jones requested unanimous consent to withdraw Senate Concurrent Resolution No. 4048, which request was granted.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SIXTH DAY

Bismarck, March 10, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Walter Dingfield, Bismarck Baptist.

"This afternoon, our Loving and Gracious Heavenly Father, we come to you in the Name of our Lord Jesus Christ. We thank you for this privilege of prayer. We thank you that you do hear and do answer. We thank you for another day of opportunity, a day of praise, a day of blessing, a day of responsibility. We do recognize that your will is to be done in heaven and in earth. This is our desire, Lord, that whatever we do in word and in deed, might be done to the glory of God. Grant to these Senators thy wisdom, as decisions need to be made. May their decisions be governed by their desire to love the Lord their God with all their heart, and their desire to love their neighbors as themselves. Bless them and their families. Guide, direct and superintend over all matters this afternoon, our Father, as we ask these petitions in the Name of our Saviour. Amen."

Roll call: All Senators present except Senators Butler, Holand, Ringsak and Sorlie.

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 fifty-fourth day after recess and fifty-fifth day and recommends that the same be corrected as follows:

On page 953, line 13, correct the spelling of the word "conference"

On page 975, line 10 from the bottom, delete the word "Senate" and insert in lieu thereof "House"

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MOTION

Senator Melland moved that rules be suspended and that Senate Bill No. 2512 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2512. A Bill for an Act to authorize the state board of higher education to sell and convey certain land presently under the custody and control of the Ellendale branch of the university of North Dakota to the city of Ellendale or to a nonprofit industrial development corporation in such city.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

the roll was called and there were ayes, 38; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Strinden
Barth	Kautzmann	Nething	Stroup
Berube	Larson, G.	Pyle	Swedlund
Chesrown	Larson, L.	Rait	Thane
Christensen	Lips	Robinson	Thoreson
Coughlin	Litten	Roen	Unruh
Freed	Longmire	Sanstead	Van Horn
Goldberg	Melland	Schultz	Wenstrom
Gronhovd	Morgan	Sorlie	Willhite
Hernett	Mutch		

Those voting in the negative were:

Doherty	Forkner	Just	Redlin
Erdman	Jacobson	Page	

Absent and not voting:

Butler	Holand	Ringsak
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So the bill passed and the title was agreed to.

Senator Melland moved that the vote by which Senate Bill No. 2512 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 10, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4002
Senate Concurrent Resolution No. 4043.

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 10, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1027
House Bill No. 1119
House Bill No. 1288
House Bill No. 1291
House Bill No. 1333
House Bill No. 1397
House Bill No. 1418
House Bill No. 1498
House Bill No. 1525
House Concurrent Resolution No. 3035

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 10, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1132
House Bill No. 1433
House Bill No. 1514
House Concurrent Resolution No. 3066

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 10, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1135
Which the Senate has failed to pass.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 10, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1211
House Bill No. 1217
House Bill No. 1416
House Bill No. 1448
House Bill No. 1476
House Bill No. 1544
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 10, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:
Senate Bill No. 2282

Very respectfully,
LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1007. A Bill for an Act making an appropriation to the unemployment compensation division for the purpose of administering the provisions of Chapters 52-09 and 52-10 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite

Absent and not voting:

Butler	Erdman	Holand	Ringsak
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So the bill passed and the title was agreed to.

House Bill No. 1034. A Bill for an Act making an appropriation for paying the salaries and other expenses of the state potato 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, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie

Berube	Just	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Coughlin	Holand
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So the bill passed and the title was agreed to.

House Bill No. 1188. A Bill for an Act to create and enact section 51-07-14 of the North Dakota Century Code, to allow wholesalers and manufacturers to charge a one and one-half percent service charge per month on all accounts which are overdue.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 924 of the Senate Journal, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Jones	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Doherty	Litten	Redlin	Thoreson
Forkner	Longmire	Robinson	Unruh
Freed	Melland	Roen	Van Horn
Goldberg	Morgan	Sanstead	Wenstrom
Hernett	Mutch	Schultz	Wilhite
Jacobson	Nasset	Sorlie	

Those voting in the negative were:

Barth	Erdman	Just	Larson, L.
Berube	Gronhovd		

Absent and not voting:

Butler	Holand	Ringsak
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So the bill passed and the title was agreed to.

House Bill No. 1247. A Bill for an Act relating to the creation and authorization of nonprofit vision service corporations whereby visual services may be provided by licensed practitioners to members of the public who become subscribers to said corporations under contracts which entitle such subscribers to certain specified vision services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 924 of the Senate Journal, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sorlie
Barth	Gronhovd	Melland	Strinden
Berube	Jacobson	Morgan	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Schultz	Wenstrom
Forkner			

Those voting in the negative were:

Freed	Litten	Robinson	Sanstead
Hernett	Mutch	Roen	Van Horn
Larson, G.	Rait		

Absent and not voting:

Butler	Nasset	Ringsak	Wilhite
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

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, 16; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Nasset	Schultz
Barth	Jones	Nething	Strinden
Chesrown	Kautzmann	Pyle	Stroup
Christensen	Larson, G.	Redlin	Swedlund
Coughlin	Larson, L.	Robinson	Thoreson
Doherty	Litten	Roen	Wenstrom
Forkner	Melland	Sanstead	Wilhite
Freed			

Those voting in the negative were:

Berube	Jacobson	Morgan	Sorlie
Erdman	Just	Mutch	Thane
Goldberg	Lips	Page	Unruh
Gronhovd	Longmire	Rait	Van Horn

Absent and not voting:

Butler	Holand	Ringsak
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Senator Goldberg changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 10, 1971

Mr. President: I have the honor to return herewith the following,

- Senate Bill No. 2021
- Senate Bill No. 2181
- Senate Bill No. 2218
- Senate Bill No. 2259
- Senate Bill No. 2278
- Senate Bill No. 2352
- Senate Bill No. 2375
- Senate Bill No. 2398
- Senate Bill No. 2458
- Senate Concurrent Resolution No. 4053

Which the House has amended.

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL No. 2181

On page 2, line 20, delete the word "through" and insert in lieu thereof the word "throughout"

AMENDMENTS TO SENATE BILL No. 2021

On page 1, line 3 of the engrossed bill, after the word "property" insert "and declaring an emergency"

Page 1, line 13, delete the figure "187,732.00" and insert in lieu thereof the figure "247,732.00"

Page 1, line 19, delete the figure "71,924.00" and insert in lieu thereof the figure "131,924.00"

Page 1, line 23, delete the figure "187,732.00" and insert in lieu thereof the figure "247,732.00"

Page 2, line 7, after the period insert the following sections:

"SECTION 3.) The division of the Director of Surplus Property is hereby directed to take such action as may be necessary to clean up the premises — straighten up the warehouses, and to sell and or dispose of all surplus property over one year old through the use of combined packed sales, and other methods not in conflict with federal law.

And when so amended recommends the same do pass.

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."

AMENDMENTS TO SENATE BILL No. 2218

On page 2, line 3, delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 8, after the word "request" and before the period, insert the following: "**provided that no abstract or statement shall be sent to a driver where the request for his abstract was made by the federal bureau of investigation or the United States central intelligence agency, or their agents, or by any law enforcement agency of this state, or of its political subdivisions**"

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2259

On page 1, line 17 delete the triple parentheses around the word "four" and delete the word "six"

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2278

On page 1, line 6, before the period, insert the following words: "and to provide an appropriation"

On page 2, line 16, after the period, insert the following new section:

"SECTION 2. APPROPRIATION.) All federal funds made available to the state of North Dakota pursuant to the provisions of Public Law 89-665 during the biennium beginning July 1, 1971, and ending June 30, 1973, are hereby appropriated for the purposes defined in this Act. Approval shall first be received from the Legislative Council Committee on Budget before such funds may be expended."

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2352

Delete the word "section" and insert in lieu thereof "sections" as it appears in Line 30, on Page 1128 of the House Journal.

Following "40-22-15" add ", 40-22-17 and 40-22-18" in line 31, on Page 1128 of the House Journal.

AMENDMENTS TO SENATE BILL No. 2375

On page 5, line 34, of the engrossed bill, delete the word "may" and insert in lieu thereof the word "shall"

On page 5, line 35, after the word "persons" insert the following new language: "dealing in the sale of annual vegetable and floral plants"

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2398

On page 1, line 7 of the engrossed bill after the word "disposal"

and before the period insert the following “, and declaring an emergency”

On page 2, after line 26 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 pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2458

On page 2, line 7, of the engrossed bill, delete the word “fifteen” and insert in lieu thereof the word “thirteen” and delete the triple parentheses around the word “five” and delete the word “twelve”

On page 2, line 8, delete the word “fifteen” and insert in lieu thereof the word “thirteen”

On page 2, line 9, delete the triple parentheses before the word “but”

On page 2, line 10, delete the triple parentheses after the word “ten” and delete the following: “, twenty-two”

On page 2, line 11, delete the triple parentheses before the number “3”

On page 2, line 12, place triple parentheses around the word “nineteen” and insert in lieu thereof the word “twenty”

On page 2, line 12, place triple parentheses around the word “twenty” and insert in lieu thereof the word “fifteen”

On page 2, line 13, place triple parentheses around the word “nineteen” and insert in lieu thereof the word “twenty”

On page 2, line 14, place triple parentheses around the word “thirty” and insert in lieu thereof the word “twenty”

On page 2, line 16, place triple parentheses around the word “forty” and insert in lieu thereof the word “thirty-five” and delete the triple parentheses after the period

On page 2, line 17, insert an underlined comma after the first word “trailer”

And renumber the lines accordingly.

AMENDMENTS TO SENATE CONCURRENT RESOLUTION No. 4053

On page 2, line 10 delete the word “requested” and insert the word “urged”

On page 2, line 13 after the word “jurisdiction” delete the words “prior to the convening of the Forty-third”

On page 2, line 14 before the semi-colon delete the words “Legislative Assembly”

And renumber the lines accordingly.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 10, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2036

Senate Bill No. 2234

Senate Bill No. 2319

Senate Bill No. 2408

Senate Bill No. 2426

Senate Concurrent Resolution No. 4052

Senate Concurrent Resolution No. 4075

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 10, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2111
Senate Bill No. 2215
Senate Bill No. 2225
Senate Bill No. 2280
Senate Bill No. 2397
Senate Bill No. 2419

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 10, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2008
Senate Bill No. 2060
Senate Bill No. 2176
Senate Bill No. 2221
Senate Bill No. 2239
Senate Bill No. 2241
Senate Bill No. 2271
Senate Bill No. 2272
Senate Bill No. 2297
Senate Bill No. 2313
Senate Bill No. 2315
Senate Bill No. 2326
Senate Bill No. 2327
Senate Bill No. 2328
Senate Bill No. 2330
Senate Bill No. 2335
Senate Bill No. 2344

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 9, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1013
House Bill No. 1029
House Bill No. 1048
House Bill No. 1161
House Bill No. 1311
House Bill No. 1313
House Bill No. 1361
House Bill No. 1428
House Concurrent Resolution No. 3002
House Concurrent Resolution No. 3077
House Concurrent Resolution No. 3051

Very respectfully,
ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 10, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4039

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk
House Chamber

Bismarck, March 10, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1484

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Lee
Hentges
W. Erickson

Very respectfully,
ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 10, 1971

Mr. President: I have the honor to return:
Senate Bill No. 2154

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk
House Chamber

Bismarck, March 10, 1971

Mr. President: I have the honor to transmit:
House Bill No. 1068

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1337. A Bill for an Act to create and enact sections 4-28.1-04 and 4-28.1-05 of the North Dakota Century Code, relating to administration of the flax utilization research fund by the business and industrial development commission; to amend and reenact subsection 2 of section 4-28.1-02 of the North Dakota Century Code relating to the definition of "first purchaser"; to amend and reenact section 4-28.1-01, relating to flax tax levy and refunds, and to provide for an appropriation, and 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, 38; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Goldberg	Longmire	Sanstead
Barth	Gronhovd	Melland	Strinden
Berube	Hernett	Morgan	Stroup
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nething	Thane
Coughlin	Just	Pyle	Thoreson
Doherty	Kautzmann	Rait	Unruh
Erdman	Larson, L.	Robinson	Van Horn
Forkner	Lips	Roen	Wilhite
Freed	Litten		

Those voting in the negative were:

Mutch

Absent and not voting:

Butler	Page	Ringsak	Sorlie
Holand	Redlin	Schultz	Wenstrom
Larson, G.			

So the bill passed and the title was agreed to.

House Bill No. 1343. A Bill for an Act to repeal section 4-06-11 of the North Dakota Century Code, relating to the agriculture commissioner's duties concerning cooperatives.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Hernett	Mutch	Strinden
Berube	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, L.	Robinson	Unruh
Erdman	Lips	Roen	Van Horn
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire	Schultz	Wilhite
Goldberg	Melland		

Absent and not voting:

Butler	Larson, G.	Redlin	Ringsak
Holand	Page		

So the bill passed and the title was agreed to.

House Bill No. 1363. A Bill for an Act to amend and reenact section 16-17-05.1 of the North Dakota Century Code, relating to the consolidation of precinct committeemen's ballot.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Hernett	Mutch	Strinden
Berube	Jacobson	Nasset	Stroup
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, L.	Robinson	Unruh
Erdman	Lips	Roen	Van Horn
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire	Schultz	Wilhite
Goldberg	Melland		

Absent and not voting:

Butler	Larson, G.	Redlin	Ringsak
Holand	Page		

So the bill passed and the title was agreed to.

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

Which has been read.

Senator Mutch moved that House Bill No. 1414 be laid over one legislative day, which motion prevailed.

House Bill No. 1436. A Bill for an Act to create and enact section 23-01-17 of the North Dakota Century Code, relating to authority for the state health council to make rules and regulations concerning noise that is hazardous to health and safety.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 925 of the Senate Journal, the roll was called and there were ayes, 31; nays, 11; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Freed	Lips	Sanstead
Barth	Gronhovd	Litten	Sorlie
Berube	Hernett	Longmire	Stroup
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nothing	Thoreson
Coughlin	Just	Pyle	Unruh
Doherty	Kautzmann	Rait	Van Horn
Erdman	Larson, L.	Roen	

Those voting in the negative were:

Forkner	Morgan	Robinson	Thane
Goldberg	Mutch	Schultz	Wilhite
Melland	Page	Strinden	
Absent and not voting:			
Butler	Larson, G.	Ringsak	Wenstrom
Holand	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1440. A Bill for an Act to amend and reenact sections 39-18-02 and 39-18-03 of the 1969 Supplement to the North Dakota Century Code, relating to 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, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Coughlin	Just	Nothing	Stroup
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, L.	Pyle	Thane
Forkner	Lips	Rait	Thoreson
Freed	Litten	Robinson	Unruh
Goldberg	Longmire	Roen	Van Horn
Gronhovd	Melland	Sanstead	Wilhite

Absent and not voting:

Berube	Christensen	Larson, G.	Ringsak
Butler	Holand	Redlin	Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 1446. 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 imposing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 926 of the Senate Journal, the roll was called and there were ayes, 23; nays, 19; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Strinden
Barth	Jacobson	Mutch	Stroup
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Page	Unruh
Doherty	Larson, G.	Pyle	Wenstrom
Erdman	Litten	Robinson	

Those voting in the negative were:

Berube	Gronhovd	Melland	Schultz
Chesrown	Kautzmann	Nething	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Butler	Redlin	Sorlie	Van Horn
Holand	Ringsak		

Senator Goldberg changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

House Bill No. 1467. A Bill for an Act to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to tax receipts for property tax purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 926 of the Senate Journal, the roll was called and there were ayes, 16, nays, 27; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Christensen	Just	Sanstead
Barth	Erdman	Larson, L.	Stroup
Berube	Gronhovd	Nething	Swedlund
Chesrown	Hernett	Rait	Unruh

Those voting in the negative were:

Coughlin	Kautzmann	Nasset	Sorlie
Doherty	Larson, G.	Page	Strinden
Forkner	Lips	Pyle	Thane
Freed	Longmire	Redlin	Thoreson
Goldberg	Melland	Robinson	Wenstrom
Jacobson	Morgan	Roen	Wilhite
Jones	Mutch	Schultz	

Absent and not voting:

Butler	Litten	Ringsak	Van Horn
Holand			

So the bill was declared lost.

House Bill No. 1537. A Bill for an Act to amend and reenact sections 57-17-01, 57-17-02, 57-17-03, and 57-17-04 of the North Dakota Century Code, relating to excess levies in counties, cities, and townships, to notice of election, and to the form 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, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Robinson	Wenstrom
Freed	Longmire	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Butler	Litten	Ringsak	Van Horn
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1539. A Bill for an Act to create an Indian development fund under the supervision of the North Dakota business and industrial development department, and making an appropriation.

Which has been read.

Senator Sanstead moved that House Bill No. 1539 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3020. A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to lowering of the voting age from twenty-one to eighteen.

Which has been read.

Senator Sanstead moved that House Concurrent Resolution No. 3020 be amended as follows:

In line 17, following the word "proposed," insert the following: "and the electorate shall have accepted"

Which motion prevailed.

Senator Sanstead moved that the rules be suspended and that House Concurrent Resolution No. 3020 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

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, 40; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Unruh
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Robinson	Willite

Those voting in the negative were:

Coughlin	Morgan	Schultz	Strinden
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Absent and not voting:

Butler	Holand	Ringsak	Van Horn
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So the resolution was declared adopted.

House Concurrent Resolution No. 3027. A Concurrent Resolution urging the Congress of the United States to correct the inequalities and inadequacies in the limitations now imposed by section 127 of title 23 of the United States Code, relating to restrictions upon weights of vehicles operated upon state highways that are a part of the federal aid systems.

Which has been read.

Senator Unruh moved that House Concurrent Resolution No. 3027 be adopted, which motion prevailed.

House Concurrent Resolution No. 3083. A Concurrent Resolution urging Congress to direct the United States Army Corps of En-

gineers to construct and maintain at federal expense additional bank stabilization works on the Missouri River in North Dakota.

Which has been read.

Senator G. Larson moved that House Concurrent Resolution No. 3083 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 1068

Has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Senator Doherty
Senator Anderson
Senator Rait

For the House:

Rep. Hentges
Rep. Hensrud
Rep. Backes

Senator Doherty moved that the report be adopted, which motion prevailed.

Senator Doherty moved that the rules be suspended and that House Bill No. 1068 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. 1068. A Bill for an Act to amend and reenact section 46-02-10 of the North Dakota Century Code, relating to the printing and binding of public documents, and providing deadlines for delivery.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Berube	Just	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Christensen	Larson, L.	Fyle	Swedlund
Coughlin	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Forkner	Longmire	Robinson	Unruh
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite

Those voting in the negative were:

Doherty

Absent and not voting:

Butler	Goldberg	Larson, G.	Van Horn
Freed	Holand	Ringsak	

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Longmire 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. 1484, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1484
Senator Longmire
Senator Jacobson
Senator Christensen

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2008
Senate Bill No. 2060
Senate Bill No. 2176
Senate Bill No. 2221
Senate Bill No. 2239
Senate Bill No. 2241
Senate Bill No. 2271
Senate Bill No. 2272
Senate Bill No. 2297
Senate Bill No. 2313
Senate Bill No. 2315
Senate Bill No. 2326
Senate Bill No. 2327
Senate Bill No. 2328
Senate Bill No. 2330
Senate Bill No. 2335
Senate Bill No. 2344

Were delivered to the Governor for his approval at the hour of 3:55 o'clock p.m., March 10, 1971.

SENATOR STRINDEN, Chairman

Senator Wilhite moved that after the reading of House Bills Nos. 1023, 1025, 1036, 1043, 1053, 1057, 1102, 1186, 1246, 1324, 1326, 1382, and 1469 that the Senate recess until 1:15 p.m. on March 11, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



**FIFTY-SIXTH DAY AFTER RECESS
AND FIFTY-SEVENTH DAY**

Bismarck, March 11, 1971

The Senate convened at 1:15 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 bill:

Senate Bill No. 2512

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 11, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1055
House Bill No. 1105
House Bill No. 1114
House Bill No. 1122
House Bill No. 1149
House Bill No. 1166
House Bill No. 1213
House Bill No. 1221
House Bill No. 1222
House Bill No. 1233
House Bill No. 1236
House Bill No. 1244
House Bill No. 1253
House Bill No. 1265
House Bill No. 1272
House Bill No. 1281
House Bill No. 1287
House Bill No. 1290
House Bill No. 1312
House Bill No. 1316
House Bill No. 1348
House Bill No. 1357
House Bill No. 1380
House Bill No. 1450

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

**STATE OF NORTH DAKOTA
Executive Office
Bismarck**

March 11, 1971

The Honorable Richard F. Larsen
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 10, I signed the following:

Senate Bill No. 2466

On March 11, I signed the following:

Senate Bill No. 2015

Senate Bill No. 2038

Senate Bill No. 2040

Senate Bill No. 2117

Senate Bill No. 2123

Senate Bill No. 2127

Senate Bill No. 2173

Senate Bill No. 2241

Senate Bill No. 2242

Senate Bill No. 2256

Senate Bill No. 2257

Senate Bill No. 2292

Senate Bill No. 2294

Senate Bill No. 2296

Senate Bill No. 2303

Senate Bill No. 2317

Senate Bill No. 2322

Senate Bill No. 2353

Senate Bill No. 2376

Senate Bill No. 2416

Senate Bill No. 2417

Senate Bill No. 2427

Senate Bill No. 2510

Senate Bill No. 2511

Sincerely yours,
 William L. Guy
 Governor

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1030, 1033, 1077 and 1319 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1030 as recommended by the Committee on Appropriations, and printed on page 987 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1033 as recommended by the Committee on Appropriations, and printed on page 988 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 1077 as recommended by the Committee on Political Subdivisions, and printed on pages 988, 989, and 990 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1319 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on pages 990 and 991 of the Senate Journal, be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2021, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2021 be deemed properly engrossed and placed on second

reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2021. A Bill for an Act making an appropriation to the department of public instruction for the purpose of paying salaries and other expense of the director of surplus property, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Ringsak	Swedlund
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So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2181, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2181 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2181. A Bill for an Act relating to the escheat of unclaimed accounts of the Postal Savings System held by the United States Treasury Department; providing an appropriation; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Ringsak
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So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 2218, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 2218 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2218. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to the fee charged for furnishing an abstract of a driver's record or accident report, and providing that a copy of each abstract requested also be sent to the driver.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Ringsak
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So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do not concur in the House amendments to Senate Bill No. 2259 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. 2259

Senators:
Longmire
Goldberg
Just

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2278, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2278 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2278. A Bill for an Act to accept on behalf of the state of North Dakota the conditions, purposes, and terms of Public Law 89-665 of the Eighty-ninth Congress, an Act to establish a program for the preservation of additional historic properties throughout the nation, and to designate the state historical society to act on behalf of North Dakota, and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	Wilhite

Absent and not voting:

Butler	Christensen	Doherty	Ringsak
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So the bill passed and the title was agreed to.

Senator Sanstead moved that the Senate do concur in the House amendments to Senate Bill No. 2352, which motion prevailed.

Senator Sanstead moved that the rules be suspended and that Senate Bill No. 2352 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2352. A Bill for an Act relating to the restoration of certain property damaged in flood control and providing for the imposition of special assessments for costs incurred.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Erdman	Lips	Rait	Thoreson
Forkner	Litten	Redlin	Unruh
Freed	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Butler	Goldberg	Larson, L.	Sorlie
Doherty	Just	Ringsak	Van Horn

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. 2375, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 2375 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2375. A Bill for an Act to create and enact a nurseries and nursery stock chapter of the North Dakota Century Code, to repeal chapter 4-20 of the North Dakota Century Code, relating to nurseries and nursery stock, and providing a penalty

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Roen
Barth	Hernett	Morgan	Sanstead
Berube	Holand	Mutch	Schultz
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Butler	Ringsak	Stroup	Swedlund
Just	Sorlie		

So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2398, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2398 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2398. A Bill for an Act to create and enact subsection 15 of section 11-11-14 of the North Dakota Century Code; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to the powers and duties of board of county commissioners regarding garbage collection and operation of sanitary landfills or other places of disposal, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 36; nays, 3; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Schultz
Berube	Holand	Nothing	Swedlund
Chesrown	Jones	Page	Thane
Christensen	Kautzmann	Pyle	Thoreson
Coughlin	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Forkner	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite

Those voting in the negative were:

Freed	Morgan	Strinden
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Absent and not voting:

Butler	Just	Nasset	Sorlie
Doherty	Mutch	Ringsak	Stroup
Jacobson			

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Forkner moved that the Senate do not concur in the House amendments to Senate Bill No. 2458 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. 2458

Senators:
Mutch
Unruh
Erdman

Senator Roen moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4053 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. 4053

Senators:
Jacobson
Anderson
Christensen

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4086 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 Concurrent Resolution No. 4087 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 Appropriations to whom was referred House Bill No. 1002 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

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 SORLIE, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR SORLIE, Chairman

Senator Jones moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1070 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 31 of the engrossed bill after "than" delete "four" and insert in lieu thereof "six"

Page 7 line 20 after the period delete the remainder of the line

Page 7 delete all of line 21

Page 7 line 22 delete the following "section, but shall not invalidate the cancellation."

Page 10 line 3 after "26-02-40." delete the remainder of the line

Page 10 delete all of lines 4 through 15 and insert in lieu thereof the following "NONLIABILITY OF PARTIES.) The specific reason for cancellation or nonrenewal which is furnished to the insured, shall not constitute grounds for any cause of action against the insurer or his authorized representative, or its agents or employees, or any firm, person or corporation who in good faith furnishes to the insurer the information upon which the reasons for cancellation or nonrenewal are based."

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1101 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 of the engrossed bill, delete the first "and", and insert in lieu thereof a comma, and in the same line, after the word "state", insert the words ", or legislative"

On page 1, line 9, after the word "PROCEDURE", and before the period insert "-- COSTS", and in the same line after the word "primary", insert ", special,"

On page 1, line 11, delete the words "by less than three percent of the total"

On page 1, line 12, delete the words "votes cast for such office in such election"

On page 1, line 13, delete the period and the word "Such", and insert in lieu thereof the following: "in the manner and circumstances hereinafter provided. The demand may be made if the person shall have failed to be nominated in a primary election by less than two percent of the highest vote cast for a candidate of his party for the office sought, or the demand may be made by any person who failed to be elected at a special or general election by less than one-half of one percent of the highest vote cast for a candidate for that office. The"

On page 2, delete lines 9 through 12

On page 2, line 13, delete the words "of the total votes cast for such office, the"

On page 2, line 14, after the partial word "volved", delete the words "shall bear the costs of such recount"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1116 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 House Bill No. 1140 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 6, of the engrossed bill, after the word "funds", and before the period, insert the following: "; and providing an effective date"

On page 3, line 17, delete the triple parentheses before and after the word "seven"

On page 3, line 18, delete the underscored word "five", and in the same line, delete the triple parentheses before the word "and" and delete the triple parentheses after the word "cents"

On page 3, line 28, delete the triple parentheses before the dash

On page 3, line 29, delete the triple parentheses after the word "DAKOTA"

On page 3, line 34, delete the triple parentheses

On page 4, line 2, delete the triple parentheses

On page 4, following line 4, insert the following new section:

"SECTION 8. EFFECTIVE DATE.) The provisions of this Act shall take effect on July 1, 1972."

And renumber the lines and pages and accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

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 be indefinitely postponed.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1229 has had the same under consideration and recommends that the same be amended as follows:

Page 2 of the engrossed bill delete lines 24 through 28

Page 3 line 11 after the comma delete "1968" and insert in lieu thereof "1970"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions 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 1 of the engrossed bill, delete lines 18 through 24, and insert in lieu thereof the following:

- "a. Seven thousand two hundred sixty dollars minimum salary in counties having a population not exceeding eight thousand.**
- b. Seven thousand four 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.**
- c. Ten thousand four hundred fifty dollars minimum salary in counties having a population exceeding thirty thousand."**

On page 2, delete lines 1 through 16

On page 2, line 17, delete the letter "f", and insert in lieu thereof the letter "d"

On page 2 delete lines 24 through 32

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1286 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 Judiciary to whom was referred House Bill No. 1306 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 22 after the ending triple parentheses delete the remainder of the line

Page 1 delete all of lines 23 and 24

Page 2 delete all of lines 1 through 17 and insert in lieu thereof the following:

"ENROLLING AND ENGROSSING BILLS, ARRANGEMENT FOR — ADVERTISEMENTS.) The chairman of the enrolling and engrossing committee of the House and Senate so designated at the organizational meeting and the Secretary of State shall constitute a negotiating committee and shall make all necessary arrangements for the engrossing and enrolling of bills and resolutions passed by each house of the Legislative Assembly. The negotiating committee may negotiate with any person or persons and may enter into and execute contracts to perform the necessary engrossing and enrolling of bills and resolutions. The Secretary of State shall advertise that, on the first day of the legislative organizational meeting in December, the committee will receive written proposals for engrossing and enrolling of bills and resolutions and invite persons who are interested to submit proposals. The advertisement shall be published in a newspaper at the seat of government at least once each week for two successive weeks commencing on the first Wednesday in October of the year preceding the regular session of the Legislative Assembly. The negotiating committee, however, shall not be limited to written proposals received. After examining and reviewing proposals submitted, it may award the contract to any person or persons on a negotiated basis.

Page 2 line 30 after the ending parentheses delete the remainder of the line

Page 2 delete all of lines 31 through 35

Page 3 delete all of lines 1 through 3 and insert in lieu thereof the following:

"The negotiating committee shall require a surety bond for the performance of the work in awarding the contract for enrolling and engrossing bills and resolutions of the Legislative Assembly. The amount of the surety bond shall be commensurate with the amount of work to be performed and shall be set by the negotiating committee. Such contract may be awarded only to a bona fide resident of this state."

Page 3 line 18 after the ending parenthesis delete the remainder of the line

Page 3 delete all of lines 19 through 30 and insert in lieu thereof the following:

"The negotiating committee, with the advice of the Legislative Council, shall determine the form and style of the engrossed and enrolled bills and resolutions and shall determine the mechanical or other methods by which the engrossing or enrolling is to be done.

The negotiating committee shall determine the charges to be made, which shall be set forth in the contract. The negotiating committee may also determine the number of employees to be employed by the person with whom it has contracted or will contract to enroll and engross bills and resolutions. The negotiating committee may also require and provide in the contract for specific provisions which will expedite, improve and facilitate enrolling and engrossing services to the Legislative Assembly."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1352 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 8 of the engrossed bill following the period insert the following: **"Such school may be reopened only at the beginning of the next regular school term which follows by at least ninety days the date of the election or the date the validity of the petition is verified."**

Renumber pages and 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.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1401 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill line 7 after the word "LIMITS" insert the following: **"— EFFECTIVE DATE"**

On page 1, line 17 delete the word "five" and insert in lieu thereof the word "two"

On page 2, line 1 after the period, insert the following:

"Actions commenceable in the small claims court shall only be those in which the cause of action has accrued on or after January 1, 1971."

On page 2, line 20 delete the word "five" and insert in lieu thereof the word "two"

On page 2, line 24 delete the word "five" and insert in lieu thereof the word "two"

On page 2, line 27 after the period, insert the following:

"A trial by jury shall be deemed to be waived if neither party, before the commencement of the trial, demands a jury; or if either party fails to appear at the time fixed for the trial. Either party may demand a trial by jury on depositing with the court a sum sufficient to pay six jurors their fees for one day's attendance. A jury shall be composed of six residents of the county having the qualifications of jurors, or of any number less than six if the parties so agree."

On page 3, line 3 after the word "and" insert the following: **"unless otherwise provided in the order"**

On page 3, line 5 after the word "BY" delete the following: **"DEFENDANT — JURY"**

On page 3, line 6 delete the following: **"TRIAL IN DISTRICT COURT — SIZE OF JURY"** and insert in lieu thereof the following: **"PARTIES"**

On page 3, line 10 delete the words **"The judgement"**

On page 3 delete line 11, inclusive.

On page 3, line 12 delete the words "of appeal, and if the defendant" and insert in lieu thereof the following: "If any party"

On page 3 delete lines 17 through 35 and insert in lieu thereof the following: "2. The appeal in the small claims court is taken by serving the notice of appeal and a copy of the undertaking within five days after filing of the same, on the adverse party or his attorney and by filing the notice of appeal together with the undertaking required by law with the clerk of the district court of the county in which the appeal is taken. All proceedings in the district court shall be conducted in accordance with the North Dakota rules of civil procedure and the rules of the district courts applicable to civil action. Undertakings under this section shall be in the manner as provided for undertakings in appeals from justice courts."

On page 4 delete lines 1 through 17, inclusive.

On page 5, after the last printed line of the bill, insert the following new section:

SECTION 8. REFEREES, APPOINTMENT; TERM; METHOD OF QUALIFYING; POWERS AND DUTIES; COMPENSATION.) The judge of a county court of increased jurisdiction may appoint for his county one or more referees of the small claims court who shall hold office at the pleasure of such judge. However, such appointment shall not be made in any county having a population of less than thirty-five thousand inhabitants, unless the board of county commissioners of the county first shall authorize it. Such referees shall qualify in the same manner as other civil officers and his duties and powers in the conduct of trials in the small claims court shall be governed by the provisions of Rule 53 (c) North Dakota Rules of Civil Procedure insofar as such provisions are not in conflict with the provisions of this Act. The referee appointed shall be a person versed in the law. Each referee appointed hereunder shall be paid the annual salary, in equal monthly installments, in the sum fixed by the appointing judge, but subject to the consent of the board of County Commissioners as to amount. They shall, at the expense of the county, be furnished with such clerical assistance, office space and equipment as may be required to carry out the functions of the small claims court.

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1503 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Strinden moved that the report be adopted, which motion lost and House Bill No. 1503 was placed on the calendar.

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 be amended as follows:

On page 1, line 1 of the engrossed bill insert a comma after the numerals "16-04-15.2"

On page 1, line 2, delete the word "and" where it first appears

On page 1, line 2, after the numerals "16-11-05.1" insert the following word and numerals: ", and 16-18-06.1"

On page 1, line 8, after the word "officials" and before the period, insert the following: ", and providing a form for the application for absentee ballots and to provide that precincts shall be arranged on voting machines according to the total votes cast in the previous

general election for governor, and to provide for the placement of names on ballots and voting machines in races having more than three candidates”

On page 4, line 4, after the period insert the following: “For the purposes of this section, the precincts shall be arranged according to the total votes cast for governor in the last general election in which such office was filled, starting with the precinct having the highest total votes cast and ending with the precinct having the lowest total votes cast in such election.

If there are more than three candidates for any office, and it is not possible to place all of the names on one line, the names shall be placed in two or more lines having an equal or nearly equal number of names on each line, provided that in no such event shall only one name appear on any line.”

On page 5, after line 22, insert the following new section:

“(SECTION 7.) Section 16-18-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

16-18-06.1. APPLICATION FORM FOR ABSENT VOTER'S BOLLOT FOR PERSONS AUTHORIZED TO VOTE FOR FEDERAL OFFICES ONLY.) Application for an absent voter's ballot for persons between eighteen and twenty-one years of age who are authorized to vote for federal offices only shall be made on a blank to be furnished by the proper officer of the county, city, or school district of which the applicant is a resident and must be in substantially the following form:

I, _____, a resident of the township of _____ or of the _____ precinct of the _____ ward of the city of _____ of the county _____ of the state of North Dakota, to my best knowledge and belief, am entitled to vote for federal elected officials in such precinct at the next election, expecting to be absent from the said county on the day for holding such election, or by reason of physical disability being unable to attend and vote at such election, hereby make application for an official absent voter's ballot to be voted by me at such election.
 Date _____ Signed _____
 Witness: _____ Post Office _____

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1545 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 of the engrossed bill after the second comma delete “15-15.1-27.”

Page 1 line 6 after the first comma delete “continuance of elementary schools.”

Page 4 delete all of lines 33 through 35

Page 5 delete all of lines 1 through 15

Renumber pages, lines and sections 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 Transportation to whom was

referred House Bill No. 1550 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 18 after "hospitalization" insert a comma

Page 2 line 8 at the beginning of the line delete "an"

Page 2 line 12 at the end of the line delete "30-20-05" and insert in lieu thereof "39-20-05"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1555 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 of the engrossed bill after "subsection 2" insert "3, 4, and 5"

Page 2 line 23 after "Subsection 2" insert "3, 4, and 5"

Page 7 line 20 after "not" insert the following "in connection with any commercial retail or wholesale business being conducted from such farms, nor"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1560 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution No. 3015 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 Concurrent Resolution No. 3028 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 1 after "resolution" delete "directing" and insert in lieu thereof "urging"

Page 2 line 9 at the beginning of sentence delete "and directs"

Renumber 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 Education to whom was referred House Concurrent Resolution No. 3038 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 re-

ferred House Concurrent Resolution No. 3045 has had the same under consideration and recommends the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution No. 3064 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 Finance and Taxation to whom was referred House Concurrent Resolution No. 3076 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 after "to" delete "establish a 20% level of assessment" and insert in lieu thereof "maintain the present levels of assessments for a two year period with any minor variations"

Page 2 delete all of lines 10 through 13 and insert in lieu thereof "maintain the present levels of assessments for a two year period with only minor variations"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

RECOGNITION

Senator L. Larson announced that Miss Angela Skytland of Fairdale, North Dakota, Potato Queen for North Dakota, was in the chambers and moved that a committee of two be appointed to escort Miss Engela Skytland to the front of the Senate for the rendition of a vocal solo, which motion prevailed.

The President appointed as such committee, Senators Hernet and L. Larson, and Miss Skytland was escorted to the front of the Senate, welcomed by the President and invited to sing a vocal solo, and Miss Skytland did sing a vocal solo and was recognized by the Senate.

MESSAGE TO THE HOUSE

Senate Chambers

Bismarck, March 11, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2512

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MOTION

Senator Goldberg moved that the Senate reconsider the action by which House Bill No. 1446 was lost, which motion prevailed.

Senator Goldberg moved that House Bill No. 1446 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1446. 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 imposing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

on page 926 of the Senate Journal, the roll was called and there were ayes, 32; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Ringsak
Chesrown	Hernett	Morgan	Robinson
Coughlin	Holand	Mutch	Sorlie
Doherty	Jacobson	Nasset	Strinden
Erdman	Jones	Page	Stroup
Forkner	Just	Pyle	Swedlund
Freed	Larson, G.	Rait	Unruh
Goldberg	Litten	Redlin	Wenstrom

Those voting in the negative were:

Barth	Larson, L.	Roen	Thoreson
Berube	Lips	Sanstead	Van Horn
Christensen	Melland	Thane	Wilhite
Kautzmann	Nething		

Absent and not voting:

Butler Schultz

So the bill passed and the title was agreed to.

MOTION

Senator Goldberg moved that the Senate reconsider the action by which House Bill No. 1308 was lost, which motion prevailed.

Senator Barth moved that House Bill No. 1308 be placed at the head of the calendar, which motion prevailed.

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

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, 1.

Those voting in the affirmative were:

Anderson	Goldberg	Litten	Robinson
Barth	Hernett	Melland	Roen
Chesrown	Holand	Morgan	Schultz
Christensen	Jacobson	Nasset	Strinden
Coughlin	Jones	Nething	Stroup
Doherty	Kautzmann	Pyle	Thoreson
Forkner	Larson, G.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite

Those voting in the negative were:

Berube	Larson, L.	Rait	Thane
Erdman	Longmire	Sanstead	Unruh
Gronhovd	Mutch	Sorlie	Van Horn
Just	Page	Swedlund	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senator Unruh moved that the vote by which House Bill No. 1308 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

POINT OF INQUIRY ON HOUSE BILL No. 1308

The President having ruled that the bill passed and the title was agreed to. Senator Mutch rose on a point of inquiry and requested a ruling as to what constituted a two-thirds majority.

The President announced that since the name of Senator Kenneth Lowe had been stricken from the record, that thirty-two was a two-

thirds majority, but that he would ask the rules committee to meet immediately after adjournment and report back after the Senate reconvenes.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SIXTH DAY

Bismarck, March 11, 1971

The Senate convened at 2:00 p.m., the President presiding.

RULING ON HOUSE BILL No. 1308

Lt. Governor: "The Chair wishes to report regarding the ruling on House Bill No. 1308, that the rules committee has met. The Chair is going to rule as it did earlier that House Bill No. 1308 was passed. The chairman of the Rules Committee has requested an Attorney General's opinion on the matter, and if the Attorney General's opinion does not concur with the ruling of the Chair, then the Chair will revise its ruling. The ruling of the Chair is that House Bill No. 1308 received a constitutional majority of 32 votes, and has passed and the title is agreed to."

Prayer by Chaplain Christopher Davis, Annunciation Priory, Bismarck.

"O God, our Father in Heaven, please behold and guide with kindness these representatives of the people of this State, assembled here in the Senate to further the purposes and to protect the rights of all those who have entrusted to them that due measure of authority which the government of this nation believes rests in the people of this land. Remind them, Father, that according to your word, 'all government comes from God, (and) the civil authorities were appointed by God' (Rm. 13:1, JB). Encourage them to search for, and find within themselves, a consciousness of purpose which matches the fullest understanding of their high calling. Allow them to share with you some measure of the disposition of your gracious gifts: let them be the instruments of your own happy providence. So that, in a harmonious union of their wisdom and your power, the poor may have bread for both body and soul; the wronged may have the satisfaction of the victory of the right; the peaceful may be encouraged to uphold the laws; and the irritable and factious may be restrained by vigilance. And may the deliberations of this senate on this day be worthy of the trust and confidence placed in this chamber. And may we, at the conclusion of our business here, be found to have been pleasing to the mind of God, and to all good men everywhere. Amen."

Roll call: All Senators present except Senator Butler.

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 fifty-fifth day after recess and fifty-sixth day and recommends that the same be corrected as follows:

On page 979, line 42, delete the word "FORTHHER" and insert in lieu thereof the word "FURTHER"

On page 981, line 43 delete the word "devisions" and insert in lieu thereof the word "decisions"

On page 984, lines 12 and 13 from the bottom, correct the spelling of the word "repealed"

On page 985, line 16, correct spelling of the word "without"

On page 986, line 20, correct spelling of the word "until"

On page 986, after line 31, insert lines 34, 35 and 36

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

FIRST READING OF
SENATE CONCURRENT RESOLUTIONS

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4090. A Concurrent Resolution requesting a hearing by the United States Civil Aeronautics Board on the possible need for providing alternatives to presently established east-west air transportation services for the people of North Dakota.

Was read the first time and referred to the committee on Transportation.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4091. 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.

Was read the first time.

MOTION

Senator Robinson moved that the rules be suspended, that Senate Concurrent Resolution No. 4091 be not printed as a bill put printed in the journal, and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4091

(Introduced by Committee on Delayed Bills)

1 A concurrent resolution providing for the retaining of
2 certain employees of the House of Representatives and
3 Senate after the legislative session for the purpose of
4 completing legislative work.

5
6 WHEREAS, after termination of the Forty-second Legis-
7 lative Assembly it is necessary to complete and close all
8 legislative work, and

9 WHEREAS, in order to so complete and close such work
10 it is necessary to retain certain employees.

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE

11a OF THE

12 STATE OF NORTH DAKOTA, THE HOUSE OF

12a REPRESENTATIVES

13 CONCURRING THEREIN:

14 That the following employees from the House of Repres-
15 entatives of the Forty-second Legislative Assembly be retained
16 after the close of session to complete legislative work:

17 Roy Gilbreath, Chief Clerk, be retained ten days;

18 Barbara King, Desk Reporter, four days;

19 Cecil Crandell, Sergeant-at-Arms, three days;

20 E. A. Tough, Assistant Chief Clerk, four days;

21 Delano Wawers, Bill Clerk, four days;

22 Florence Nemer, Chief Stenographer and Payroll Clerk, three
22a days;

23 Lela Knudsen, Chief Committee Clerk, one day;

24 James Bond, Calendar Clerk, three days;

Page No. 2

1 Vonnie Wold, Enrolling and Engrossing Clerk, six days;

2 Bernice Herner, Assistant Enrolling and Engrossing Clerk,

3 six days;

4 Clara Wendt, Chief Page, two days;

- 5 Dorothy Litchfield, Secretary to the Speaker, one day;
- 6 Mavis Patchen, Secretary to the Majority Floor Leader, one day;
- 7 Elsie Zimmerman, Secretary to the Minority Floor Leader, one day;
- 7a day;
- 8 Olger Sandven, Deputy Sergeant-at-Arms, three days;
- 9 Enola Eck, Bill Room Clerk, four days;
- 10 Laurel Renner, Appropriations Committee Clerk, one day;
- 11 Louise Ebert, Committee Clerk, one day;
- 12 LuGale Backlin, Committee Clerk, one day;
- 13 Helen Soma, Committee Clerk, one day;
- 14 Alice Zako, Committee Clerk, one day;
- 15 Fred Krause, Jr., Journal Room Chief, four days;
- 16 Gertrude Learn, Journal Proofreader, five days;
- 17 Ruth Boyer, Journal Proofreader, five days;
- 18 That the following employees from the Senate of the
- 19 Forty-second Legislative Assembly be retained after the close
- 20 of session to complete legislative work:
- 21 Leo Leidholm, Secretary, be retained ten days;
- 22 A. E. Bradley, Sergeant-at-Arms, four days;
- 23 Arthur Herk, Assistant Secretary, six days;
- 24 Vernon Asheim, Bill Clerk, four days;
- 25 Emil Albrecht, Assistant Sergeant-at-Arms, three days;
- 26 Richard H. Jagd, Deputy Sergeant-at-Arms, three days;
- 27 Cora Essington, Chief Stenographer and Payroll Clerk, three days;
- 28 Dormilee Diede, Secretary to the President, five days;
- 29 Gladys VanVleet, Secretary to the Majority Floor Leader, one
- 29a day;
- 30 Patricia Mitzel, Secretary to the Minority Floor Leader, one day;
- 31 MacDonald Omafray, Enrolling and Engrossing Clerk, six days;
- 32 Marie Skjod, Assistant Enrolling and Engrossing Clerk, six days;
- 33 Lois Scherr, Chief Committee Clerk, one day;
- 34 Marlene Backman, Committee Clerk, one day;
- 35 Donna Heisler, Committee Clerk, one day;

Page No. 3

- 1 Edna Sand, Committee Clerk, one day;
- 2 Carolyn Sette, Committee Clerk, one day;
- 3 Marjorie Trangsrud, Committee Clerk, one day;
- 4 Gladys Derrick, Appropriations Committee Clerk, one day;
- 5 Evelyn Sholts, Bill Room Clerk, four days;
- 6 **BE IT FURTHER RESOLVED**, that the above named em-
- 6a ployees
- 7 be paid their regular rates of pay as specified as follows:
- 8 Roy Gilbreath, Chief Clerk, ten days at thirty-six dollars and
- 9 thirty cents per day;
- 10 Barbara King, Desk Reporter, four days at thirty-six dollars
- 11 and thirty cents per day;
- 12 Cecil Crandell, Sergeant-at-Arms, three days at twenty dollars
- 13 and ninety cents per day;
- 14 E. A. Tough, Assistant Chief Clerk, four days at twenty-seven
- 15 dollars and fifty cents per day;
- 16 Delano Wawers, Bill Clerk, four days at twenty-four dollars
- 17 and twenty cents per day;
- 18 Florence Nemer, Chief Stenographer and Payroll Clerk, three
- 18a days
- 19 at twenty-six dollars and forty cents per day;
- 20 Lela Knudsen, Chief Committee Clerk, one day at twenty-four
- 21 dollars and twenty cents per day;
- 22 James Bond, Calendar Clerk, three days at twenty-four dollars
- 23 and twenty cents per day;
- 24 Vonnie Wold, Enrolling and Engrossing Clerk, six days at twenty
- 25 dollars and ninety cents per day;
- 26 Bernice Herner, Assistant Enrolling and Engrossing Clerk, six
- 27 days at twenty dollars and ninety cents per day;
- 28 Clara Wendt, Chief Page, two days at nineteen dollars and eighty

- 29 cents per day;
- 30 Dorothy Litchfield, Secretary to the Speaker, one day at twenty-
- 31 three dollars and ten cents per day;
- 32 Mavis Patchen, Secretary to the Majority Floor Leader, one day
- 33 at twenty-three dollars and ten cents per day;
- 34 Elsie Zimmerman, Secretary to the Minority Floor Leader, one
- 34a day
- 35 at twenty-three dollars and ten cents per day;

Page No. 4

- 1 Olger Sandven, Deputy Sergeant-at-Arms, three days at seventeen
- 2 dollars and sixty cents per day;
- 3 Enola Eck, Bill Room Clerk, four days at sixteen dollars and
- 4 fifty cents per day;
- 5 Laurel Renner, Appropriations Committee Clerk, one day at
- 5a twenty-
- 6 three dollars and ten cents per day;
- 7 Louise Ebert, Committee Clerk, one day at twenty-two dollars
- 8 per day;
- 9 LuGale Backlin, Committee Clerk, one day at twenty-two
- 9a dollars
- 10 per day;
- 11 Helen Soma, Committee Clerk, one day at twenty-two dollars
- 11a per
- 12 day;
- 13 Alice Zako, Committee Clerk, one day at twenty-two dollars per
- 14 day;
- 15 Fred Krause, Jr., Journal Room Chief, four days at seventeen
- 16 dollars and sixty cents per day;
- 17 Gertrude Learn, Journal Proofreader, five days at twenty dollars
- 18 and ninety cents per day;
- 19 Ruth Boyer, Journal Proofreader, five days at twenty dollars
- 20 and ninety cents per day;
- 21 Leo Leidholm, Secretary, ten days at thirty-six dollars and
- 22 thirty cents per day;
- 23 A. E. Bradley, Sergeant-at-Arms, four days at twenty dollars and
- 24 ninety cents per day;
- 25 Arthur Herk, Assistant Secretary, six days at twenty-seven
- 26 dollars and fifty cents per day;
- 27 Vernon Asheim, Bill Clerk, four days at twenty-four dollars and
- 28 twenty cents per day;
- 29 Emil Albrecht, Assistant Sergeant-at-Arms, three days at
- 30 sixteen dollars and fifty cents per day;
- 31 Richard H. Jagd, Deputy Sergeant-at-Arms, three days at
- 32 seventeen dollars and sixty cents per day;
- 33 Cora Essington, Chief Stenographer and Payroll Clerk, three
- 34 days at twenty-six dollars and forty cents per day;
- 35 Dormilee Diede, Secretary to the President, five days at

Page No. 5

- 1 twenty-three dollars and ten cents per day;
- 2 Gladys VanVleet, Secretary to the Majority Floor Leader, one
- 3 day at twenty-three dollars and ten cents per day;
- 4 Patricia Mitzel, Secretary to the Minority Floor Leader, one
- 5 day at twenty-three dollars and ten cents per day;
- 6 MacDonald Omafray, Enrolling and Engrossing Clerk, six days
- 7 at twenty dollars and ninety cents per day;
- 8 Marie Skjod, Assistant Enrolling and Engrossing Clerk, six
- 9 days at twenty dollars and ninety cents per day;
- 10 Lois Scherr, Chief Committee Clerk, one day at twenty-four
- 11 dollars and twenty cents per day;
- 12 Marlene Backman, Committee Clerk, one day at twenty-two
- 13 dollars per day;
- 14 Donna Heisler, Committee Clerk, one day at twenty-two
- 15 dollars per day;

- 16 Edna Sand, Committee Clerk, one day at twenty-two dollars
 17 per day;
 18 Carolyn Sette, Committee Clerk, one day at twenty-two
 19 dollars per day;
 20 Marjorie Trangsrud, Committee Clerk, one day at twenty-two
 21 dollars per day;
 22 Gladys Derrick, Appropriations Committee Clerk, one day at
 23 twenty-three dollars and ten cents per day;
 24 Evelyn Sholts, Bill Room Clerk, four days at sixteen dollars
 25 and fifty cents per day;
 26 and all of the above expenses are to be paid out of the per
 27 diem employees fund of the Forty-second Legislative Assembly
 28 and paid when the respective claims are verified by the
 29 affidavits of said parties named herein at the completion of
 30 said work.

MOTION

Senator Robinson moved that the rules be suspended, that Senate Concurrent Resolution No. 4091 be not printed as a bill but printed in the Journal, and laid over one legislative day, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2304 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2304 be amended as follows:

On page 1, line 2 of the engrossed bill, after the numerals "44-08-04" add the following: "and subsection 1 of section 54-06-09"

On page 2, after line 1, insert the following:

"SECTION 2. AMENDMENT.) Subsection 1 of section 54-06-09 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The sum of (((nine))) **ten** cents per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. The sum of (((eleven))) **ten** cents per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by private airplane. If only one person shall engage in such travel in a motor vehicle exceeding at any geographical point one hundred fifty miles beyond the borders of this state, reimbursement shall be limited to seven cents per mile for the out-of-state portion of the travel. When (((any such))) **official travel is by** motor vehicle or airplane (((is))) owned by the state or by any department or political subdivision thereof, no allowance shall be made or paid for such mileage;"

For the Senate:

Senator Coughlin
 Senator Schultz
 Senator Swedlund

For the House:

Rep. Hilleboe
 Rep. Hentges
 Rep. Patrick

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Coughlin moved that the rules be suspended and that Senate Bill No. 2304 be deemed properly reengrossed 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. 2304. A Bill for an Act to amend and reenact subsections 1, 2, 3 and 4 of section 44-08-04 and subsection 1 of sec-

tion 54-06-09 of the North Dakota Century Code, relating to travel expenses, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Hernett

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 11, 1971

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. 1484

Senators:

Longmire
Jacobson
Christensen

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return herewith the following:
House Bill No. 1068

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 2021
Senate Bill No. 2181
Senate Bill No. 2218
Senate Bill No. 2278
Senate Bill No. 2375
Senate Bill No. 2398

Refused to concur in the House amendment to:

Senate Bill No. 2259
Senate Bill No. 2458
Senate Concurrent Resolution No. 4053

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:
Longmire
Goldberg
Just

To serve on Senate Bill No. 2259

Senators:
Mutch
Unruh
Erdman

To serve on Senate Bill No. 2458

Senators:
Jacobson
Anderson
Christensen

To serve on Senate Concurrent Resolution No. 4053

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1007
House Bill No. 1034
House Bill No. 1337
House Bill No. 1343
House Bill No. 1363
House Bill No. 1440
House Bill No. 1537
House Concurrent Resolution No. 3027
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1188
House Bill No. 1247
House Bill No. 1436
House Concurrent Resolution No. 3020
House Concurrent Resolution No. 3083
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1467
Which the Senate failed to pass.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1160
House Bill No. 1335
House Bill No. 1506
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:
House Bill No. 1055

House Bill No. 1105
 House Bill No. 1114
 House Bill No. 1122
 House Bill No. 1149
 House Bill No. 1166
 House Bill No. 1213
 House Bill No. 1221
 House Bill No. 1222
 House Bill No. 1233
 House Bill No. 1236
 House Bill No. 1244
 House Bill No. 1253
 House Bill No. 1265
 House Bill No. 1272
 House Bill No. 1281
 House Bill No. 1287
 House Bill No. 1290
 House Bill No. 1312
 House Bill No. 1316
 House Bill No. 1348
 House Bill No. 1357
 House Bill No. 1380
 House Bill No. 1450

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1055
 House Bill No. 1105
 House Bill No. 1114
 House Bill No. 1122
 House Bill No. 1149
 House Bill No. 1166
 House Bill No. 1213
 House Bill No. 1221
 House Bill No. 1222
 House Bill No. 1233
 House Bill No. 1236
 House Bill No. 1244
 House Bill No. 1253
 House Bill No. 1265
 House Bill No. 1272
 House Bill No. 1281
 House Bill No. 1287
 House Bill No. 1290
 House Bill No. 1312
 House Bill No. 1316
 House Bill No. 1348
 House Bill No. 1357
 House Bill No. 1380
 House Bill No. 1450

Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF A HOUSE BILL

House Bill No. 1023. A Bill for an Act making an appropriation to the state water conservation commission for general administrative expenses, maintenance and construction of dams; planning, surveying and construction expenses of multiple purpose water projects; and organizing water conservation and irrigation districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 955 of the Senate Journal, the roll was called and there were ayes 44; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Those voting in the negative were:

Morgan Rait

Absent and not voting:

Butler Hernett

So the bill passed and the title was agreed to.

MOTION

Senator Kautzmann moved that House Bill No. 1326 be placed at the head of the calendar, which motion prevailed.

Senator Thane moved that House Bills Nos. 1324 and 1414 be placed on the calendar immediately below House Bill No. 1326, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1326. A Bill for an Act to provide that persons engaged in the transplantation or transfusion of human tissues and related purposes shall not be liable for damages except for their own negligence or willful misconduct.

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, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Hernett

So the bill passed and the title was agreed to.

House Bill No. 1324. 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, on pages 958 and 959 of the Senate Journal, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Kautzmann	Redlin	Stroup
Coughlin	Larson, G.	Ringsak	Swedlund
Doherty	Lips	Robinson	Thane
Forkner	Litten	Roen	Thoreson
Freed	Morgan	Sanstead	Unruh
Goldberg	Nasset	Sorlie	Wenstrom
Jacobson	Pyle	Strinden	Wilhite
Jones			

Those voting in the negative were:

Barth	Gronhovd	Longmire	Page
Berube	Holand	Melland	Rait
Chesrown	Just	Mutch	Schultz
Christensen	Larson, L.	Nothing	Van Horn
Erdman			

Absent and not voting:

Butler Hernett

So the bill passed and the title was agreed to.

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

Which has been read.

Senator Mutch moved that House Bill No. 1414 be amended as follows:

On page 2, delete lines 16, 17 and 18, and insert in lieu thereof the following:

"3. Town, city and suburban residences and appurtenant structures thereto, including household and personal effects if such property is owned by a member of the company or by his spouse, and if such member has other insurance of farm property with the company for a substantial amount."

Renumber the lines accordingly.

Which motion prevailed.

Senator Mutch moved that the rules be suspended and that House Bill No. 1414 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

Which has been read.

Senator Thane requested consent of the body to vote on House Bill No. 1414.

Senator Goldberg moved that Senator Thane not be excused from voting on House Bill No. 1414, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 832 of the Senate Journal, and from the floor, the roll was called and there were ayes, 23; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Page	Sorlie
Berube	Jacobson	Rait	Swedlund
Christensen	Just	Ringsak	Thane

Coughlin	Larson, L.	Robinson	Thoreson
Erdman	Longmire	Roen	Van Horn
Forkner	Morgan	Schultz	

Those voting in the negative were:

Barth	Holand	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Doherty	Larson, G.	Nething	Unruh
Freed	Lips	Pyle	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Melland	Sanstead	

Absent and not voting:

Butler	Kautzmann
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Senator Mutch changed his vote from aye to nay for purpose of reconsideration.

So the bill was declared lost.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 11, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2151
Senate Bill No. 2153
Senate Bill No. 2155
Senate Bill No. 2156
Senate Bill No. 2157
Senate Bill No. 2346
Senate Concurrent Resolution No. 4054
Which the House passed unchanged.

House Chamber
Bismarck, March 11, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2013
Senate Bill No. 2022
Senate Bill No. 2024
Senate Bill No. 2354
Senate Bill No. 2481
Senate Bill No. 2489
Senate Concurrent Resolution No. 4055
Which the House has amended.

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL No. 2013

Page 1, line 13 of the engrossed bill, delete the figure "1,586,510.00" and insert in lieu thereof the figure "1,549,285.00"

Page 1, line 17, delete the figure "1,196,726.00" and insert in lieu thereof the figure "1,177,476.00"

Page 1, line 18, delete the figure "209,976.00" and insert in lieu thereof the figure "203,051.00"

Page 1, line 19, delete the figure "150,300.00" and insert in lieu thereof the figure "142,250.00"

Page 1, line 20, delete the figure "15,508.00" and insert in lieu thereof the figure "12,508.00"

Page 1, line 24, delete the figure "1,586,510.00" and insert in lieu thereof the figure "1,549,285.00"

Page 2, line 1, delete the figure "287,510.00" and insert in lieu thereof the figure "295,510.00"

Page 2, line 2, delete the figure "1,299,000.00" and insert in lieu thereof the figure "1,253,775.00"

AMENDMENTS TO SENATE BILL No. 2022

Page 1, line 12 of the engrossed bill, delete the figure "744,788.00" and insert in lieu thereof the figure "764,788.00"

Page 1, line 19, delete the figure "45,000.00" and insert in lieu thereof the figure "65,000.00"

Page 1, line 20, delete the figure "744,788.00" and insert in lieu thereof the figure "764,788.00"

Page 1, line 23, delete the figure "384,104.00" and insert in lieu thereof the figure "404,104.00"

AMENDMENTS TO SENATE BILL No. 2024

Page 1, line 9, delete the words "There is hereby appropriated"

Page 1, delete lines 10 through 14 inclusive and insert in lieu thereof: "There is hereby appropriated the sum of \$1,189,445.00" from the seed department fund, and the sum of \$46,700.00 out of the general fund in the state treasury, or so much thereof as may be necessary for salaries and expenses for the state seed department, as provided for in chapters 4-09, 4-10, and 4-11, North Dakota Century Code, for the biennium beginning July 1, 1971 and ending June 30, 1973, to wit:"

Page 1, after line 20 insert the following:

"Less seed department income	\$1,189,445.00
General Fund appropriation	\$ 46,700.00"

Renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2354

On page 2, line 11 after the semicolon insert the word "and"

On page 2, line 13 following the word "hospital" insert a semicolon and delete the words "or nursing"

On page 2 delete all of lines 14 through 19 inclusive

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2481

On page 1, line 12, after the word "auditor" insert the following: " upon resolution of the board of county commissioners,"

On page 1, line 12, delete the following: " , not to exceed one mill,"

On page 1, line 14, delete everything after the comma and insert in lieu thereof the following: "but in no case shall the amount of the levy cause the total levy for such township to exceed the maximum levy limitations, including excess levy limitations, provided by law"

On page 1, line 15, delete everything before the period

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2489

On page 1, line 15 delete the triple parentheses before the colon

On page 1, line 17 after the word "estate" insert the words " , consisting of forty acres, or more,"

On page 1, line 19 insert triple parentheses before the word "except" and place triple parentheses after the word "where" and insert in lieu thereof the following:

"provided that where such real estate, consisting of forty acres or more, is held in a decedent's estate, notice may be given to the executor or administrator, and no further notice need be given to any other person who may have an interest in the real estate. Where"

On page 1, line 20 after the word "city" insert the words "or of an Indian reservation,"

On page 1, line 21 after the word "city" insert the following:

“or to the chief local officer of the federal bureau of Indian affairs, as the case may be,”

On page 1, line 22 after the word “record” and before the word “title” insert the word **“surface”**

On page 1, line 23 after the word “city” insert the words **“or Indian reservation”**

On page 1, line 24 delete the triple parentheses after the numeral **“(2)”**

And renumber the pages and lines accordingly.

**AMENDMENTS TO
SENATE CONCURRENT RESOLUTION No. 4055**

On page 2, line 10 after the word “appropriate” delete the words **“at least fifty”** and insert the words **“the necessary funds”**

On page 2, line 11 delete the words **“million dollars”**

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 11, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2288

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 11, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2304

On which the Senate has adopted the conference Committee report.

LEO LEIDHOLM, Secretary

MOTION

Senator Van Horn moved that House Bill No. 1539 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1539. A Bill for an Act to create an Indian development fund under the supervision of the North Dakota business and industrial development department, and making 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, 5; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Stroup
Chesrown	Just	Nothing	Swedlund
Christensen	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Ringsak	Unruh
Goldberg	Litten	Robinson	Van Horn
Grønhovd	Longmire	Roen	Wenstrom
Herneit	Melland	Sanstead	Wilhite

Those voting in the negative were:

Coughlin	Freed	Page	Redlin
Forkner			

Absent and not voting:

Butler Kautzmann Strinden

So the bill passed and the title was agreed to.

MOTION

Senator Roen moved that House Bill No. 1271 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1271. A Bill for an Act to create and enact subsection 20 of section 61-16-11, and to amend and reenact subsection 4 of section 61-16-01, and sections 61-16-12, 61-16-21, 61-16-22, 61-16-23, 61-16-28, 61-16-32, 61-16-33, 61-16-34, and 61-16-35 of the North Dakota Century Code, relating to water management districts, and authorizing such districts to engage in water supply and sewage system projects.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 877 of the Senate Journal, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan	Schultz	

Those voting in the negative were:

Forkner

Absent and not voting:

Butler Freed Kautzmann Redlin

So the bill passed and the title was agreed to.

House Bill No. 1025. A Bill for an Act making an appropriation to the capitol grounds planning commission out of the general fund for the purposes of defraying the expenses 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, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nothing	Stroup
Chesrown	Just	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan	Schultz	

Absent and not voting:

Butler Freed Kautzmann Redlin

Coughlin

So the bill passed and the title was agreed to.

House Bill No. 1036. A Bill for an Act making an appropriation to the director of institutions for the purpose capitol grounds improvements.

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, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Larson, G.	Pyle	Thoreson
Doherty	Larson, L.	Rait	Unruh
Erdman	Lips	Ringsak	Van Horn
Forkner	Litlen	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler	Kautzmann	Redlin	Stroup
Freed			

So the bill passed and the title was agreed to.

House Bill No. 1043. A Bill for an Act to provide for a central microfilm unit in the office of the secretary of state; to provide for the transfer of certain microfilm equipment to the secretary of state; 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litlen	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite

Absent and not voting:

Butler	Freed	Kautzmann	Redlin
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So the bill passed and the title was agreed to.

House Bill No. 1053. A Bill for an Act to create and enact new subsections to sections 57-39.2-02, 57-39.2-03, and 57-39.2-03.1, and to create and enact a new subdivision to subsection 9 of section 57-40.2-01 of the North Dakota Century Code, relating to the taxation of food purchased from college and university cafeterias and dining rooms.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 956 of the Senate Journal, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Strinden
Barth	Holand	Nething	Stroup

Berube	Jacobson	Page	Thane
Chesrown	Jones	Pyle	Thoreson
Christensen	Larson, G.	Rait	Unruh
Coughlin	Larson, L.	Robinson	Van Horn
Erdman	Litten	Roen	Wenstrom
Freed	Longmire	Schultz	Wilhite
Goldberg	Melland	Sorlie	

Those voting in the negative were:

Doherty	Just	Nasset	Sanstead
Forkner	Lips	Redlin	Swedlund
Gronhovd	Morgan	Ringsak	

Absent and not voting:

Butler Kautzmann

So the bill passed and the title was agreed to.

House Bill No. 1057. A Bill for an Act to amend and reenact subsection 10 of section 57-02-01 of the North Dakota Century Code, relating to the definition of a farm.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 956 and 957 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Kautzmann

So the bill passed and the title was agreed to.

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

Which has been read.

Senator Thane moved that House Bill No. 1094 be laid over one legislative day, which motion lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Coughlin	Jones	Page	Stroup
Doherty	Just	Pyle	Swedlund
Forkner	Larson, G.	Redlin	Thoreson
Freed	Lips	Ringsak	Unruh
Goldberg	Litten	Robinson	Wenstrom

Gronhovd	Longmire	Schultz	Wilhite
Hernett	Melland		

Those voting in the negative were:

Barth	Erdman	Rait	Thane
Berube	Larson, L.	Sanstead	Van Horn
Christensen	Mutch		

Absent and not voting:

Butler	Kautzmann	Nothing	Roen
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So the bill passed and the title was agreed to.

House Bill No. 1102. A Bill for an Act to amend subdivision h of subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the computation of the adjusted gross estate for purposes of determining the exemption of a surviving spouse for estate tax purposes, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 957 of the Senate Journal, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Unruh
Erdman	Litten	Ringsak	Van Horn
Forkner	Longmire	Robinson	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg			

Absent and not voting:

Butler	Just	Nothing	Thoreson
Holand	Kautzmann	Roen	

So the bill passed and the title was agreed to.

House Bill No. 1186. A Bill for an Act to amend and reenact section 37-01-03 of the North Dakota Century Code, relating to not having to charge a person under the code of military justice before turning the person over to civil authorities.

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, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Page	Thane
Coughlin	Just	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Forkner	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Butler	Nothing	Sorlie	Swedlund
Kautzmann	Roen		

So the bill passed and the title was agreed to.

House Bill No. 1246. A Bill for an Act to repeal subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 957 and 958 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Page	Swedlund
Coughlin	Just	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite

Absent and not voting:

Butler	Kautzmann	Nothing	Roen
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 11, 1971

Mr. President: I have the honor to return:

House Bill No. 1035

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 11, 1971

Mr. President: I have the honor to inform you that the House requests the return of:

House Concurrent Resolution No. 3009

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 11, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1132

Very respectfully,
ROY GILBREATH, Chief Clerk

MOTION

Senator G. Larson moved that House Concurrent Resolution No. 3009 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator G. Larson moved that House Concurrent Resolution No. 3009 be returned to the House as requested, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 11, 1971

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3009

Which the House has requested.

LEO LEIDHOLM, Secretary

THURSDAY, MARCH 11, 1971

1043

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 11, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1061
House Bill No. 1066
House Bill No. 1115
House Bill No. 1131
House Bill No. 1156
House Bill No. 1189
House Bill No. 1207
House Bill No. 1209
House Bill No. 1250
House Bill No. 1258
House Bill No. 1280
House Bill No. 1305
House Bill No. 1358
House Bill No. 1461
House Bill No. 1462
House Bill No. 1463
House Bill No. 1465
House Bill No. 1468
House Bill No. 1482
House Bill No. 1491
House Bill No. 1496
House Bill No. 1509
House Bill No. 1510
House Bill No. 1515
House Bill No. 1527
House Bill No. 1528

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4086, 4087 and 4091, House Bills Nos. 1002, 1010, 1017, 1026, 1030, 1033, 1077, 1116, 1319, 1503, 1560, and House Concurrent Resolutions Nos. 3015, 3038, 3045 and 3064, that the Senate recess until 9:30 a.m., March 12, 1971, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTY-SEVENTH DAY AFTER RECESS

Bismarck, March 12, 1971

The Senate convened at 9:30 a.m., pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 11, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1261

House Bill No. 1548

House Bill No. 1549

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 11, 1971

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,

Representatives:

L. Hausauer

Jenkins

Mertens

Very respectfully,
ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1070, 1101, 1140, 1229, 1254, 1306, 1352, 1401, 1534, 1545, 1550, 1555, and House Concurrent Resolutions Nos. 3028 and 3076, be dispensed with, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1070 as recommended by the Committee on Judiciary, and printed on pages 1015 and 1016 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1101 as recommended by the Committee on Judiciary, and printed on page 1016 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1140 as recommended by the Committee on Judiciary, and printed on pages 1016 and 1017 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 1229 as recommended by the Committee on Political Subdivisions and printed on page 1017 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 1254 as recommended by the Committee on Political Subdivisions and printed on pages 1017 and 1018 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1306 as recommended by the Committee on Judiciary and printed on pages 1018 and 1019 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1352 as recommended by the Committee on Education and printed on page 1019 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1401 as recommended by the Committee on Judiciary, and printed on pages 1019 and 1020 of the Senate Journal, be adopted, which motion prevailed.

Senator Freed moved that House Bill No. 1401 be further amended as follows:

Page 2 of the engrossed bill line 5 after "and" delete "whenever such form is served" and insert in lieu thereof "serves same" and after "or" delete "mailed" and insert in lieu thereof "mails"

Line 18 of the Senate amendments after "jury" insert a period and delete the remainder of the line.

Delete all of line 19 of the Senate amendment

Page 3 of the engrossed bill line 13 delete "as indicated in the judgment"

Delete all of lines 54 through 73 of the Senate amendments and insert in lieu thereof the following: "The board of county commissioners may authorize a judge of a county court of increased jurisdiction to appoint a referee of the small claims court who shall hold office at the pleasure of said judge. Such referee shall qualify in the same manner as other civil officers and his duties and powers in the conduct of trials in the small claims court shall be governed by the provisions of Rule 53 (c) North Dakota Rules of Civil Procedure insofar as such provisions are not in conflict with the provisions of this Act. The referee appointed shall be a person versed in the law. The board of county commissioners shall determine the salary or fee of said referee."

Which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 1534 as recommended by the Committee on Judiciary, and printed on pages 1020 and 1021 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1545 as recommended by the Committee on Education, and printed on page 1022 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1550 as recommended by the Committee on Transportation, and printed on pages 1021 and 1022 of the Senate Journal, be adopted, which motion prevailed.

Senator Forkner moved that the amendments to House Bill No. 1555 as recommended by the Committee on Transportation and printed on page 1022 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Concurrent Resolution No. 3028 as recommended by the Committee on Education and printed on page 1022 of the Senate Journal, be adopted, which motion prevailed.

Senator Thoreson moved that the amendments to House Concurrent Resolution No. 3076 as recommended by the Committee on Finance and Taxation, and printed on page 1023 of the Senate Journal, be adopted, which motion prevailed.

The President requested the President Pro Tem to preside and the President Pro Tem presided.

SECOND READING OF HOUSE BILLS

House Bill No. 1002. A Bill for an Act making an appropriation for the general operation, maintenance and improvements of the extension division and experiment stations of 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, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nething	Sorlie
Christensen	Kautzmann	Page	Strinden
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Mutch	Thoreson
Chesrown	Just	Redlin	Van Horn
Goldberg	Longmire	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1010. A Bill for an Act making an appropriation for the maintenance and operation of the North Dakota soldiers' home at Lisbon.

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, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Holand	Nasset	Schultz
Berube	Jacobson	Nething	Sorlie
Chesrown	Jones	Page	Strinden
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Longmire	Stroup
Goldberg	Just	Mutch	Van Horn

So the bill passed and the title was agreed to.

The President resumed the chair and presided.

House Bill No. 1017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the teachers' insurance and retirement 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, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nething	Sorlie
Christensen	Kautzmann	Page	Strinden
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Wenstrom
Freed	Melland	Robinson	Wilhite
Gronhovd			

Absent and not voting:

Anderson	Hernett	Mutch	Swedlund
Butler	Just	Roen	Van Horn
Goldberg	Longmire	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1026. A Bill for an Act making an appropriation for the purpose of administering the provisions of Chapter 12-61 of the North Dakota Century Code.

Which has ben 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, 8.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth -	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Wenstrom
Freed	Melland	Roen	Wilhite

Absent and not voting:

Butler	Hernett	Longmire	Stroup
Goldberg	Just	Pyle	Van Horn

So the bill passed and the title was agreed to.

House Bill No. 1030. A Bill for an Act making an appropriation to the department of public instruction for the purpose of defraying the expenses of public schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 987 of the Senate Journal, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sanstead
Barth	Jacobson	Nasset	Schultz

Berube	Jones	Nothing	Sorlie
Chesrown	Kautzmann	Page	Strinden
Christensen	Larson, G.	Pyle	Swedlund
Coughlin	Larson, L.	Rait	Thane
Doherty	Lips	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Melland	Robinson	Wenstrom
Freed	Morgan	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Longmire	Van Horn
Goldberg	Just	Stroup	

So the bill passed and the title was agreed to.

House Bill No. 1033. A Bill for an Act making an appropriation for salaries and expenses of the constitutional convention and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 987 and 988 of the Senate Journal, the roll was called and there were ayes, 36; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Holand	Nasset	Schultz
Berube	Jacobson	Nothing	Sorlie
Chesrown	Jones	Page	Strinden
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Redlin	Unruh
Erdman	Lips	Robinson	Wenstrom
Forkner	Litten	Roen	Wilhite

Those voting in the negative were:

Freed	Mutch	Ringsak	Thane
Morgan			

Absent and not voting:

Butler	Hernett	Longmire	Van Horn
Goldberg	Just	Stroup	

So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 1077. A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the North Dakota Century Code, relating to salary and expenses of county commissioners.

Which has been read.

Senator Forkner moved that House Bill No. 1077 be laid over one legislative day, which motion was lost.

Senator Holand moved that House Bill No. 1077 be laid over one legislative day, which motion prevailed.

MOTION

Senator Sorlie moved that the Senate reconsider the action by which House Bill No. 1035 was passed, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1035. A Bill for an Act to provide payment of expenses to certain elected state officers, and making an appropriation.

Which has been read.

Senator Sorlie moved that House Bill No. 1035 be amended as follows:

On page 1, line 2, after the word appropriations insert the following words: "and declaring an emergency"

On page 2, line 13, insert a new section as follows:

"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."

Which motion prevailed.

Senator Sorlie moved that the rules be suspended and that House Bill No. 1035 be placed on second reading and final passage as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1035, as amended from the floor, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Netthing	Strinden
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Just Stroup

So the bill passed and the title was agreed to and the emergency clause carried.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 12, 1971

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. 2259

Rep. Brekke
Rep. White
Rep. Backes

Senate Bill No. 2458

Rep. Hensrud
Rep. Boustead
Rep. Gengler

Senate Concurrent Resolution No. 4053

Rep. Hentges
Rep. Stoltenow
Rep. Weber

Very respectfully,
ROY GILBREATH, Chief Clerk

MOTION

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1061
House Bill No. 1066
House Bill No. 1115
House Bill No. 1131
House Bill No. 1156
House Bill No. 1189
House Bill No. 1207
House Bill No. 1209
House Bill No. 1250
House Bill No. 1258
House Bill No. 1280
House Bill No. 1305
House Bill No. 1358
House Bill No. 1461
House Bill No. 1462
House Bill No. 1463
House Bill No. 1465
House Bill No. 1468
House Bill No. 1482
House Bill No. 1491
House Bill No. 1496
House Bill No. 1509
House Bill No. 1510
House Bill No. 1515
House Bill No. 1527
House Bill No. 1528

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1061
House Bill No. 1066
House Bill No. 1115
House Bill No. 1131
House Bill No. 1156
House Bill No. 1189
House Bill No. 1207
House Bill No. 1209
House Bill No. 1250
House Bill No. 1258
House Bill No. 1280
House Bill No. 1305
House Bill No. 1358
House Bill No. 1461
House Bill No. 1462
House Bill No. 1463
House Bill No. 1465
House Bill No. 1468
House Bill No. 1482
House Bill No. 1491
House Bill No. 1496
House Bill No. 1509
House Bill No. 1510
House Bill No. 1515
House Bill No. 1527
House Bill No. 1528

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 12, 1971

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. 2063

Representatives:

Bunker
White
DeGroot

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2248

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2020

Senate Bill No. 2072

Senate Bill No. 2198

Senate Bill No. 2205

Senate Bill No. 2212

Senate Bill No. 2219

Senate Bill No. 2231

Senate Bill No. 2245

Senate Bill No. 2249

Senate Bill No. 2254

Senate Bill No. 2267

Senate Bill No. 2270

Senate Bill No. 2311

Senate Bill No. 2320

Senate Bill No. 2331

Senate Bill No. 2355

Senate Bill No. 2383

Senate Bill No. 2406

Senate Bill No. 2412

Senate Bill No. 2420

Senate Bill No. 2487

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

MOTION

Senator Forkner moved that the rules be suspended and that House Bill No. 1555 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1555. A Bill for an Act to amend and reenact section 39-04-12, subsection 2 of section 39-04-19 of the 1969 Supplement to the North Dakota Century Code and section 39-04-21 of the North Dakota Century Code, relating to contents of number plates and motor vehicle registration fees.

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, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Roen
Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Larson, L.	Redlin	Unruh
Freed	Lips	Ringsak	Van Horn
Goldberg	Litten	Robinson	Wilhite
Gronhovd	Longmire		

Absent and not voting:

Butler	Melland	Strinden	Wenstrom
Coughlin	Sorlie		

So the bill passed and the title was agreed to.

MOTIONS

Senator Forkner moved that Senate Concurrent Resolution No. 4090 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Forkner requested unanimous consent of the Senate to withdraw Senate Concurrent Resolution No. 4090, which request was granted.

Senator Wilhite moved that the Senate reconsider the action by which House Bill No. 1094 was passed, which motion prevailed.

Senator Wilhite moved that House Bill No. 1094 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district 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, 0; nays, 44; absent and not voting, 4.

Those voting in the negative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Schultz
Berube	Holand	Nasset	Sorlie
Chesrown	Jacobson	Nething	Strinden
Christensen	Jones	Page	Stroup
Coughlin	Just	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wilhite

Absent and not voting:

Butler	Kautzmann	Melland	Wenstrom
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So the bill was declared lost.

MOTION

Senator Coughlin moved that House Bill No. 1503 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Mutch moved that the Senate reconsider the action by which House Bill No. 1414 was lost, which motion prevailed.

Senator Mutch moved that House Bill No. 1414 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

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, 26; absent and not voting, 1.

Those voting in the affirmative were:

Berube	Larson, L.	Page	Sorlie
Christensen	Longmire	Rait	Swedlund
Erdman	Morgan	Ringsak	Thane
Forkner	Mutch	Robinson	Thoreson
Gronhovd	Nasset	Schultz	Van Horn
Jacobson			

Those voting in the negative were:

Anderson	Hernett	Litten	Sanstead
Barth	Holand	Melland	Strinden
Chesrown	Jones	Nething	Stroup
Coughlin	Just	Pyle	Unruh
Doherty	Kautzmann	Redlin	Wenstrom
Freed	Larson, G.	Roen	Wilhite
Goldberg	Lips		

Absent and not voting:

Butler

So the bill was declared lost.

MESSAGE FROM THE GOVERNOR

(On Veto of Senate Bill No. 2066)

STATE OF NORTH DAKOTA

Executive Office
Bismarck

March 12, 1971

The Honorable Richard F. Larsen
President of the Senate
North Dakota State Senate
Bismarck, North Dakota

Dear Mr. President:

Senate Bill 2066 seeks to strengthen the Corrupt Practices Act by eliminating immunity from prosecution for persons testifying about political campaign contributions by corporations. I am sure that the sponsors of this legislation believe that by so doing they are strengthening the Corrupt Practices Act.

In my judgment, Senate Bill 2066 would virtually eliminate grand jury investigation under the Corrupt Practices Act. The elimination of immunity for witnesses who must testify before such a grand jury without the presence of legal counsel would force many witnesses to avail themselves of their constitutional rights under the Fifth Amendment. The end result would be a complete breakdown of the information-seeking mission of a grand jury inquiring into corrupt practices.

I join the sponsors of Senate Bill 2066 in believing that we must make the Corrupt Practices Act not only stronger but also far more equitable and effective than it is now.

All who are close to politics are well aware of the election law abuses that have been winked at or shrugged off by law enforcement officials for too many years. The escalating costs of political campaigns from the hundreds of dollars spent in legislative races to the thirty or forty million dollars spent in a Presidential contest all cry out for stronger controls.

Our present state laws seeking to prevent corrupt practices in elections are good as far as they go. But we must examine them not in theory but in the cold light of how they actually work. Most unbiased observers would agree that they are not strong enough, not far reaching enough, nor equitable enough between political parties and candidates to adequately serve the public interest.

The Corrupt Practices Act was designed to prevent political parties or candidates from corrupting our democratic system of government through the selling of influence. It was also designed to prevent one political party or its candidates from illegally raising campaign funds, and thus taking unfair advantage of the other to the detriment of our elective system in government.

The paramount purpose of this law, however, is to protect the public interest rather than the interest of any one political party or candidate.

The repeal of Section 16-20-10 of the North Dakota Century Code is sought by those who seek to eliminate the immunity from prosecution now protecting persons before a grand jury inquiring about alleged campaign contributions by corporations.

We must examine carefully what we would be doing by repealing Section 16-20-10, to see if we are really strengthening the Corrupt Practices Act as it applies to **all** political parties and **all** candidates.

Law enforcement, including the enforcement of the Corrupt Practices Act, must be totally nonpartisan to serve the public interest and to be fair to all candidates and political parties in the elective process.

However, it is never possible to make the law enforcement apparatus completely nonpartisan. Law enforcement personnel, like candidates, are recruited from the human race. We find that everybody involved in law enforcement has some political bias and many individuals in law enforcement have a strong record of organizational political activity.

Since it is impossible, in the enforcement of the Corrupt Practices Act, to obtain State's Attorneys, Attorneys General, Judges, and grand jurors who are totally without political bias, it is in the public interest that the enforcement of the Corrupt Practices Act **be made bipartisan** rather than partisan as it is at present.

The repeal of Section 16-20-10 would do nothing to inject a fair, bipartisan enforcement of the Corrupt Practices Act. As a matter of fact, **this repeal serves to amplify rather than diminish the obvious partisan enforcement of this Act.**

Candidates or political parties who are openly investigated by partisan law enforcement officials or who are subpoenaed before the secret proceedings of a grand jury are damaged and demeaned by such action, whether there is any substance to the inquiry or not.

The Corrupt Practices Act then should make it possible for either political party to be represented by counsel before any grand jury investigating alleged violations of the Corrupt Practices Act. This is not possible under the present law, nor does Senate Bill 2066 bring about this necessary equity of treatment under the law for all political parties and candidates.

There is ample evidence that the law enforcement apparatus con-

trolled by one political party can harass and demean its political opposition by concealing its ulterior motives behind the respectable front of a grand jury investigation.

There are mountains of evidence that State's Attorneys or Attorney General conduct of grand jury inquiries under the Corrupt Practices Act have amounted to fishing expeditions to cover up incompetent State's Attorney or Attorney General investigations.

There is also ample evidence that officials within the law enforcement system are reckless with the good reputations and political careers of their political opposition, but tend to be overly protective of the reputations and careers of people within their own political party.

This situation is not in the public interest, nor does it serve to protect or strengthen our democratic system of government.

We find, under the enforcement of the Corrupt Practices Act, that the political party controlling the law enforcement apparatus can harass at will at taxpayers' expense, whereas the harassed individual or political party is not able to have the same questions or investigation directed toward their political opponents.

A political party or candidate being investigated under the Corrupt Practices Act should have the power to name an Assistant State's Attorney to be paid from public funds to balance the investigative powers of a partisan State's Attorney or Attorney General. In this way, the public interest would be served with the assurance that both political parties and all candidates could be subject to any corrupt practices investigation, and no grand jury would be swayed by a one-sided politically motivated line of questioning of a carefully selected and restricted list of witnesses.

Senate Bill 2066 does not go to the core of the weakness of the Corrupt Practices Act. Rather than strengthen the Act as should be done, it further weakens it. It destroys the effectiveness of grand jury investigation under the Corrupt Practices Act.

Therefore, I veto Senate Bill 2066.

Sincerely yours,
William L. Guy
Governor

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Sorlie 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

Senators:

Lips

Litten

L. Larson

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 12, 1971

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. 1203

Senators:

Lips

Litten

L. Larson

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

Senator Sorlie moved that the Senate reconsider the action by which House Bill No. 1017, which motion prevailed.

Senator Sorlie moved that House Bill No. 1017 be re-referred to the Committee on Appropriations, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2002 has had the same under consideration and recommends the Senate do accede with the House amendments.

For the Senate:

Senator Robinson
Senator Jones
Senator L. Larson

For the House:

Rep. Tweten
Rep. Olienyk
Rep. Opedahl

Senator Robinson moved that the report be adopted, which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Bill No. 2002 be deemed properly reengrossed 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. 2002. A Bill for an Act to appropriate money for the expenses of the educational departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Ringsak	Thoreson
Freed	Litten	Robinson	Unruh
Goldberg	Longmire	Roen	Van Horn
Gronhovd	Melland	Sanstead	Wenstrom

Absent and not voting:

Butler	Doherty	Larson, G.	Redlin
Christensen	Hernett	Nasset	Wilhite

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. 2063 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:

Senator Goldberg
Senator Hernett
Senator Van Horn

For the House:
Rep. Bunker
Rep. White
Rep. DeGroot

Senator Goldberg moved that the report be adopted, which motion prevailed.

Senator Goldberg moved that the rules be suspended and that Senate Bill No. 2063 be deemed properly 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. 2063. A Bill for an Act to amend and reenact sections 2-06-10, 15-55-02, 21-01-06, 21-02-02, 21-02-11, 21-03-08, 21-03-09, 21-03-25, subsection 4 of section 23-11-19, sections 23-11-22, 23-24-10, 24-08-07, 40-24-02, 40-24-19, 40-29-15, 40-31-09, 40-33-18, 40-34-03, subsection 1 of section 40-35-08, sections 40-35-09, 40-54-10, subsections 3 and 4 of section 40-58-10, subsection 2 of section 40-61-08, sections 55-08-08, 61-02-47, 61-02-48, 61-02-53, 61-08-07, 61-08-12, 61-08-20, 61-12-38, 61-16-13, 61-16-28, 61-16-32, 61-21-29, 61-21-50, and 61-21-53 of the North Dakota Century Code, to increase the interest rate ceilings on certain bonds, warrants, and certificates of indebtedness of state agencies and political subdivisions to eight percent on issues sold at private sale, to provide that such bond issues and certificates of indebtedness totaling more than one hundred thousand dollars must be sold at public sale, to authorize interest on special assessments equal to that on bonds or warrants for which they are pledged, to provide that there shall not be any interest rate ceiling on issues sold at public sale, and to provide that the interest rate on bond issues shall be computed on the basis of average annual net interest cost.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Larson, G.

So the bill was passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2013, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2013 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2013. A Bill for an Act making an appropriation

for the maintenance and operation of the state industrial school at Mandan, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Sorlie
Chesrown	Jacobson	Nasset	Strinden
Christensen	Jones	Nothing	Stroup
Coughlin	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	

Absent and not voting:

Butler	Redlin	Van Horn	Wilhite
Larson, G.			

So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2022 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. 2022

Senators:
Strinden
Coughlin
Swedlund

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2024 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. 2024

Senators:
Schultz
Jones
L. Larson

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2354, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2354 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF HOUSE BILLS

Senate Bill No. 2354. A Bill for an Act to amend and reenact section 40-35-02, 40-35-09, and 40-36-13 of the North Dakota Century Code, relating to municipal revenue bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown,	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2481, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2481 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2481. A Bill for an Act to provide for the levy of taxes by counties for the payment of indebtedness of townships to counties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nething	Strinden
Chesrown	Jones	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite

Those voting in the negative were:

Just Mutch

Absent and not voting:

Butler Freed

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate do not concur in the House amendments to Senate Bill No. 2489 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. 2489

Senators:

G. Larson
Jacobson
Christensen

Senator Roen moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4055, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Concurrent Resolution No. 4055 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 CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4055. A Concurrent Resolution urging the United States Congress to appropriate adequate funds to speed the development of the science of magneto-hydro-dynamics (MHD) electrical power generation.

Which has been read.

Senator Roen moved that Senate Concurrent Resolution No. 4055 be adopted, which motion prevailed.

**MESSAGE FROM THE GOVERNOR
STATE OF NORTH DAKOTA
Executive Office
Bismarck**

March 12, 1971

The Honorable Richard F. Larsen
President of the Senate
North Dakota State Senate
Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 11, I signed the following:

Senate Bill No. 2008
Senate Bill No. 2060
Senate Bill No. 2221
Senate Bill No. 2326
Senate Bill No. 2327
Senate Bill No. 2328
Senate Bill No. 2330
Senate Bill No. 2338
Senate Bill No. 2382
Senate Bill No. 2451

On March 12, I signed the following:

Senate Bill No. 2138
Senate Bill No. 2176
Senate Bill No. 2196
Senate Bill No. 2239
Senate Bill No. 2271
Senate Bill No. 2272
Senate Bill No. 2284
Senate Bill No. 2297
Senate Bill No. 2313
Senate Bill No. 2315
Senate Bill No. 2335
Senate Bill No. 2344
Senate Bill No. 2400

Sincerely yours,
William L. Guy
Governor

SECOND READING OF HOUSE BILLS

House Bill No. 1116. A Bill for an Act to amend and reenact section 44-04-08 of the North Dakota Century Code, relating to the reports of state institutions, boards, departments, and offices.

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, 5; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Chesrown	Jones	Mutch	Swedlund
Christensen	Just	Nasset	Thane
Coughlin	Kautzmann	Netthing	Thoreson
Erdman	Larson, G.	Page	Unruh
Forkner	Larson, L.	Pyle	Van Horn
Goldberg	Lips	Ringsak	Wenstrom
Gronhovd	Litten	Roen	

Those voting in the negative were:

Doherty	Robinson	Strinden	Stroup
Redlin			

Absent and not voting:

Butler	Freed	Rait	Wilhite
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So the bill passed and the title was agreed to.

House Bill No. 1319. A Bill for an Act to amend and reenact section 14-03-22 of the North Dakota Century Code, and to repeal section 14-03-23 of the North Dakota Century Code, relating to keeping marriage records.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 990 and 991 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Netthing	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wenstrom
Hernett	Melland	Sanstead	

Absent and not voting:

Berube	Freed	Rait	Wilhite
Butler			

So the bill passed and the title was agreed to.

House Bill No. 1332. A Bill for an Act to require certification of water and wastewater system operators, 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, 12; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Chesrown	Just	Morgan	Swedlund
Christensen	Kautzmann	Nasset	Thoreson
Coughlin	Larson, G.	Netthing	Unruh

Doherty	Larson, L.	Pyle	Van Horn
Erdman	Lips	Robinson	Wenstrom
Freed	Litten		

Those voting in the negative were:

Forkner	Mutch	Schultz	Stroup
Jacobson	Page	Sorlie	Thane
Jones	Redlin	Strinden	Wilhite
Absent and not voting:			
Berube	Goldberg	Rait	Ringsak
Butler	Holand		

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans' Affairs to whom was referred Senate Concurrent Resolution No. 4084 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 4085 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEES

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 5 delete the word "operatint" and insert in lieu thereof the word "operating"

On page 2 line 28, after the word "plant" add the following: "and plant improvements"

On page 2 line 28 delete the figure "656,000.00" and insert in lieu thereof the figure "956,000.0"

On page 2 delete all of line 29

On page 6 line 30 after the word "buildings" add the following: "and land acquisition"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments in the North Dakota State University budget is to consolidate the heating plant appropriation with other plant improvements to allow flexibility. The amendment in SECTION 6 is to allow for land acquisition with the approval of the emergency commission.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

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 12 delete the figure "473,296.00" and insert in lieu thereof the figure "467,796.00"

On page 1, line 18 delete the figure "201,957.00" and insert in lieu thereof the figure "210,457.00"

On page 2, after line 1, add the following new line:

"Medora interpretive center and parking 40,000.00"

On page 2, line 4 delete the figure "344,257.00" and insert in lieu thereof the figure "392,757.00"

On page 2, line 6 delete the figure "339,296.00" and insert in lieu thereof the figure "387,796.00"

On page 2, delete all of line 9

On page 2, line 10 delete the figure "134,000.00" and insert in lieu thereof the figure "80,000.00"

On page 2, line 11 delete the figure "473,296.00" and insert in lieu thereof the figure "467,796.00"

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 amendments is to allow sufficient additional funds to pay the director and personnel on a level similar to other state agencies; to restore the Historical Society priority on the Medora center, and to delete the dormitory at the Peace Garden because the Peace Garden can increase rentals and fees to provide for its own facilities.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

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, line 13 delete the figure "1,284,785.00" and insert in lieu thereof the figure "1,333,410.00"

On page 1, line 18 delete the figure "803,723.00" and insert in lieu thereof the figure "821,748.00"

On page 1, line 22 delete the figure "204,666.00" and insert in lieu thereof the figure "233,266.00"

On page 1, line 23 delete the figure "58,370.00" and insert in lieu thereof the figure "60,370.00"

On page 2, line 3 delete the figure "1,284,785.00" and insert in lieu thereof the figure "1,333,410.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to increase line items to transfer the office of the Mine Inspector to the Workmen's Compensation Bureau, and to provide additional funds for postage and greater travel expense.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1021 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 delete the figure "3,893,065.00" and insert in lieu thereof the figure "3,664,285.00"

On page 1, line 17 delete the figure "2,431,165.00" and insert in lieu thereof the figure "2,290,385.00"

On page 1, line 18 delete the figure "1,154,900.00" and insert in lieu thereof the figure "1,066,900.00"

On page 1, line 21 delete the figure "3,893,065.00" and insert in lieu thereof the figure "3,664,285.00"

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 amendments is to allow adequate funds for salaries and wages so that increases will be in line with other state agencies and under the

provisions of Senate Concurrent Resolution No. 4037; and to reduce the proposed fees and services to allow a 10% increase for the necessary expenses but not to provide for extra benefits and memberships for management.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1089 has had the same under consideration and recommends that the same be amended as follows:

In the 3rd line of SECTION 9, as contained in the amendments to House Bill No. 1089 as printed on pages 873, 874, and 875 of the Senate Journal, delete the figure "48,000.00" and insert in lieu thereof the figure "20,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to supplement the appropriation of the department of agriculture for the salary of the poultry board executive secretary, but to leave other personnel and responsibilities in the department.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1133 has had the same under consideration and recommends that the same do pass.

SENATOR THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1163 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FORKNER, Chairman

Senator Forkner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1368 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 delete the word "authorizing" and insert in lieu thereof the words: "to cease operation of university of North Dakota-Ellendale branch as an institution of higher education and for its conversion to an alternative use, to authorize"

On page 1, line 3 after the word "Hall" delete the following: "at the state teacher's"

On page 1, line 4 delete the following: "college at Ellendale"

On page 1, line 8 after the colon insert the following new SECTION: "SECTION 1. ELLENDALE BRANCH TO CEASE OPERATION — ALTERNATIVE USE TO BE FOUND.) At a date determined by law, the university of North Dakota-Ellendale branch shall cease operation as an ongoing institution of higher education and shall not continue to educate students, grant degrees, hold classes, or continue its administration; however, routine maintenance and custodial care of the institutional facilities shall be provided. The legislative council is hereby directed to create a special committee, of nine members, the members of which shall include four citizens of the community of Ellendale selected by the chairman of the legislative council, to determine a use for the physical facilities of the university of North Dakota-Ellendale branch other than that of an institution of higher education. All members shall be voting members, and those who are not members of the legislative assembly shall be paid travel

expenses and per diem in the same manner as provided for legislative members pursuant to section 54-35-10 of the North Dakota Century Code. It shall be the duty of the committee to study and determine an alternative use for the physical facilities. The committee may use such moneys appropriated from fire insurance proceeds held by the board of higher education for the university of North Dakota-Ellendale branch as may be appropriated by the legislative assembly."

On page 1, line 16 after the word "the" delete the following: "state teacher's college at"

On page 1, line 17 delete the word "Ellendale" and insert in lieu thereof the words: "university of North Dakota-Ellendale branch"

On page 1, line 17 after the word "treasury" insert the following words: "the sum of \$48,000.00, or so much thereof as may be necessary, for purposes specified in SECTION 1 of this Act, and"

On page 1, line 19 delete the numeral "1" and insert in lieu thereof the numeral "2"

On page 1, line 20 after the word "of" delete the word "such" and insert in lieu thereof the words "the revenue"

And renumber the lines, pages and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendment is to establish and fund a committee to assist the community in finding alternative uses for facilities at the university of North Dakota-Ellendale branch.

SENATOR SORLIE, Chairman

Senator Melland 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. 1394 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1438 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1455 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 3046 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 3088 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1469. A Bill for an Act to amend and enact section 57-37-29 of the North Dakota Century Code, relating to depositories and retention, transfer or release of a decedent's assets.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 960 of the Senate Journal, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Jones	Mutch	Schultz
Barth	Just	Nething	Sorlie
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Holand	Morgan	Sanstead	Wilhite
Jacobson			

Absent and not voting:

Berube	Chesrown	Hernett	Strinden
Butler	Goldberg	Nasset	

So the bill passed and the title was agreed to.

House Bill No. 1560. A Bill for an Act to transfer one million dollars from the accumulated profits of the state mill and elevator association to the North Dakota 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, 39; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Barth	Jacobson	Mutch	Stroup
Berube	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland	Schultz	

Those voting in the negative were:

Larson, L. Redlin

Absent and not voting:

Butler	Freed	Nasset	Strinden
Chesrown	Hernett	Rait	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No.

49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4059 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 4086. A Concurrent Resolution commending the United States Secretaries of Agriculture and the Treasury for bringing the food bargains American consumers enjoy to the public's attention.

Which has been read.

Senator Morgan moved that Senate Concurrent Resolution No. 4086 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4087. A Concurrent Resolution urging the State to give consideration to the scenic, recreational, and conservational value of state land in leasing policies, and to withhold this land from sale.

Which has been read.

Senator Christensen moved that Senate Concurrent Resolution No. 4087 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4091. 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.

Senator Robinson moved that Senate Concurrent Resolution No. 4091 be amended as follows:

On page 2, after line 15, insert the following: "Alvin Manning, Journal room clerk, four days;"

On page 4, after line 16, insert the following: "Alvin Manning, Journal room clerk, four days at sixteen dollars and fifty cents per day:

Which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Concurrent Resolution No. 4091 be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

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, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Larson, G.	Pyje	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Kautzmann Sanstead

So the resolution was declared adopted.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3015. A Concurrent Resolution

urging all state educational leaders, boards, institutions, and teachers to provide the curricula necessary for environmental education.

Which has been read.

Senator Holand moved that House Concurrent Resolution No. 3015 be adopted, which motion prevailed.

House Concurrent Resolution No. 3038. A Concurrent Resolution to commend the Assumption Abbey for its many years of educational service to North Dakota.

Which has been read.

Senator Melland moved that House Concurrent Resolution No. 3038 be placed at the foot of the calendar, which motion prevailed.

House Concurrent Resolution No. 3045. A Concurrent Resolution for the amendment of section 216 of the Constitution of the state of North Dakota, and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to the removal of the constitutional status of the Ellendale Branch of the University of North Dakota.

Which has been read.

Senator Holand moved that House Concurrent Resolution No. 3045 be laid over one legislative day, which motion prevailed.

House Concurrent Resolution No. 3064. A Concurrent Resolution urging the Department of Public Instruction to integrate elements of consumer education into appropriate courses of study in North Dakota's elementary and secondary schools.

Which has been read.

Senator Van Horn moved that House Concurrent Resolution No. 3064 be adopted, which motion prevailed.

MOTIONS

Senator Wilhite moved that the vote by which House Bills Nos. 1025, 1036, 1043, 1186, 1326, 1539, 1023, 1053, 1057, 1102, 1246, 1271, 1324, 1446, were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilhite moved that the vote by which House Bills Nos. 1176 and 1286 were indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1025

House Bill No. 1036

House Bill No. 1043

House Bill No. 1186

House Bill No. 1326

House Bill No. 1539

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1023

House Bill No. 1053

House Bill No. 1057

House Bill No. 1102

House Bill No. 1246

House Bill No. 1271

House Bill No. 1324

House Bill No. 1446
Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1176
House Bill No. 1286
Which the Senate has indefinitely postponed.

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. 2324

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign
Senate Bill No. 2324

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 2020
Senate Bill No. 2072
Senate Bill No. 2198
Senate Bill No. 2205
Senate Bill No. 2212
Senate Bill No. 2219
Senate Bill No. 2231
Senate Bill No. 2245
Senate Bill No. 2248
Senate Bill No. 2249
Senate Bill No. 2254
Senate Bill No. 2267
Senate Bill No. 2270
Senate Bill No. 2311
Senate Bill No. 2320
Senate Bill No. 2331
Senate Bill No. 2355
Senate Bill No. 2383
Senate Bill No. 2406
Senate Bill No. 2412
Senate Bill No. 2420
Senate Bill No. 2487

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2020
Senate Bill No. 2072
Senate Bill No. 2198
Senate Bill No. 2205
Senate Bill No. 2212
Senate Bill No. 2219
Senate Bill No. 2231
Senate Bill No. 2245
Senate Bill No. 2248

Senate Bill No. 2249
 Senate Bill No. 2254
 Senate Bill No. 2267
 Senate Bill No. 2270
 Senate Bill No. 2311
 Senate Bill No. 2320
 Senate Bill No. 2331
 Senate Bill No. 2355
 Senate Bill No. 2383
 Senate Bill No. 2406
 Senate Bill No. 2412
 Senate Bill No. 2420
 Senate Bill No. 2487

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber
 Bismarck, March 12, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2324

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, March 12, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Bill No. 2324

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. 2324

Was delivered to the Governor for his approval at the hour of
 2:50 o'clock p.m., March 12, 1971.

SENATOR STRINDEN, Chairman

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, March 12, 1971

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2002

Senate Bill No. 2063

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber
 Bismarck, March 12, 1971

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. 2354

Senate Bill No. 2481

Senate Concurrent Resolution No. 4055

Refused to concur in House amendment to:

Senate Bill No. 2022

Senate Bill No. 2024

Senate Bill No. 2489

And the President has appointed as a conference committee to act with a like committee from the House:

Senators:
Strinden
Coughlin
Swedlund

To serve on Senate Bill No. 2022.

Senators:
Schultz
Jones
L. Larson

To serve on Senate Bill No. 2024

Senators:
G. Larson
Jacobson
Christensen

To serve on Senate Bill No. 2489.

Very respectfully,
LEO LEIDHOLM, Secretary

MOTIONS

Senator Wilhite moved that the vote by which House Bills Nos. 1002, 1010, 1026, 1030, 1033, 1035, 1116, 1319, 1382, 1469, 1555, 1560, Senate Concurrent Resolutions Nos. 4086, 4087, 4091, and House Concurrent Resolutions Nos. 3015 and 3064, were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilhite moved that the vote by which House Bill No. 1094 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nething moved that the vote by which House Bill No. 1414 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilhite moved that the vote by which House Bill No. 1163 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1002
House Bill No. 1010
House Bill No. 1026
House Bill No. 1116
House Bill No. 1382
House Bill No. 1560
House Concurrent Resolution No. 3015
House Concurrent Resolution No. 3064
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1030
House Bill No. 1033
House Bill No. 1035
House Bill No. 1319
House Bill No. 1469
House Bill No. 1555
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1094
House Bill No. 1414
Which the Senate failed to pass.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1163
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 12, 1971

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution No. 4086
Senate Concurrent Resolution No. 4087
Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4084, 4085, House Bills Nos. 1070, 1101, 1133, 1140, 1229, 1254, 1306, 1352, 1394, 1401, 1438, 1455, 1534, 1545, 1550, and House Concurrent Resolutions Nos. 3028, 3046, 3076, and 3088, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, 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. 4091

And find the same correctly engrossed.

SENATOR STRINDEN, Chairman

Senator Pyle moved that the report be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 1111 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 2 of the engrossed bill after "for" delete "psychiatric problems,"

Page 1 line 3 delete "or pregnancy"

Page 1 line 8 after "FOR" delete "PSYCHIATRIC"

Page 1 line 9 delete "PROBLEMS —" and after "DISEASE" delete "— PREGNANCY"

Renumber pages and lines accordingly.

And when so amended recommends the same be placed on the calendar without recommendation.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1259 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1325 has had the same under consideration and recommends that the same be amended as follows:

Page 6 line 9 of the engrossed bill insert beginning triple parentheses before "Such"

Page 6 line 11 after "board" delete the beginning triple parentheses and after the ending triple parentheses insert the following "**and deposit and disburse them in accordance with section 54-44-12**"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1399 has had the same under consideration and recommends that the same be amended as follows:

Page 2 line 4 of the engrossed bill insert beginning triple parentheses before "While" and insert ending triple parentheses after "attendance"

Page 2 line 5 insert triple parentheses before and after "is" and insert "Is"

Page 4 line 12 after "a" insert "**deprived**"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1456 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 16 of the engrossed bill after "family" insert "for more than one day a week"

Page 1 line 17 after "apply" insert "to reciprocal arrangements among parents, nor"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann 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. 1538 has had the same under consideration and recommends that the same be amended as follows:

Page 3 line 12 of the engrossed bill after "officer" delete the comma and insert "**or**" and after "veterinarian" delete ", or"

Page 3 delete all of line 13

Page 3 line 14 delete "iates,"

Renumber pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1547 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide for state legislative apportionment, and staggering terms of senators, 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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATE LEGISLATIVE APPORTIONMENT.) The legislative districts of the state shall be formed, and senators and representatives shall be apportioned as follows:

1. The first legislative district shall consist of the counties of Pembina, Walsh, Cavalier, and Ramsey, and shall be entitled to four senators and eight representatives.
2. The second legislative district shall consist of the county of Grand Forks, and shall be entitled to five senators and ten representatives.
3. The third legislative district shall consist of the counties of Nelson, Traill, Griggs, Steele, Eddy, Foster, Barnes, and Stutsman, and shall be entitled to five senators and ten representatives.
4. The fourth legislative district shall consist of the counties of Richland, Sargent, Ransom, Dickey, LaMoure, Logan, and McIntosh, and shall be entitled to four senators and eight representatives.
5. The fifth legislative district shall consist of the county of Cass, and shall be entitled to six senators and twelve representatives.
6. The sixth legislative district shall consist of the counties of Wells, Sheridan, McLean, Kidder, Emmons, and Burleigh, except for township one hundred thirty-nine north of ranges eighty and eighty-one west and township one hundred thirty-eight north of range eighty west, lying in the county of Burleigh, and shall be entitled to three senators and six representatives.
7. The seventh legislative district shall consist of township one hundred thirty-nine north of ranges eighty and eighty-one west and township one hundred thirty-eight north of range eighty west, lying in the county of Burleigh, and shall be entitled to three senators and six representatives.
8. The eighth legislative district shall consist of the counties of Towner, Rolette, Bottineau, McHenry, Pierce, and Benson and shall be entitled to four senators and eight representatives.
9. The ninth legislative district shall consist of the incorporated limits of the city of Minot, lying in Ward county, and shall be entitled to three senators and six representatives.
10. The tenth legislative district shall consist of the counties of Divide, Williams, Burke, Renville, Mountrail, and Ward, except for the incorporated limits of the city of Minot, lying in Ward County, and shall be entitled to five senators and ten representatives.
11. The eleventh legislative district shall consist of the counties of Mercer, Oliver, Morton, Grant, and Sioux, and shall be entitled to three senators and six representatives.
12. The twelfth legislative district shall consist of the counties of McKenzie, Dunn, Golden Valley, Slope, Stark, Billings, Hettinger, Adams, and Bowman, and shall be entitled to four senators and eight representatives.

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 the year 1972 shall hold their office for two years, those of the other class shall hold their office for four years, and the determination of which class shall be elected for four years and 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.

SECTION 3. REPEAL.) Sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the 1965 Supplement to the North Dakota

Century Code and chapter 338 of the North Dakota Session Laws of 1965 are hereby repealed."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1001, 1004, 1015, 1021, 1089, and 1368, be dispensed with, which motion prevailed.

Senator Redlin moved that consideration of amendments to House Bill No. 1001 be placed just above House Bill No. 1368, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1004 as recommended by the Committee on Appropriations, and printed on pages 1063 and 1064 of the Senate Journal, be adopted, which motion lost.

Senator Sorlie moved that the amendments to House Bill No. 1015 as recommended by the Committee on Appropriations, and printed on page 1064 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1021 as recommended by the Committee on Appropriations, and printed on pages 1064 and 1065 of the Senate Journal, be adopted which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1089 as recommended by the Committee on Appropriations, and printed on page 1065 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1001 as recommended by the Committee on Appropriations, and printed on page 1063 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that House Bill No. 1001 be further amended as follows:

On page 3, of the engrossed bill, delete line 24 and insert in lieu thereof the following:

"Salaries and wages	\$408,685.00
Fees and services	39,500.00
Supplies and materials	31,500.00
	<hr/>
Total operating budget	479,685.00
Less estimated income	99,400.00
	<hr/>
Total	\$380,285.00
Custodial expenses (July 1, 1972 to June 30, 1973)	50,000.00
	<hr/>
Total general fund	\$430,285.00"

On page 3, delete lines 25, 26, and 27

On page 5, line 18, delete the numerals "47,280,925.00" and insert in lieu thereof the numerals "47,678,710.00"

On page 6, line 34, delete the words "legislature that the university" and insert in lieu thereof the following: "legislative assembly that the appropriation for the university of North Dakota - Ellendale branch contained within this Act shall provide for its normal operation as an ongoing institution of higher education for the period July 1, 1971, to June 30, 1972, and that upon the date of June 30, 1972, such institution shall cease operation as an institution of higher education and that a sum not in excess of \$50,000.00 be expended

for such institution from the period July 1, 1972, to June 30, 1973, for the purpose of custodial care and routine maintenance only."

On page 6, delete line 35

On page 7, delete lines 1 through 4

And renumber the lines accordingly.

Senator Redlin: "Mr. President. I request that these remarks be printed in the Journal, and I have a copy of them.

"Forty employees of the University Branch at Ellendale are in a desperate situation if we do not amend House Bill 1001 to include an appropriation for one year to provide an opportunity for employees, for faculty and staff to make an orderly transition.

"Are we, as Legislators, going to tell these people that after all these years of dedication to our State, we are going to show any measure of consideration or compassion; but rather we are forcing them into a situation where there is no demand for their professional skills, and into a depressed economy which almost rules out other employment. If this is what we are going to do, then it behooves us to serve notice to all teaching facilities in this state, for we are saying to these faculty and staff — "for buying homes and becoming an integral part of the community, we are going to penalize you." Is this the reputation North Dakota wants? We are going to earn that reputation and have that reputation if we treat our public servants in this unreasonable way.

"Our faculty have been trying since the Session began to get other employment to no avail. A recent news release would have you believe that the faculty at Ellendale can be easily absorbed by other State Institutions. In four institutions which were contacted this week, the Ellendale faculty were told that no vacancies existed; one institution reported one vacancy. Let me assure the members of the Senate that we must assume this moral obligation; we cannot turn our back on that staff and faculty. It is simply impossible for other colleges and universities in this state to absorb the faculty.

"Accordingly, I urge the amendment of House Bill 1001 to fund the Ellendale Branch for one year to provide them for these faculty and staff to secure positions and dispose of their property in an orderly manner, and at the same time fulfill teaching obligations to students for whom a commitment exists."

MOTION

Senator Wilhite moved that consideration of the amendments to House Bills Nos. 1001 and 1368 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4059 be laid over one legislative day, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3038. A Concurrent Resolution to commend the Assumption Abbey for its many years of educational service to North Dakota.

Which has been read.

Senator Melland moved that House Concurrent Resolution No. 3038 be placed at the foot of the calendar, which motion prevailed.

MOTION

Senator Wilhite moved that the rules be suspended and that House Bills Nos. 1070, 1101, 1140, 1229, 1254, 1306, 1352, 1401, 1534, 1545, 1550, House Concurrent Resolutions 3028 and 3076, be placed on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1070. A Bill for an Act to create and enact sections 26-02-37, 26-02-38, 26-02-39, 26-02-40, and 26-02-41 of the North Dakota Century Code, and to amend and reenact sections 26-02-32, 26-02-33, 26-02-34, 26-02-35, and 26-02-36 of the North Dakota Century Code, relating to the cancellation and nonrenewal of automobile liability insurance policies, and the furnishing of reasons for cancellation and nonrenewal, providing a penalty, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1015 and 1016 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Christensen	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler	Coughlin	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1101. A Bill for an Act to provide for the recounting of ballots in congressional and state elections and to provide procedures for such recounts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1016 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Butler	Coughlin	Larson, L.	Stroup
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So the bill passed and the title was agreed to.

House Bill No. 1133. A Bill for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to municipalities' authority to grant tax exemptions on 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, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Swedlund
Christensen	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd	Melland	Roen	

Absent and not voting:

Butler	Larson, L.	Schultz	Stroup
Coughlin			

So the bill passed and the title was agreed to.

House Bill No. 1140. A Bill for an Act to amend and reenact subsection 1 of section 11-17-04 and sections 11-17-05, 27-03-05, 27-03-06, 27-07-40, and 27-07-41 of the North Dakota Century Code, relating to court filing fees and the disposition of the proceeds thereof; and to repeal section 27-12-08 of the North Dakota Century Code, relating to the use of bar association funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1016 and 1017 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sanstead
Barth	Jacobson	Nasset	Schultz
Berube	Jones	Nothing	Sorlie
Chesrown	Just	Page	Strinden
Christensen	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler	Hernett	Stroup	Unruh
Coughlin	Litten		

So the bill passed and the title was agreed to.

House Bill No. 1254. A Bill for an Act to provide for the salary of the county sheriff and deputy sheriffs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1017 and 1018 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the negative were:

Anderson	Hernett	Melland	Roen
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Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Mutch	Schultz
Chesrown	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite

Absent and not voting:

Butler	Coughlin	Stroup	Unruh
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So the bill passed and the title was agreed to.

House Bill No. 1229. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of states attorney in a county of over 35,000 population be a full-time position, the employment of assistant states attorneys, the restrictions on the powers of states attorneys, increasing the salaries of county officials, and to create and enact a section to provide for an effective date thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1017 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Gronhovd	Longmire	Robinson	

Absent and not voting:

Butler	Roen	Stroup	Unruh
Coughlin			

So the bill passed and the title was agreed to.

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

House Bill No. 1306. A Bill for an Act to amend and reenact sections 54-04-01, 54-04-03, and 54-04-04 of the North Dakota Century Code, relating to the enrolling and engrossing of legislative measures and the employment of an enroller and engrosser; and to repeal section 54-04-02 of the North Dakota Century Code, relating to regulations governing enrolling and engrossing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1018 and 1019 of the Senate Journal, the roll was called and there were ayes, 28; nays, 4; absent and not voting, 16.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Jones	Nasset	Strinden

Chesrown	Just	Pyle	Swedlund
Doherty	Lips	Ringsak	Thane
Erdman	Litten	Robinson	Thoreson
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Schultz	Wilhite

Those voting in the negative were:

Berube	Christensen	Larson, L.	Van Horn
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Absent and not voting:

Butler	Holand	Mutch	Redlin
Coughlin	Jacobson	Nething	Sanstead
Goldberg	Kautzmann	Page	Stroup
Hernett	Larson, G.	Rait	Unruh

So the bill passed and the title was agreed to.

House Bill No. 1352. A Bill for an Act to amend and reenact sections 15-53.1-27 and 15-53.1-40 of the North Dakota Century Code as contained in section 9 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to the continuance of elementary schools in reorganized school districts.

Which has been read.

Senator Wilhite moved that House Bill No. 1352 be placed at foot of the calendar, which motion prevailed.

House Bill No. 1394. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to public dancing on Sunday, and providing a penalty.

Which has been read.

Senator Chesrown moved that House Bill No. 1394 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1401. A Bill for an Act to create a small claims court and to set forth its jurisdiction and procedures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1019, 1020 and 1046 of the Senate Journal, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Jones	Nasset	Sorlie
Christensen	Just	Nething	Strinden
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, L.	Pyle	Thane
Forkner	Lips	Rait	Thoreson
Freed	Litten	Redlin	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Holand			

Those voting in the negative were:

Berube	Chesrown	Ringsak
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Absent and not voting:

Butler	Coughlin	Larson, G.	Stroup
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So the bill passed and the title was agreed to.

Senator Chesrown moved that the vote by which House Bill No. 1401 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1352. A Bill for an Act to amend and reenact sections 15-53.1-27 and 15-53.1-40 of the North Dakota Century Code as contained in section 9 of House Bill No. 1045, as approved by the

forty-second legislative assembly, relating to the continuance of elementary schools in reorganized school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1019 of the Senate Journal, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Absent and not voting:

Anderson	Hernett	Nasset	Schultz
Barth	Holand	Nething	Sorlie
Berube	Jacobson	Page	Strinden
Chesrown	Jones	Pyle	Swedlund
Christensen	Just	Rait	Thane
Doherty	Kautzmann	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Those voting in the negative were:

Mutch

Absent and not voting:

Butler	Larson, G.	Litten	Stroup
Coughlin			

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 12, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2020
Senate Bill No. 2072
Senate Bill No. 2198
Senate Bill No. 2205
Senate Bill No. 2212
Senate Bill No. 2219
Senate Bill No. 2231
Senate Bill No. 2245
Senate Bill No. 2248
Senate Bill No. 2249
Senate Bill No. 2254
Senate Bill No. 2267
Senate Bill No. 2270
Senate Bill No. 2311
Senate Bill No. 2320
Senate Bill No. 2331
Senate Bill No. 2355
Senate Bill No. 2383
Senate Bill No. 2406
Senate Bill No. 2412
Senate Bill No. 2420
Senate Bill No. 2487

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 12, 1971

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. 2022

Representatives:
J. Peterson
Miedema
B. Miller

On Senate Bill No. 2024

Representatives:
Jenkins
Kingsbury
Linderman

On Senate Bill No. 2489

Representatives:
Moore
Metzger
Shablow

Very respectfully,
ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 12, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Concurrent Resolution No. 3020

And the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives:
Stone
Raile
Lundene

Very respectfully,
ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 12, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2005
Senate Bill No. 2031
Senate Bill No. 2362
Senate Bill No. 2413
Senate Concurrent Resolution No. 4037
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 12, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2004
Senate Bill No. 2012
Senate Bill No. 2178
Senate Bill No. 2306
Senate Bill No. 2307
Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2004

On page 2, of the engrossed bill, line 6, delete the figure "249,575.00" and insert in lieu thereof the figure "261,575.00"

On page 2, line 10, delete the figure "297,075.00" and insert in lieu thereof the figure "309,075.00"

On page 2, after line 17, add the following lines:

"Less estimated income	50,000.00
Total	332,254.00"

On page 2, line 20, delete the figure "291,881.00" and insert in lieu thereof the figure "300,000.00"

On page 2, line 21, delete the figure "105,400.00" and insert in lieu thereof the figure "133,200.00"

On page 2, line 22, delete the figure "20,800.00" and insert in lieu thereof the figure "22,500.00"

On page 2, line 23, delete the figure "3,800.00" and insert in lieu thereof the figure "6,000.00"

On page 2, line 24, delete the figure "421,881.00" and insert in lieu thereof the figure "461,700.00"

Page 2, line 26, delete the figure "385,173.00" and insert in lieu thereof the figure "424,992.00"

Page 2, line 29, delete the figure "42,636.00" and insert in lieu thereof the figure "47,707.00"

Page 2, line 30, delete the figure "35,195.00" and insert in lieu thereof the figure "41,270.00"

Page 2, line 31, delete the figure "4,000.00" and insert in lieu thereof the figure "6,850.00"

Page 2, after line 31, add the following line:

"Equipment 750.00"

Page 2, line 33, delete the figure "121,831.00" and insert in lieu thereof the figure "136,577.00"

Page 3, line 6, delete the figure "1,854,151.00" and insert in lieu thereof the figure "1,870,716.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The increase of \$12,000 to the parole office budget is to provide matching funds for hiring two additional parole officers. The estimated income for \$50,000 was added to radio communications to provide federal funds. It is the intent of the Legislative Assembly that the increased obligation provided in this Act shall be used as matching funds for purposes of compliance with the Omnibus Crime Control and Safe Streets Act. It is the further intent of the Legislative Assembly that such funds be used to improve, expand, and strengthen law enforcement, to improve criminal justice, and to develop new methods for the prevention and reduction of crime in the state of North Dakota. The salaries for the department of agriculture were increased to provide for salary increases. Fees and services were increased to provide for travel expenses, and miscellaneous costs. Supplies and materials were increased to provide for office supplies, books, periodicals, etc., and equipment was increased to provide funds to purchase new equipment. The salaries were increased for the soil conservation committee in order to provide a higher salary for an executive secretary to be hired. Supplies and materials were increased to provide for purchasing office furniture and fixtures, and fees and services were increased to provide for additional travel expenses. An equipment line was added to provide for purchasing a dictaphone and adding machine.

AMENDMENTS TO SENATE BILL No. 2012

On page 1, line 13, delete the figures "13,421,649.00" and insert in lieu thereof the figures "13,621,649.00"

On page 1, after line 20, insert the following line:

"Salaries and wages, July 1, 1971, payroll 200,000.00"

On page 1, line 24, delete the colon and insert in lieu thereof the following: ", including a ventilating system 98,000.00"

On page 2, delete line 1

On page 2, line 2, delete the figures "11,115,786.00" and insert in lieu thereof the figures "11,315,786.00"

On page 2, line 3, delete the figures "4,408,700.00" and insert in lieu thereof the figures "4,608,700.00"

On page 2, after line 16, insert the following lines:

“Less estimated income 1,595,413.00
 General fund transfer and appropriation —0—”

On page 2, line 18, insert the following new section:

“(SECTION 2.) The administrator of the state hospital shall file with the legislative council committee on budget detailed information regarding any expenditures made by the state hospital pursuant to the \$200,000.00 appropriated to the hospital for the July 1, 1971, payroll. Such information shall include an analysis of estimated income for the biennium ending June 30, 1971, indicating that such income was insufficient to fund all expenditures for salaries and wages necessary during the biennium then ended.”

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

AMENDMENTS TO SENATE BILL No. 2178

In the engrossed bill, delete everything after the words “A BILL” and insert in lieu thereof the following: “for an Act to amend and reenact sections 15-36-07 and 15-36-11 of the North Dakota Century Code, relating to citizenship requirements for teachers’ certificates.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-36-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-36-07. CITIZENSHIP REQUIREMENT BEFORE CERTIFICATION.) A teacher’s certificate shall not be issued to any person who is not a citizen of the United States of America or who has not declared his intention to become a citizen of the United States. **((No)) Except for the provisions of section 15-36-11, no person who is not a citizen or has not declared his intention to become a citizen shall be eligible to enter into a contract to teach in any ((common, graded, or high)) public school in this state ((operated with public funds)).**

SECTION 2. AMENDMENT.) Section 15-36-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-36-11. CERTIFICATE REQUIRED.) No person who is not the holder of either a valid first or second grade professional certificate shall be employed or permitted to teach in any of the public schools of the state, **except that teachers unable to be certified because they are not citizens of this state or because they have not declared their intention to become a citizen of this state, but are otherwise qualified to teach in North Dakota, may be employed on a temporary basis if they are approved annually by the superintendent of public instruction. The employment of such teachers in accordance with this section shall not cause any foundation aid payments to be withheld from the school districts by whom they are employed.”**

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2306

On page 8 delete lines 8 through 23 and insert in lieu thereof the following:

- “2. ((the maximum interest rate they shall bear;
3. That they will be of serial maturity;
4. The years of such maturities, but not the amounts for each of such years;
- 5.)) The purpose for which they are proposed to be issued ((;)).
- (((6.)) 3. The assessed valuation of all taxable property in the municipality as defined in section 23-03-01 (((;))).

- ((7.)) 4. The total amount of bonded indebtedness of the municipality ((;)).
- ((8.)) 5. The amount of outstanding bonds of the municipality issued for a similar purpose ((; and)).
- ((9.)) 6. Any other statement of fact deemed advisable by the governing body of voters proposed the same."

On page 12, line 10, delete the following words "If no"

On page 12 delete all of lines 11 through 19

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2307

On page 1, line 18 of the engrossed bill, delete the word "or"

On page 4, line 30 after the period insert the following language: "This act shall not apply to any facility that has submitted to the state health department preliminary architectural plans for expansion or remodeling during the calendar year 1970 and which plans are followed up by the awarding of a contract for construction by December 31, 1971."

And renumber the pages and lines accordingly.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 12, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4076

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 12, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2128

Senate Bill No. 2183

Senate Bill No. 2185

Senate Bill No. 2436

Senate Bill No. 2472

Senate Bill No. 2504

Senate Bill No. 2507

Senate Concurrent Resolution No. 4001

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

MOTION

Senator Redlin moved that House Bill No. 1077 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1077. A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the North Dakota Century Code, relating to salary and expenses of county commissioners.

Which has been read.

Senator Forkner moved that House Bill No. 1077 be amended as follows:

On page 2, line 30 of the engrossed bill, delete the underscored word "shall", and insert in lieu thereof the word "may", and in the same line, after the underscored word "salary", insert the words "or per diem"

In line 11 of the Senate amendments to the engrossed bill, after the underscored word "salary", insert the words "or per diem,"

On page 3, line 17 of the engrossed bill, delete the underscored

words, "The annual salary", and insert in lieu thereof the words "If a board shall resolve to pay an annual salary pursuant to this subsection, it"

And renumber the lines and pages accordingly.

Which motion prevailed.

Senator Forkner moved that the rules be suspended and that House Bill No. 1077 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1077, as amended on pages 988, 989, 990 of the Senate Journal, and from the floor, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Doherty	Kautzmann	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Butler	Coughlin	Larson, G.	Stroup
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So the bill passed and the title was agreed to.

MOTION

Senator Wilhite moved that Senate Bill No. 2066, which was vetoed by the Governor, be placed at the head of the calendar and reconsidered, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2066. A Bill for an Act to repeal section 16-20-10 of the North Dakota Century Code, relating to immunity from prosecution for persons testifying to campaign contributions by 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, 33; nays, 11; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Schultz
Chesrown	Kautzmann	Nothing	Sorlie
Doherty	Lips	Page	Strinden
Forkner	Litten	Pyle	Thane
Freed	Longmire	Redlin	Thoreson
Goldberg	Melland	Ringsak	Unruh
Hernett	Morgan	Robinson	Wenstrom
Holand	Mutch	Roen	Wilhite
Jacobson			

Those voting in the negative were:

Barth	Erdman	Larson, L.	Swedlund
Berube	Gronhovd	Rait	Van Horn
Christensen	Just	Sanstead	

Absent and not voting:

Butler	Coughlin	Larson, G.	Stroup
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1438. A Bill for an Act relating to comprehensive health planning by counties and county funding for areawide comprehensive health planning organizations.

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, 15; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Longmire	Swedlund
Barth	Jacobson	Melland	Thane
Chesrown	Jones	Nasset	Unruh
Christensen	Just	Nothing	Van Horn
Freed	Kautzmann	Pyle	Wenstrom
Goldberg	Lips	Sanstead	Wilhite
Hernett	Littin	Strinden	

Those voting in the negative were:

Berube	Gronhovd	Page	Robinson
Doherty	Larson, L.	Rait	Roen
Erdman	Morgan	Redlin	Schultz
Forkner	Mutch	Ringsak	

Absent and not voting:

Butler	Larson, G.	Stroup	Thoreson
Coughlin	Sorlie		

So the bill passed and the title was agreed to.

House Bill No. 1455. A Bill for an Act to amend and reenact section 14-09-09 of the North Dakota Century Code, relating to the liability of a stepfather for support of stepchildren, and to repeal section 50-09-08.1 of the North Dakota Century Code, relating to stepfather's liability for dependent children.

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, 7.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Sanstead
Barth	Jones	Nasset	Schultz
Berube	Just	Nothing	Strinden
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, L.	Pyle	Thane
Doherty	Lips	Rait	Thoreson
Erdman	Littin	Redlin	Unruh
Forkner	Longmire	Ringsak	Van Horn
Freed	Melland	Robinson	Wenstrom
Gronhovd	Morgan	Roen	Wilhite
Holand			

Absent and not voting:

Butler	Goldberg	Larson, G.	Stroup
Coughlin	Hernett	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 1534. A Bill for an Act to create and enact sections 16-04-15.2 and 16-11-05.1 of the North Dakota Century Code; and to amend and reenact sections 16-01-03, 16-04-17, 16-10-12.1, 16-11-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to the preparation of ballots for and the operation of voting machines by persons eighteen to twenty-one years of age in voting for elected federal officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1020 and 1021 of the Senate Journal, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Morgan	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nething	Swedlund
Christensen	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Mutch Strinden

Absent and not voting:

Butler	Larson, G.	Sorlie	Stroup
Coughlin			

So the bill passed and the title was agreed to.

House Bill No. 1545. A Bill for an Act to amend and reenact sections 15-53.1-05, 15-53.1-06, 15-53.1-11, 15-53.1-27, 15-53.1-35, and 15-53.1-36 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to annexation hearings, continuance of elementary schools, county committees, attachment of contiguous territory to school districts, transfers of land upon reorganization or annexation, and publication of reorganization notices.

Which has been read.

Senator Nasset moved that House Bill No. 1545 be laid over one legislative day, which motion prevailed.

House Bill No. 1550. A Bill for an Act to authorize the use of a chemical screening test or tests of a driver's breath when the vehicle he is driving is involved in a collision which results in the death or personal injury requiring hospitalization of any person; to authorize a test of blood for screening test under certain circumstances; to limit the use of the results of screening tests to determine justification for a further test under the provisions of section 39-20-01; and to authorize the revocation of driver's license for a refusal to submit to a screening test.

Which has been read.

Senator Unruh moved that House Bill No. 1550 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4084. 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 on federal Indian reservations.

Which has been read.

Senator Kautzmann moved that Senate Concurrent Resolution No. 4084 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4085. A Concurrent Resolution urging the North Dakota Judicial Council to take under consideration the problem of inadequate support payments for children left dependent through divorce and legal separation, and to recommend corrective procedures.

Which has been read.

Senator Kautzmann moved that Senate Concurrent Resolution No. 4085 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF
HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3028. A Concurrent Resolution directing the public school boards of this State to cooperate in the transportation of nonpublic school children.

Which has been read.

Senator Holand moved that House Concurrent Resolution No. 3028 be adopted, which motion prevailed.

House Concurrent Resolution No. 3046. A Concurrent Resolution urging the Congress of the United States to review the federal statutes relating to Aid to Families with Dependent Children.

Which has been read.

Senator Freed moved that House Concurrent Resolution No. 3046 be adopted, which motion prevailed.

Senator Wilhite moved that the vote by which House Bills Nos. 1070, 1101, 1133, 1140, 1229, 1254, 1306, 1352, 1438, 1455, 1534, Senate Concurrent Resolution No. 4084, and House Concurrent Resolutions Nos. 3028 and 3046, were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

FIFTY-SEVENTH DAY AFTER RECESS
AND FIFTY-EIGHTH DAY

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Chesrown moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on:

House Concurrent Resolution No. 3020

Which motion prevailed.

The President appointed as a Conference Committee on:

House Concurrent Resolution No. 3020:

Senators:

Freed

Page

Barth

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 15, 1971

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 Concurrent Resolution No. 3020

Senators:

Freed

Page

Barth

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2066

Which the Senate passed over the Governor's veto.

The vote:

33 ayes

11 nays

4 absent and not voting

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution 4084

Senate Concurrent Resolution No. 4091

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 15, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1133

House Bill No. 1438

House Bill No. 1455

House Concurrent Resolution No. 3046

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 15, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1070

House Bill No. 1077

House Bill No. 1101

House Bill No. 1140

House Bill No. 1229

House Bill No. 1254

House Bill No. 1306

House Bill No. 1352

House Bill No. 1401

House Bill No. 1534

House Concurrent Resolution No. 3028

Which the Senate has amended.

LEO LEIDHOLM, Secretary.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2020

Senate Bill No. 2072

Senate Bill No. 2198

Senate Bill No. 2205

Senate Bill No. 2212

Senate Bill No. 2219

Senate Bill No. 2231

Senate Bill No. 2245

Senate Bill No. 2248

Senate Bill No. 2249

Senate Bill No. 2254

Senate Bill No. 2267

Senate Bill No. 2270

Senate Bill No. 2311

Senate Bill No. 2320

Senate Bill No. 2331

Senate Bill No. 2355

Senate Bill No. 2383

Senate Bill No. 2406

Senate Bill No. 2412

Senate Bill No. 2420

Senate Bill No. 2487

Were delivered to the Governor for his approval at the hour of 9:20 o'clock a.m., March 15, 1971.

SENATOR STRINDEN, Chairman

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened pursuant to the call of the Chair, the President presiding.

REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2403

Senate Bill No. 2500:

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2056

Senate Bill No. 2089

Senate Bill No. 2228

Senate Bill No. 2252

Senate Bill No. 2286

Senate Bill No. 2287

Senate Bill No. 2301

Senate Bill No. 2339

Senate Bill No. 2345

Senate Bill No. 2351

Senate Bill No. 2368

Senate Bill No. 2386

Senate Bill No. 2418

Senate Bill No. 2434

Senate Bill No. 2435

Senate Bill No. 2459

Senate Bill No. 2467

Senate Bill No. 2477

Senate Bill No. 2491

Senate Bill No. 2496

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4017 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4023 has had the same under consideration and recommends that the same do pass.

It is the intent of the Legislative Council Resolutions Committee that the study provided for in House Concurrent Resolution No. 3003 be carried on as a part of the study under Senate Concurrent Resolution No. 4023.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4027 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4028 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolutions No. 4029 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4033 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4035 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4038 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4042 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4058 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4062 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4065 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4066 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4067 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4074 has had the same under consideration and recommends that the same do pass.

It is the intent of the Legislative Council Resolutions Committee that the study provided for in House Concurrent Resolution No. 3074 be carried on as a part of the study under Senate Concurrent Resolution No. 4074.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4079 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4083 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 4088 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Robinson 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. 4089 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

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 11 delete the figure: "132,269.00" and insert in lieu thereof the figure "137,769.00"

On page 1, line 15 delete the figure: "21,210.00" and insert in lieu thereof the figure "26,710.00"

On page 1, line 19 delete the figure: "132,269.00" and insert in lieu thereof the figure "137,769.00"

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 amendments is to provide for additional fees and services that would be necessary under expanded teachers' retirement programs.

SENATOR SORLIE, Chairman

Senator Lips 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. 1086 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1351 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 Education to whom was referred House Bill No. 1360 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. 1554 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings, and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Commencing July 1, 1972, and at the same date each year thereafter until the sum of \$5,643,551.00 shall have been transferred to the college building fund, the director of the department of accounts and purchases shall determine the cash balance in the general fund of the state. In the event the cash balance in the general fund as of the close of business on the previous thirtieth day of June shall exceed \$15,000,000.00, the director of accounts and purchases shall direct the state treasurer to transfer to the college building fund an amount which shall not exceed \$2,000,000.00, or the amount in excess of \$15,000,000.00 in the general fund, whichever is the lesser. Such funds shall be expended by the board of higher education for the construction, reconstruction, and equipping of

buildings at state-operated institutions of higher learning in accordance with specific appropriations to be made by the legislative assembly. The amount in the college building fund on July 1, 1971, shall remain in the college building fund and be considered a part of the \$5,643,551.00 authorized hereunder.

SECTION 2. APPROPRIATIONS.) There is hereby appropriated out of moneys in the college building fund the sum of \$5,643,551.00, or so much thereof as may be available in such fund, and from federal and private sources the sum of \$1,069,695.00 for the construction, reconstruction, and equipping of buildings and facilities at state-operated institutions of higher learning for purposes as follows and within the limitations of the costs hereafter stated:

Name of Institution And Type of Facility	State Funds	Federal and Private Funds	Total Funds
State college, Valley City — science building	\$ 884,063.00	\$ 115,937.00	\$1,000,000.00
Dickinson state college — physical education classroom addition and remodeling	\$ 800,000.00	.....	\$ 800,000.00
University of North Dakota at Grand Forks — engineering building	\$ 439,442.00	\$ 600,000.00	\$1,039,442.00
University of North Dakota, Grand Forks — law building addition and renovation	\$ 998,804.00	.....	\$ 998,804.00
Minot state college — classroom building	\$ 800,000.00	.....	\$ 800,000.00
NDSU Bottineau branch — science building	\$ 276,242.00	\$ 203,758.00	\$ 480,000.00
NDSU, Fargo — addition to maintenance building	\$ 225,000.00	.....	\$ 225,000.00
University of North Dakota, Grand Forks — service and mainten- ance building	\$ 450,000.00	.....	\$ 450,000.00
State school of science, Wahpeton — mainten- ance and laboratory building	\$ 150,000.00	\$ 150,000.00	\$ 300,000.00
Dickinson state college — library addition and renovation	\$ 600,000.00	.....	\$ 600,000.00
NDSU-Bottineau branch — garage-storage building	\$ 20,000.00	.....	\$ 20,000.00
	<u>\$5,643,551.00</u>	<u>\$1,069,695.00</u>	<u>\$6,713,246.00</u>

The construction of a specific building or facility shall not be commenced until the amount of funds indicated by such building or facility in the column "Federal and Private Funds has been either actually received or irrevocably promised from such sources for such facilities except that should the funds received or to be received from the federal and private funds be less than the amount indicated in that column, the board of higher education shall determine whether the facility should be constructed, basing its determination on whether the facility can, if constructed at a lower cost, reasonably meet

the original purposes of the authorized facility. In no event shall any facility exceed the cost indicated in the column "Total Funds" except to the extent funds from the federal and private sources exceed the amount authorized for the specific building or facility. If federal funds become available for buildings for which no federal funds are listed in this Act, the amount available from state funds shall be reduced accordingly. The order of appearance of the facilities set forth above is not necessarily the order of priority for the construction of such facilities, and the board of higher education, in its discretion, may divert the construction of such buildings and facilities in a different order of priority than that listed in this section. The state funds herein appropriated shall remain available for expenditure for the purpose specified until the buildings and facilities herein authorized shall be constructed, except that upon completion of the construction, reconstruction, and equipping of any specific building or facility, any unexpended state funds specifically appropriated and designated herein for such building or facility shall revert to the college building fund.

SECTION 3. REPEAL.) Chapter 157 of the 1967 Session Laws of the state of North Dakota is hereby repealed effective July 2, 1971"

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 amendments is to clarify the bill for college buildings and to defer the creation of a heritage center fund.

SENATOR SORLIE, Chairman

Senator Lips moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following, Which the House has passed unchanged.

- Senate Bill No. 2029
- Senate Bill No. 2034
- Senate Bill No. 2061
- Senate Bill No. 2333
- Senate Bill No. 2343
- Senate Bill No. 2347
- Senate Bill No. 2370
- Senate Bill No. 2387
- Senate Bill No. 2461
- Senate Concurrent Resolution No. 4057
- Senate Concurrent Resolution No. 4064

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,

- Senate Bill No. 2009
- Senate Bill No. 2010
- Senate Bill No. 2014
- Senate Bill No. 2023
- Senate Bill No. 2100
- Senate Bill No. 2207
- Senate Bill No. 2464

AMENDMENTS TO SENATE BILL No. 2009

On page 1, line 11, delete the figure "1,163,171.00" and insert in lieu thereof the figure "1,168,171.00"

On page 1, line 18, delete the figure "111,295.00" and insert in lieu thereof the figure "116,295.00"

On page 1, line 24, delete the figure "1,163,171.00" and insert in lieu thereof the figure "1,168,171.00"

On page 2, line 2, delete the figure "863,195.00" and insert in lieu thereof the figure "868,195.00"

AMENDMENTS TO SENATE BILL No. 2010

On page 1, line 14, delete the figures "6,953,433.00" and insert in lieu thereof the figures "7,085,020.00"

On page 1, line 18, delete the figures "5,437,493.00" and insert in lieu thereof the figures "5,405,887.00"

On page 1, after line 18, insert the following line: "Salaries and wages — relief help 29,807.00"

On page 1, line 19, delete the figures "325,540.00" and insert in lieu thereof the figures "290,320.00"

On page 1, line 20, delete the figures "1,084,400.00" and insert in lieu thereof the figures "1,228,456.00"

On page 1, line 21, delete the numerals "96,000.00" and insert in lieu thereof the numerals "95,550.00"

On page 1, after line 21, insert the following line: "Emergency 25,000.00"

On page 1, line 24, delete the figures "6,953,433.00" and insert in lieu thereof the figures "7,085,020.00"

On page 2, line 1, delete the figures "1,651,216.00" and insert in lieu thereof the figures "1,668,454.00"

On page 2, line 2, delete the figures "5,302,217.00" and insert in lieu thereof the figures "5,416,566.00"

On page 2, line 3, insert the following new sections:

"SECTION 2. FARM OPERATIONS.) The director of institutions is directed to discontinue the farm operations at the Grafton state school before January 1, 1972. By such date the director of institutions shall have disposed of all surplus property from the farm operations, which property includes the dairy herd, beef cattle, hogs, and chickens, and farm equipment and other miscellaneous items. The disposal of surplus property shall be accomplished by using such property as food supplies at the institution, or by transfer to other institutional farm operations in the state, or by public sale based upon competitive bid. All proceeds from such disposal shall be deposited in the general fund of the state treasury. The Grafton state school is hereby authorized to rent to private persons farmlands owned by the state for the benefit of the school which were not sold during the discontinuance of the farm operations.

SECTION 3. BUSINESS ADMINISTRATOR.) Included within the Grafton state school appropriation for salaries and wages is an amount of \$38,293.00 for the salary and fringe benefits necessary to employ a business administrator. No person shall be eligible for such position unless he has extensive work experience in medical or related institutional administration and is recognized as qualified for appointment by persons experienced in the field of hospital administration. Upon employment, the business administrator shall be assigned by the director of institutions to major areas of administrative responsibility within the institution."

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2014

On page 1, line 13, delete the figures "2,286,816.00" and insert in lieu thereof the figures "2,340,641.00"

On page 1, line 19, delete the figures "1,401,036.00" and insert in lieu thereof the figures "1,423,646.00"

On page 1, line 20, delete the figures "248,080.00" and insert in lieu thereof the figures "271,645.00"

On page 1, line 21, delete the figures "274,200.00" and insert in lieu thereof the figures "278,850.00"

On page 1, line 23, delete the figures "15,000.00" and insert in lieu thereof the figures "18,000.00"

On page 1, line 24, delete the figures "2,286,816.00" and insert in lieu thereof the figures "2,340,641.00"

On page 2, line 2, delete the numerals "1,644,016.00" and insert in lieu thereof the numerals "1,697,841.00"

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2023

On page 1, line 11, delete the figure "288,971.00" and insert in lieu thereof the figure "308,971.00"

On page 1, line 15, delete the figure "151,726.00" and insert in lieu thereof the figure "161,726.00"

On page 1, line 18, delete the figure "10,000.00" and insert in lieu thereof the figure "20,000.00"

On page 1, line 19, delete the figure "288,971.00" and insert in lieu thereof the figure "308,971.00"

AMENDMENTS TO SENATE BILL No. 2100

On page 2, line 27, of the engrossed bill delete the following word "majority"

On page 2, line 27, after the word "of", insert the following words: "at least sixty percent of"

On page 2, line 29, delete the following words "be auth-"

On page 2, line 30, delete the following words "orized to"

On page 2, line 30, following the word "people" insert the following words: "either on its own motion or when a petition in writing, signed by qualified electors of the county or city equal in number to at least ten percent of the total vote cast in the county or city for the office of governor of the state at the last general election is presented to said governing body"

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2207

On page 1, line 24 after the word and comma "part," insert the words "**the reasons for disapproval shall be stated thereon and,**"

On page 2, line 28 place triple parentheses around the word "hundred" and insert in lieu thereof the word "**thousand**"

On page 3, line 1 after the word "and" insert the word "**the**"

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2464

On page 1, line 24, after the period, insert the following new language: "The new assessment shall follow the same district lines as the original assessment district, and the same method of assessment shall be used as was used in the original assessment. If the new assessment causes any prepaid payment to be refunded, the refund plus four and one-half percent interest per annum on the refunded prepaid payment shall be paid to the person or corporation who prepaid the original assessment."

And renumber the pages and lines accordingly.

Which the House has amended.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2130
Senate Bill No. 2281

Senate Bill No. 2285
 Senate Bill No. 2325
 Senate Bill No. 2384
 Senate Bill No. 2415
 Senate Bill No. 2462
 Senate Bill No. 2505
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4081
 Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1023
 House Bill No. 1035
 House Bill No. 1104
 House Bill No. 1271
 House Bill No. 1319
 House Bill No. 1324
 House Bill No. 1433
 House Bill No. 1469
 House Bill No. 1544
 House Bill No. 1555

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1102

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Moore
 Rundle
 Lundene

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE GOVERNOR
 STATE OF NORTH DAKOTA

Executive Office

Bismarck

March 15, 1971

The Honorable Richard F. Larsen
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 12, I signed Senate Bill No. 2324.

Sincerely yours,
 WILLIAM L. GUY
 Governor

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Chesrown 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. 1102

Which motion prevailed.

The President appointed as a Conference Committee on:
House Bill No. 1102.

Senators:
Ringsak
Freed
Gronhovd

MOTION

Senator Unruh moved that Senate Concurrent Resolution No. 4070 be returned to the Senate from the Committee on Legislative Research Resolutions Committee, and placed on the calendar, which motion prevailed, and Senate Concurrent Resolution No. 4070 was placed on the calendar.

PERSONAL PRIVILEGE

Senator Sanstead: "Mr. President: I rise on a point of personal privilege, and I want these remarks printed in the Journal."

Lt. Governor: "State your privilege, Senator."

Senator Sanstead: "Mr. President, Gentlemen of the Senate: Saturday evening, March 13, 1971, saw one of the finest, most competitive, audience pleaser State Basketball Tournament finals that this State has ever seen.

"Senators Anderson, Coughlin and Sanstead believe that the magic of the MAGIC CITY and its Minot High School Magicians was evident to all — including certain Senators in this chamber. We are extremely proud of our team, and our coach, Mr. Nick Olson, and have ready for public display our signs of VICTORY.

"Gentlemen of the Senate, we're

NUMBER ONE"

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 15, 1971

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. 1102

Senators:
Ringsak
Freed
Gronhovd

Very respectfully,
LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the Chair, 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 Social Welfare and Veterans' Affairs to whom was referred House Bill No. 1062 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1492 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of page 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to

the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DESIGNATION OF BONDS.) Bonds to be issued under the provisions of this Act shall be known as state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series.

SECTION 2. AUTHORITY FOR ISSUING BONDS OF NORTH DAKOTA VIETNAM CONFLICT ADJUSTED COMPENSATION SERIES — PURPOSE OF ISSUE.) An issue of not to exceed fifteen 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 the 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 Act 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. PREPARATION OF BONDS.) Bonds issued under this Act shall execute by the governor and by the state treasurer under the great seal of the state of North Dakota and shall be attested by the secretary of state. The state auditor and secretary of state shall endorse and sign, on each bond issued, a certificate showing that such bond is issued pursuant to law and is within the state debt limit. The manner and form of execution shall be determined by the industrial commission. The issue of bonds under this Act shall be of serial maturities, and the industrial commission shall fix the maximum rate of interest they shall bear. The first installment of principal of bonds sold at any one time shall fall due not more than two years from the date of the bonds, and the last installment shall fall due not more than fifteen years after the date of first issue. Annual installments of principal shall be such that the increase thereof from year to year approximately shall equal the decrease from year to year of the amount of interest on unpaid bonds, so that the aggregate of principal and interest shall be approximately equal year by year. All bonds issued under this Act shall be in denominations of not more than ten thousand dollars each and shall be fully negotiable with semiannual interest coupons attached, except that the first interest payment shall be one year from and after the date of issuance of the bonds. Bonds issued under this Act from and after the year 1972 until the year 1981, inclusive, shall not be callable prior to maturity. Bonds issued under this Act from and after the year 1982 may be called prior to maturity, in inverse numerical order. All bonds issued under this Act shall contain a provision that interest thereon shall cease at maturity unless the holder thereof shall present the same for payment and payment is refused. The principal and interest of bonds issued under this Act shall be payable at the office of the state treasurer in Bismarck, North Dakota, or at the Bank of North Da-

kota, or at a bank or trust company in the city of Chicago or New York, as the industrial commission may determine.

SECTION 4. SALE AND DELIVERY OF BONDS BY INDUSTRIAL COMMISSION — DEPOSIT OF PROCEEDS.) The industrial commission shall act as agent of the state for the negotiation, sale, and delivery of all bonds issued under this Act. Such bonds shall be sold in whole or in part from time to time for cash at not less than par and accrued interest to the best advantage of the state. In offering such bonds for sale, the industrial commission shall reserve the right to reject any or all bids therefor. Purchasers and holders of such bonds may have ownership registered in the office of the state treasurer. All of the proceeds of such bonds shall be received by the industrial commission and by it placed in a separate fund in the state treasury in the custody of the state treasurer to be used only for the purpose for which such bonds were issued.

SECTION 5. BONDS TAX EXEMPT.) All bonds issued under the provisions of this Act and interest thereon shall be exempt from all state, county, and municipal taxes.

SECTION 6. BONDS A GENERAL OBLIGATION OF STATE OF NORTH DAKOTA.) Upon receipt of payment therefor, the industrial commission shall deliver to each purchaser of bonds issued under this Act, the bonds purchased by him, and upon the delivery of such bonds the full faith and credit and unlimited taxing resources of the state of North Dakota shall stand pledged for the punctual payment of each and all of such bonds and the interest thereon to the lawful holder and owner thereof as the same become due and are presented for payment.

SECTION 7. SINKING FUND.) The sinking fund for the payment of bonds issued under this Act and interest thereon shall be established and maintained in the office of the state treasurer who shall be custodian of such fund and shall at all times maintain adequate records thereof. The state treasurer shall make reports of the condition of such sinking fund to the industrial commission on request. All sums appropriated and transferred for the payment of bonds issued under this Act shall be deposited in the sinking fund therefor and shall be disbursed by the state treasurer in payment of such bonds and interest thereon directly or through a paying agent to be designated by the industrial commission. On request of the industrial commission, the state treasurer shall supply any deficiency of such sinking fund out of any available monies of the state in his custody, provided that all monies so used shall be returned at the earliest practicable opportunity.

SECTION 8. TRANSFER OF BALANCE.) Upon the retirement of all bonds provided for in this Act, together with the interest thereon, any balance remaining in the sinking fund shall be transferred by the treasurer to the general fund.

SECTION 9. INVESTMENT OF SINKING FUND.) Monies in the sinking fund for bonds issued under this Act shall be deposited in the Bank of North Dakota. The Bank of North Dakota shall pay interest thereon as directed by the industrial commission, which interest shall be credited to the sinking fund and shall be used for the payment of the principal of the bonds or interest thereon.

SECTION 10. PROTECTION OF PURCHASER.) The purchaser of any bonds issued under this Act shall not be obliged to see to the application of the purchase price thereof but shall be protected fully in paying for such bonds by the receipt of the industrial commission or of its agent delivering such bonds as herein provided.

SECTION 11. LIMITATION OF ACTION.) No action shall be brought or maintained in any court in this state questioning the validity of any bonds issued under this Act unless such action shall have been commenced within sixty days after the adoption of the resolution of the industrial commission awarding the sale of such bonds.

SECTION 12. IRREPEALABLE.) All appropriations and transfers provided to pay bonds issued under the provisions of this Act and interest thereon shall not be repealed until such bonds and interest are fully paid.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,500,000.00, or such lesser amount as may be necessary for transfer upon order of the director of accounts and purchases to the Vietnam veterans' bonus adjusted compensation fund during the biennium beginning July 1, 1971, and ending June 30, 1973, for use in making bonus payments to Vietnam veterans as provided by law.

SECTION 14. APPROPRIATION FOR FUTURE BIENNIUMS — INTENT OF APPROPRIATION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,800,000.00, or so much thereof as may be necessary, for transfer upon order of the director of the department of accounts and purchases to the sinking fund for the payment of Vietnam veterans' bonus bonds during the biennium beginning July 1, 1973, and ending June 30, 1975, and a like amount, or so much thereof as may be necessary, is hereby appropriated during each biennial period beginning after June 30, 1975, to be transferred upon order of the director of the department of accounts and purchases to the sinking fund for the payment of Vietnam veterans' bonus bonds. Such transfers shall be discontinued by the director the the department of accounts and purchases at such time as he shall determine, in consultation with the industrial commission, that sufficient funds are available in the sinking fund for the payment of Vietnam veterans' bonus bonds to retire all bonds outstanding with interest thereon.

It is the intent of the legislative assembly that the amounts appropriated and transferred by this section shall represent the current proceeds of the two cents per-package cigarette tax and the eight cents per-gallon beer tax that was levied for repayment of bonds issued for bonus payments to veterans of the Korean Conflict, which tax was not discontinued following the repayment of such bonds.

SECTION 15. APPROPRIATION TO INDUSTRIAL COMMISSION.) There is hereby appropriated out of any monies in the Vietnam veterans' bonus adjusted compensation fund, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the industrial commission for administrative and legal expenses for the issuance of bonds authorized by this Act, for the biennium beginning July 1, 1971, and ending June 30, 1973.

SECTION 16. APPROPRIATION FOR BONDS.) There is hereby appropriated the funds required for the payment of interest and principal of all bonds issued and sold under this Act.

SECTION 17. 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 THORESON, Vice Chairman

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1503 has had the same under consideration and recommends that the same be amended as follows:

On page 1, delete all of lines 17 through 24

On page 2, delete all of lines 1 through 3

On page 2, line 4 after the word "help" delete the following: "for instit-

On page 2, delete all of line 5

And renumber the lines and pages accordingly.

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 amendments is to establish a floor compensation for employees on direct state payrolls.

SENATOR SORLIE, Chairman

Senator Robinson 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. 1558 has had the same under consideration and recommends that the same be amended as follows:

Page 1 line 11 of the engrossed bill delete the numeral "14"

Page 3 line 20 after "state" delete "health" and insert in lieu thereof "laboratories"

Page 6 line 20 after "state" delete "health" and insert in lieu thereof "laboratories"

Page 10 line 17 delete "Phoclodine" and insert in lieu thereof "Pholcodine"

Page 16 after line 16 insert "d. Chlordiazepoxide, and its salts;" and "e. Diazepam;"

Page 35 line 4 after "state" delete "health" and insert in lieu thereof "laboratories"

Page 42 line 33 after "state" delete "health" and insert in lieu thereof "laboratories"

Page 47 line 4 delete the numeral "14"

Renumber the pages, lines and subdivisions accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1111, 1325, 1399, 1456, 1538, and 1547 be dispensed with, which motion prevailed.

The question being on the motion of Senator Redlin to further amend, House Bill No. 1001, which amendments are printed on page 1078 of the Senate Journal.

Senator Redlin requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Redlin to further amend House Bill No. 1001, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Barth	Gronhovd	Larson, L.	Redlin
Berube	Hernett	Longmire	Sanstead
Chesrown	Holand	Melland	Stroup
Christensen	Jacobson	Nasset	Unruh
Doherty	Just	Nothing	Van Horn
Erdman	Kautzmann	Page	Wenstrom
Forkner	Larson, G.	Rait	

Those voting in the negative were:

Anderson	Lips	Ringsak	Strinden
Coughlin	Litten	Robinson	Swedlund
Freed	Morgan	Roen	Thane

Goldberg
Jones

Mutch
Pyle

Schultz
Sorlie

Thoreson
Wilhite

Absent and not voting:

Butler

So the motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1368, which had been laid over one legislative day, as recommended by the Committee on Appropriations, and printed on pages 1065, and 1066 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1111 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 1075 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that House Bill No. 1111 be amended as follows:

On page 1, line 12, delete the words "psychiatric problems" and the words "or pregnancy".

Which motion prevailed.

House Bill No. 1111 was then placed on the calendar without recommendation in accordance with the committee report.

Senator Kautzmann moved that the amendments to House Bill No. 1325 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 1075 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1399 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 1076 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1456 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 1076 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1538 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 1076 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 1547 as recommended by the Committee on Political Subdivisions, and printed on pages 1076, 1077, and 1078 of the Senate Journal, be adopted.

Senator Freed moved that the amendments to House Bill No. 1547 be laid on the table, which motion lost.

The question being on the motion of Senator Redlin. Senator Chesrown moved the previous question, which motion prevailed.

The question being on the motion of Senator Redlin, which motion lost.

Senator Redlin moved that House Bill No. 1547 be amended as follows:

Delete everything in House Bill No. 1547 after the words "A BILL" and insert in lieu thereof the provisions of Senate Bill No. 2509."

Senator Lips moved that House Bill No. 1547 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 2056

Senate Bill No. 2089

Senate Bill No. 2228

Senate Bill No. 2252

Senate Bill No. 2286

Senate Bill No. 2287
 Senate Bill No. 2301
 Senate Bill No. 2339
 Senate Bill No. 2345
 Senate Bill No. 2351
 Senate Bill No. 2368
 Senate Bill No. 2386
 Senate Bill No. 2403
 Senate Bill No. 2418
 Senate Bill No. 2434
 Senate Bill No. 2435
 Senate Bill No. 2459
 Senate Bill No. 2467
 Senate Bill No. 2477
 Senate Bill No. 2491
 Senate Bill No. 2496
 Senate Bill No. 2500

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2056
 Senate Bill No. 2089
 Senate Bill No. 2228
 Senate Bill No. 2252
 Senate Bill No. 2286
 Senate Bill No. 2287
 Senate Bill No. 2301
 Senate Bill No. 2339
 Senate Bill No. 2345
 Senate Bill No. 2351
 Senate Bill No. 2368
 Senate Bill No. 2386
 Senate Bill No. 2403
 Senate Bill No. 2418
 Senate Bill No. 2434
 Senate Bill No. 2435
 Senate Bill No. 2459
 Senate Bill No. 2467
 Senate Bill No. 2477
 Senate Bill No. 2491
 Senate Bill No. 2496
 Senate Bill No. 2500

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4053 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 Christenson

For the House:
 Rep. Hentges
 Rep. Stoltenow
 Rep. Weber

Senator Jacobson moved that the report be adopted, which motion prevailed.

Senator Jacobson moved that the rules be suspended and that Senate Concurrent Resolution No. 4053 be deemed properly engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

**SECOND READING OF
A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4053. A Concurrent Resolution requesting local levels of State Government to assume responsibility in controlling the development of flood plains.

Which has been read.

Senator Jacobson moved that Senate Concurrent Resolution No. 4053 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2024 has had the same under consideration and recommends that the Senate accede with the House amendments.

For the Senate:

Senator Schultz
Senator Jones
Senator Larson

For the House:

Rep. Jenkins
Rep. Kingsbury
Rep. Linderman

Senator Schultz moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the rules be suspended and that Senate Bill No. 2024 be deemed properly engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A HOUSE BILL

Senate Bill No. 2024. A Bill for an Act making an appropriation for salaries and expenses of the state seed department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Christensen	Just	Nething	Stroup
Coughlin	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Ringsak	Van Horn
Gronhovd	Longmire	Robinson	Wenstrom
Hernett	Melland	Roen	Wilhite

Absent and not voting:

Butler	Chesrown	Doherty	Strinden
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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 Senate Bill No. 2259 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill No. 2259 be amended as follows:

Page 1, line 17 after the ending triple parentheses delete "six" and insert in lieu thereof "five"

For the Senate:

Senator Longmire
Senator Goldberg
Senator Just

For the Houe:

Rep. Brekke
Rep. White
Rep. Backes

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2259 be deemed properly 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. 2259. A Bill for an Act to amend and reenact sections 40-46-02 and 40-46-26 of the North Dakota Century Code, relating to tax levies for city employees' pension funds and to pay city's share of federal social security plans for employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Stroup
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litlen	Robinson	Wilhite

Those voting in the negative were:
Strinden

Absent and not voting:

Butler Pyle Schultz

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. 2363 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Freed
Senator Page
Senator Barth

For the House:

Rep. Moore
Rep. Murphy
Rep. Dotzenrod

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2458 has had the same under consideration and

recommends that the Senate concur with the House amendments and recommends that it be further amended as follows:

Page 1 line 3 of the engrossed bill before the period insert the following: “, and declaring an emergency”

Page 2 line 16 before “but” insert beginning triple parentheses and after “feet” and before the comma insert ending triple parentheses

Page 2 after line 31 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.”

Renumber pages and lines accordingly.

For the Senate:

Senator Mutch
 Senator Unruh
 Senator Erdman

For the House:

Rep. Hensrud
 Rep. Boustead
 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. 2458 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. 2458. A Bill for an Act to amend and reenact Section 39-18-03 of the North Dakota Century Code, relating to license fees for travel trailers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Just	Nasset	Sorlie
Coughlin	Larson, G.	Page	Swedlund
Erdman	Larson, L.	Pyle	Thane
Forkner	Lips	Rait	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite

Those voting in the negative were:

Berube	Doherty	Nothing	Strinden
Chesrown	Jones	Redlin	Stroup
Christensen	Kautzmann		

Absent and not voting:

Butler Holand

So the bill passed and the title was agreed to and the emergency clause carried.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, March 15, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2460

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,
Senate Bill No. 2001
Senate Bill No. 2003
Senate Bill No 2367
Senate Bill No. 2457
Senate Bill No. 2509

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2001

On page 2, line 22, of the engrossed bill, delete the figure "189,886.00" and insert in lieu thereof the figure "195,386.00"

On page 2, line 23, delete the figure "24,600.00" and insert in lieu thereof the figure "28,000.00"

On page 2, after line 23, add the following new line: "Costs of carrying out provisions of S.B. 2067 2,100.00"

On page 2, line 26, delete the figure "228,486.00" and insert in lieu thereof the figure "239,486.00"

On page 3, line 7, delete the figure "147,327.00" and insert in lieu thereof the figure "150,427.00"

On page 3, line 12, delete the figure "178,307.00" and insert in lieu thereof the figure "181,407.00"

On page 3, line 15, delete the figure "563,881.00" and insert in lieu thereof the figure "561,881.00"

On page 3, line 19, delete the figure "668,021.00" and insert in lieu thereof the figure "666,021.00"

On page 3, line 22, delete the figure "892,778.00" and insert in lieu thereof the figure "904,498.00"

On page 3, line 23, delete the figure "426,830.00" and insert in lieu thereof the figure "459,080.00"

On page 3, line 29, delete the figure "1,848,608.00" and insert in lieu thereof the figure "1,892,578.00"

On page 4, line 4, delete the figure "4,712,468.00" and insert in lieu thereof the figure "4,768,538.00"

On page 4, after line 12, add the following section:

"SECTION 5. ATTORNEY GENERAL.) There is hereby appropriated in addition to such sums otherwise appropriated to the Attorney General office, \$25,000.00 or such lesser amount as may be necessary to match up to \$75,000.00 in federal funds which are hereby appropriated for the crime bureau division of the Attorney General's Office to engage in detection and apprehension of persons illegally possessing or disposing of drugs. The appropriations contained within this section are for the biennium beginning July 1, 1971, and ending June 30, 1973."

And renumber the pages and sections accordingly.

AMENDMENTS TO SENATE BILL No. 2003

On page 2 of the engrossed bill, delete lines 7 and 8

On page 2, line 9, delete the numerals "26,000.00" and insert in lieu thereof the numerals "28,000.00"

On page 2, line 12, delete the numerals "139,721.00" and insert in lieu thereof the numerals "141,721.00"

On page 2, line 16, delete the numerals "105,871.00" and insert in lieu thereof the numerals "112,871.00"

On page 2, line 18, delete the numerals "19,600.00" and insert in lieu thereof the numerals "24,600.00"

On page 2, line 21, delete the numerals "896,812.00" and insert in lieu thereof the numerals "908,812.00"

On page 2, line 28, delete the numerals "69,339.00" and insert in lieu thereof the numerals "85,419.00"

On page 2, delete line 32 and insert in lieu thereof the following words and numerals: "Land, contracts, structures, major improvements, and maintenance 300,000.00

Total	\$426,889.00
Less estimated income and federal funds	316,080.00

Total general fund	\$110,809.00
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All income and revenue received by the North Dakota aeronautics commission in payment for state aircraft air transportation services, provided by the aeronautics commission for other state agencies, departments, boards, or commissions, shall be deposited in the state treasury in a special aircraft expense revolving fund. All expenditures from such revolving fund shall be within the limits of legislative appropriations and shall be made upon vouchers signed and approved by the aeronautics commission. Upon approval of such vouchers by the state auditing board, warrant-checks for such expenditures shall be prepared by the department of accounts and purchases.

There is hereby appropriated to the North Dakota aeronautics commission, from any monies deposited in the state treasury in the special aircraft expense revolving fund, the amount of \$5,500.00 to be expended for state aircraft operating expense and maintenance and for aircraft pilot expenses, provided that no expenditure shall be approved at any time for this purpose in excess of the amount deposited by the aeronautics commission in the special aircraft expense revolving fund in the state treasury."

On page 3, line 19, delete the numerals "490,634.00" and insert in lieu thereof the numerals "522,634.00"

On page 3, line 22, delete the numerals "92,000.00" and insert in lieu thereof the numerals "100,400.00"

On page 3, line 23, delete the numerals "24,462.00" and insert in lieu thereof the numerals "34,462.00"

On page 3, line 25, delete the numerals "622,096.00" and insert in lieu thereof the numerals "672,496.00"

On page 3, delete lines 26 through 34

On page 4, line 4, delete the numerals "10,000.00" and insert in lieu thereof the numerals "12,000.00"

On page 4, line 7, delete the numerals "339,458.00" and insert in lieu thereof the numerals "341,458.00"

On page 4, line 15 delete the numerals "2,828,802.00" and insert in lieu thereof the numerals "2,868,895.00"

On page 4, line 23, after the period insert the following new section:

"SECTION 5. STATE LABORATORIES DEPARTMENT.) Included in the appropriation for the activities of the state laboratories department is \$32,000.00 in salaries and wages and \$8,400.00 in fees and services to be used exclusively for an intensive part-time program during the proper season for the sampling, testing, and enforcement of the laws regulating the sale of fertilizer."

And renumber the lines, subdivisions, sections, and pages accord-

AMENDMENTS TO SENATE BILL No. 2367

On page 1, line 10, delete the figure "40,787,561.00" and insert in lieu thereof the figure "42,100,000.00"

AMENDMENTS TO SENATE BILL No. 2457

On page 1, line 6, of the engrossed bill, following the word "for", insert the following: "a surtax and"

On page 4, line 7, following the period, insert the following new section:

"SECTION 7. SURTAX ON INCOME.) An additional tax, or surtax, is hereby imposed on the income of every individual, estate, trust, and corporation that is required to file an income tax return pursuant to the provisions of chapter 57-38. This surtax shall be paid annually by each such taxpayer and shall be computed as follows:

1. For an individual, estate, or trust the tax shall be computed at the rate of one percent of the taxable income of such individual, estate, or trust as determined pursuant to the provisions of chapter 57-38, but shall not be less than five dollars nor more than ten dollars; provided that this tax shall not apply to any individual who, at the end of the taxable year is:

- a. Under twenty-one years of age, or
- b. Is sixty-five years of age or over and whose adjusted gross income, as defined for federal income tax purposes, is less than three thousand dollars for the taxable year.

2. For a corporation the tax shall be computed at the rate of one per cent of the taxable income of the corporation as determined pursuant to the provisions of chapter 57-38, provided that the amount of tax shall not be less than ten dollars nor more than twenty-five dollars.

For purposes of administering the provisions of this section, the provisions of chapter 57-38, pertaining to the administration of income tax, including but not limited to the withholding of income taxes, the payment of income taxes and interest and penalties thereon, refunds, attachment of liens for failure to pay such taxes and interest and penalties thereon, and civil and criminal penalties for failure to comply with the provisions of chapter 57-38, shall govern the administration of the surtax levied in this section. All of the proceeds of this surtax, including penalties and interest thereon, collected and received by the tax commissioner shall be paid by him into the general fund of the state treasury. When the transfer of moneys from the general fund of the state treasury to the sinking fund is discontinued by the director of the department of accounts and purchases, as provided in this Act, the director of the department of accounts and purchases shall so certify the same to the tax commissioner, whereupon the imposition of the surtax imposed by this section shall terminate and the last taxable year of each taxpayer that ends before such certification shall be the last taxable year for which the tax shall be imposed on and collected from such taxpayer.

The provisions of this section shall be effective for all taxable years beginning on or after January 1, 1971."

In line 8 of page 5, following the word "Act", insert the following:
"or of any tax levied under this Act"

In line 12 of page 5, following the word "All", insert the following:
"taxes levied,"

Delete lines 16 through 23, inclusive, of page 5

In line 27 of page 5, delete the numerals "\$3,800,000.00" and insert in lieu thereof the numerals "\$3,000,000.00"

In line 31 of page 5, delete the numerals "1973" and insert in lieu thereof the numerals "1971", and delete the numerals "1975" and insert in lieu thereof the numerals "1973"

In line 34 of page 5, delete the numerals "1975" and insert in lieu thereof the numerals "1973"

In line 1 of page 6, following the period insert the following:

"Transfers shall be made so that, as nearly as practicable, the funds necessary for the payment of interest and principal on bonds shall be placed within the sinking fund one day prior to the time of such payment."

Delete lines 8 through 14, inclusive, of page 6

And renumber the lines, sections, and pages accordingly.

AMENDMENTS TO SENATE BILL No. 2509

Delete everything after the words "A BILL" and insert in lieu thereof the following: "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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATE LEGISLATIVE APPORTIONMENT.) Except where provided otherwise in this section, each legislative district shall be entitled to one senator and two representatives. The legislative districts of the state shall be formed as follows:

1. The first district shall consist of the city of Williston, and Stony Creek and Williston Townships in Williams County.
2. The second district shall consist of Divide County and all of Williams County, except that portion contained in the first district.
3. The third district shall consist of Burke and Mountrail Counties.
4. The fourth district shall consist of Renville County and all of Ward County, except that portion contained in the fifth district.
5. The fifth district shall consist of the city of Minot, and Burlington, Harrison, Nedrose, and Surrey townships, including the cities of Burlington and Surrey, in Ward County, and shall be entitled to three senators and six representatives.
6. The sixth district shall consist of Bottineau County and Willow Creek, Mouse River, Meadow, Deep River, Pratt, Normal, Bantry, Layton, Little Deep, Grilley, Wager, Gilmore, Saline, Deering, Riga, Egg Creek, Kottke Valley, Granville, and Norwich townships, including the cities of Upham, Bantry, Deering, and Granville, and the unorganized territory designated as townships 157-75, 157-76, and 158-76 in McHenry County.
7. The seventh district shall consist of Pierce County and all of McHenry County, except that portion contained in the sixth district.
8. The eighth district shall consist of McLean County.
9. The ninth district shall consist of Rolette County.
10. The tenth district shall consist of Cavalier and Towner Counties.
11. The eleventh district shall consist of Pembina County.
12. The twelfth district shall consist of Benson and Eddy Counties.
13. The thirteenth district shall consist of the tenth, eleventh, twelfth, fourteenth, and fifteenth precincts in the city of Fargo, and Barnes and Reed townships, including the cities of West Fargo and West Fargo Industrial Park, in Cass County.
14. The fourteenth district shall consist of Wells and Foster Counties.
15. The fifteenth district shall consist of Ramsey County.
16. The sixteenth district shall consist of St. Andrews, Martin, Farmington, Glenwood, Acton, Oakwood, Grafton, Fertile, Kensington, Pulaski, Harriston, Walshville, and Ardoch townships, including the cities of Hoople, Grafton, Park River, Minto, and Ardoch, in Walsh County.
17. The seventeenth district shall consist of Nelson County and all of Walsh County, except that portion contained in the sixteenth district.

18. The eighteenth district shall consist of the city of Grand Forks and Grand Forks township in Grand Forks County, and shall be entitled to three senators and six representatives.
19. The nineteenth district shall consist of all of Grand Forks County, except that portion contained in the eighteenth district.
20. The twentieth district shall consist of Traill County and Noble, Kinyon, Bell, Hunter, Wiser, Gardner, Gunkel, and Arthur townships, including the cities of Grandin, Hunter, Gardner, and Arthur, in Cass County.
21. The twenty-first district shall consist of all of the city of Fargo, except that portion contained in the thirteenth district, and Fargo Township in Cass County, and shall be entitled to four senators and eight representatives.
22. The twenty-second district shall consist of all of Cass County, except those portions contained in the thirteenth, twentieth, and twenty-first districts.
23. The twenty-third district shall consist of Griggs and Steele Counties and all of Barnes County, except that portion contained in the twenty-fourth district.
24. The twenty-fourth district shall consist of Oriska, Alta, Hobart, Springvale, Cuba, Marsh, Green, Hemen, Mansfield, Binghampton, Norma, Nelson, Skandia, Svea, Meadow Lake, Raritan, Thordenskjold, Oakhill, Spring Creek, Rosebud, and Greenland townships and the unorganized territory designated as townships 140.58, including the cities of Oriska, Valley City, Fingal, Nome, Kathryn, and Litchville, in Barnes County.
25. The twenty-fifth district shall consist of Eagle, Walcott, Colfax, Abercrombie, Nansen, Dwight, Ibsen, Antelope, Center, Mooreton, Barney, Summit, Brandenburg, Belford, Fairmount, DeVillo, Waldo, LaMars, and Greendale townships, including the cities of Colfax, Abercrombie, Dwight, Wahpeton, Mooreton, Barney, Great Bend, Mantador, and Fairmount, in Richland County.
26. The twenty-sixth district shall consist of Dickey and Sargent Counties.
27. The twenty-seventh district shall consist of Ransom County and all of Richland County, except that portion contained in the twenty-fifth district.
28. The twenty-eighth district shall consist of LaMoure and Logan Counties.
29. The twenty-ninth district shall consist of Stutsman County, and shall be entitled to two senators and four representatives.
30. The thirtieth district shall consist of Emmons and McIntosh Counties.
31. The thirty-first district shall consist of Sheridan and Kidder Counties and all of Burleigh County, except that portion contained in the thirty-second district.
32. The thirty-second district shall consist of the city of Bismarck and Hay Creek township and the unorganized territory designated as Lincoln and Fort Rice precincts in Burleigh County, and shall be entitled to three senators and six representatives.
33. The thirty-third district shall consist of Mercer and Oliver Counties and all of Morton County, except those portions contained in the thirty-fourth and thirty-fifth districts.
34. The thirty-fourth district shall consist of the city of Mandan and the unorganized territory designated as Crown Butte, Bindewald, Sweetbriar, Custer, and Highland precincts in Morton County.
35. The thirty-fifth district shall consist of Grant and Sioux Counties and the unorganized territory designated as Wenger, Rural,

Albrecht, Columbia, Sims, Doll, Olin, Faust, Hermes, Buchli, Huff, Little Heart, Fallon, Stone, Fort Rice, Odense, and New Hope precincts, and Harmon township, including the cities of Almont and Flasher, in Morton County.

36. The thirty-sixth district shall consist of Dunn and McKenzie Counties.
37. The thirty-seventh district shall consist of the city of Dickinson and the unorganized territory designated as Pleasant Valley precinct in Stark County.
38. The thirty-eighth district shall consist of Adams and Hettinger Counties and all of Stark County, except those portions contained in the thirty-seventh and thirty-ninth districts.
39. The thirty-ninth district shall consist of Billings, Golden Valley, Slope, and Bowman Counties and the unorganized territory designated as Interstate, Fertile Valley, Gaylord, Little Badlands, Grand Meadow, Wild Rose, and Simpson precincts, and Slope, Ash Coulee, and South Heart townships, including the city of Belfield, in Stark County.

SECTION 2. LEGISLATIVE FINDING.) The legislature was cognizant and has taken into consideration the methods and procedures employed by the census bureau in taking the census and the creation of enumeration districts, which do not necessarily coincide with the geographic boundaries of political subdivisions such as townships and smaller cities. The legislature in numerous instances was required to interpolate and calculate the population in rural areas, including townships and small cities, on information available. It is also known that many persons maintained a dual residence, one for voting purposes and one where they physically resided. It has been common practice for many persons upon reaching semiretirement age or upon retiring, to locate in a city, but retain their residence on a farm. However, for census purposes, they were listed in the city's population. Because of these items, mathematical exactness or precision in population is impossible, and because of the cost and effort to produce the necessary information to accomplish this, it is impractical.

SECTION 3. 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 the year 1972 shall hold their office for two years, those of the other class shall hold their office for four years, and the determination of which class shall be elected for four years and 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.

SECTION 4. LEGISLATIVE SUBDISTRICTING — METHODS.) Any legislative district which is represented by more than one senator may be subdistricted as provided in this Act to provide for all or portions of such district to be divided into single senatorial districts. Such legislative districts shall be subdistricted on the basis of voting precincts. Upon the filing of a petition with the secretary of state for such subdistricting, together with a map showing the voting precincts to be included within the boundary of the proposed subdistrict or subdistricts and accompanied by a written description thereof, containing the signatures of at least ten percent of the number of qualified electors of each voting precinct included within the subdistrict or subdistricts that voted for the office of governor at the most recent general election at which such office was voted

upon, the secretary of state shall determine and count the number of signatures on the petition. If the petition contains the required number of signatures, it shall be submitted to the qualified electors of the proposed subdistrict or subdistricts for their approval or rejection at the next special, primary, or general election held in such subdistrict or subdistricts. Each proposed subdistricting plan prepared and submitted in accordance with this section must provide that each proposed subdistrict or subdistricts shall be compact and contiguous and all voting precincts contained within the plan shall be adjacent to at least one other precinct in the subdistrict. No proposed subdivision or subdivisions shall contain a population which is either greater or lesser than the population of any single senatorial legislative district contained in section 1 of this Act, as calculated by reference to the 1970 federal decennial census.

SECTION 5. ELECTION ON PETITION — BALLOT FORM — VOTE REQUIRED.) The ballots used for submitting the question of subdistricting legislative districts in all cases wherein an election is required shall be in substantially the following form:

“Shall the (number of legislative district) legislative district be subdivided into (senatorial or representative districts or both) described as follows:
(here insert description of subdistrict as described in the petition)

YES
NO

If there shall be more than one petition for subdistricting of the same legislative district, each different description of the subdistricts shall be placed upon such ballot and the ballot shall be marked “VOTE FOR ONE ONLY”.

If one of the subdistricting descriptions as presented on the ballot shall receive a majority of the legal votes cast at such election, the secretary of state shall issue a proclamation stating such legislative district to be subdistricted pursuant to such description. Thereafter, senators or representatives shall reside in and be elected from such subdistricts as set forth in the approved petition for subdistricting. The question of subdistricting a legislative district shall not be voted upon more than once every two years.

SECTION 6. REPEAL.) Sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the 1965 Supplement to the North Dakota Century Code, and chapter 338 of the 1965 North Dakota Session Laws are hereby repealed.”

And renumber the lines and pages accordingly.

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie 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

Senators:

Strinden
Schultz
L. Larson

Senator Melland moved that the Senate do concur in the House amendments to Senate Bill No. 2012, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 2012 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2012. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the state hospital at Jamestown, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Jacobson	Morgan	Sanstead
Berube	Jones	Nasset	Schultz
Chesrown	Just	Nothing	Sorlie
Christensen	Kautzmann	Page	Strinden
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Wenstrom
Hernett	Melland	Roen	Wilhite
Holand			

Those voting in the negative were:

Mutch

Absent and not voting:

Barth	Freed	Stroup	Van Horn
Butler	Gronhovd		

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2178, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2178 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2178. A Bill for an Act to amend and reenact sections 15-36-07 and 15-36-11 of the North Dakota Century Code, relating to citizenship requirements for teachers' certificates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Gronhovd	Longmire	Roen	

Those voting in the negative were:

Forkner	Robinson	Strinden
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Absent and not voting:

Butler	Stroup
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So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do not concur in the House amendments to Senate Bill No. 2306 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. 2306,

Senators:

Longmire

Goldberg

Berube

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2307, which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Bill No. 2307 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. 2307. A Bill for an Act requiring a certificate of need for construction or expansion of hospitals and related medical facilities including services, defining the procedure for certification of need and the requirements thereof, providing for a public hearing, prohibiting licensing, and authorizing injunctions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nasset	Strinden
Berube	Jones	Nething	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Those voting in the negative were:

Chesrown	Hernett	Page	Schultz
Forkner	Larson, L.		

Absent and not voting:

Butler	Just	Redlin	Stroup
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So the bill passed and the title was agreed to.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4092. A Concurrent Resolution directing a study by the Legislative Council of the duplication of services and overlapping of responsibilities between the State Department of Health and the Public Welfare Board in the areas of mental health and retardation service units and area social service centers.

Was read the first time and referred to the committee on Legislative Council Resolutions.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 15, 1971

Mr. Speaker: I have the honor to inform you that the Senate

has concurred in the House amendment to:

Senate Bill No. 2012
Senate Bill No. 2178
Senate Bill No. 2307

Refused to concur in the House amendment to:

Senate Bill No. 2004
Senate Bill No. 2306

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:

Strinden
Schultz
L. Larson

to serve on Senate Bill No. 2004

Senators:

Longmire
Goldberg
Berube

to serve on Senate Bill No. 2306

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 15, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2024
Senate Bill No. 2259
Senate Bill No. 2363
Senate Bill No. 2458
Senate Concurrent Resolution No. 4053

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2006
Senate Bill No. 2027
Senate Bill No. 2033
Senate Bill No. 2180
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2276
Senate Bill No. 2309
Senate Bill No. 2381
Senate Bill No. 2093

Which the House has amended.

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL No. 2006

On page 2, line 1 of the engrossed bill, delete the words "FORTY-FIRST AND FORTY-SECOND LEGISLATIVE" and insert in lieu thereof the words "FORTY-SECOND AND FORTY-THIRD LEGISLATIVE"

On page 2, line 3, delete the numerals "211,600.00" and insert in lieu thereof the numerals "225,623.00"

On page 2, line 4, delete the numerals "605,200.00" and insert in lieu thereof the numerals "1,006,513.00"

On page 2, line 5, delete the numerals "150,000.00" and insert in lieu thereof the numerals "164,261.00"

On page 2, line 6, delete the numerals "5,000.00" and insert in lieu thereof the numerals "6,335.00"

On page 2, line 7, delete the numerals "971,800.00" and insert in lieu thereof the numerals "1,402,732.00"

On page 2, line 11, delete the numerals "31,700.00" and insert in lieu thereof the numerals "35,865.00"

On page 2, line 13, delete the numerals "41,200.00" and insert in lieu thereof the numerals "45,365.00"

On page 2, line 22, delete the numerals "233,610.00" and insert in lieu thereof the numerals "243,610.00"

On page 2, line 25, delete the numerals "618,668.00" and insert in lieu thereof the numerals "628,668.00"

On page 2, line 26, delete the numerals "1,679,468.00" and insert in lieu thereof the numerals "2,124,565.00"

On page 3, line 1, delete the words "forty-first and", and insert after the word "forty-second" the words "and forty-third"

And renumber the lines accordingly.

AMENDMENTS TO SENATE Bill No. 2027

On page 1, line 4, after the word "association" insert the following words: "and certain activities at the University of North Dakota"

On page 1, line 13, delete the figure "46,479.00" and insert in lieu thereof the figure "23,000.00"

On page 1, line 16, delete the word "biennium" and insert in lieu thereof the word "period" and delete the word "1973" and insert in lieu thereof "1972"

On page 1, line 17, delete the figure "7,069.00" and insert in lieu thereof the figure "3,500.00"

On page 1, line 18, delete the figure "13,310.00" and insert in lieu thereof the figure "6,500.00"

On page 1, line 19, delete the figure "17,000.00" and insert in lieu thereof the figure "8,500.00"

On page 1, line 20, delete the figure "9,100.00" and insert in lieu thereof the figure "4,500.00"

On page 1, line 21, delete the figure "46,479.00" and insert in lieu thereof the figure "23,000.00"

On page 1, after line 21, insert the following section:

"SECTION 2. APPROPRIATION). There is hereby appropriated the sum of \$9,000.00 to pay costs and expenses of the North Dakota Commissioners on Uniform State Laws, a portion of the cost of publishing the North Dakota Law Review, and the cost of legal research and seminars at the University of North Dakota Law School for the period beginning July 1, 1972 and ending June 30, 1973, to wit"

Fees and Services	\$1,800.00
Supplies and Materials	5,000.00
Grants	2,200.00
Total	9,000.00"

AMENDMENTS TO SENATE BILL No. 2033

On page 1, line 11, delete the figure "2,172,653.00" and insert in lieu thereof the figure "2,339,653.00"

On page 1, line 15, delete the figure "1,225,523.00" and insert in lieu thereof the figure "1,285,523.00"

On page 1, line 16, delete the figure "749,380.00" and insert in lieu thereof the figure "856,380.00"

On page 1, line 20, delete the figure "2,172,653.00" and insert in lieu thereof the figure "2,339,653.00"

AMENDMENTS TO SENATE BILL No. 2180

On page 1, line 20, of the engrossed bill, after the word "him" insert the word "in"

On page 5, line 26, delete the word "person" and insert in lieu thereof the word "personal"

On page 7, line 1, delete the words "a majority" and insert in lieu thereof the words "sixty percent"

On page 7, line 23, delete the words "a majority" and insert in lieu thereof the words "sixty percent"

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2192

Delete lines 12 through 24 of page 1 of the engrossed bill

Delete lines 1 through 14 of page 2, and insert in lieu thereof the following:

"40-38-01. PUBLIC LIBRARY AND READING ROOM — ESTABLISHMENT — ELECTION.) The governing body of any municipality or county upon petition of not less than fifty-one percent of the voters of such municipality or county as determined by the total number of votes cast at the last general election ((shall have power to)) **or upon a majority vote of the electors thereof shall establish and maintain public library service within its geographic limits by means of a public library and reading room or other public library service, either singly or in cooperation with the state library commission, or with one or more municipalities or counties, or by participation in an approved state plan for rendering public library service under the Library Services and Construction Act, ((Public Law 597, 84th Congress, 2d Session)) 20 U.S.C.A., sections 351-358, and act(s) amendatory thereof. Such question shall be submitted to the electors upon resolution of the governing body or upon the petition of not less than twenty-five percent of that number of electors of the municipality or county that voted at the last general election, filed with the governing body not less than sixty days before the next regular election. Library service may be discontinued within any municipality or county by any of the methods by which library services may be established, except that once established, such service shall not be discontinued until after it has been in operation for at least five years from the date of establishment."**

In line 20 of page 2, delete the triple parentheses before the word "municipip."

In line 21 of page 2, delete the triple parentheses following the word "ality" and delete the words "city, township,"

In line 24 of page 2, delete the triple parentheses before and after the word "municipal" and delete the words "city, township."

In line 25 of page 2, delete the triple parentheses before and after the word "four" and delete the word "five"

In line 26 of page 2, delete the triple parentheses before and after the word "municipality" and delete the word "city"

In line 28 of page 2, delete the words "or township"; and delete the words "If a library service of a school"

Delete lines 29 through 35 of page 2, inclusive

Delete lines 1 through 6 of page 3, inclusive

In line 7 of page 3, delete the word "operation.;" delete the triple parentheses before and after the word "municipality"; and delete the word "city,"

In line 8 of page 3, delete the word "township,"

In line 9 of page 3, delete the triple parentheses before and after the words "or municipality" and delete the comma following

In line 10 of page 3, delete the words "city, or township"

In line 13 of page 3, delete the triple parentheses before and after the word "municipality" and delete the words "**city, school district, or township**"

In line 18 of page 3, delete the triple parentheses before and after the word "municipality" and delete the words "**city, school district, or township**"

In line 20 of page 3, delete the triple parentheses before the word "municipal-"

In line 21 of page 3, delete the triple parentheses following the word "ity" and delete the words "**city, school district, or township**"

In line 23 of page 3, delete the triple parentheses before the word "phrase"

In line 29 of page 3, delete the triple parentheses after the word "municipality" and insert in lieu thereof the following: "**, and if an election on the question is held, the**"; and delete the words "**city, school**"

In line 30 of page 3, delete the words "**district, or township**" and insert in lieu thereof the word "**municipality**"

In line 6, page 4, delete "**a majority**" and insert "**sixty-percent**"

In line 14 of page 4, delete the words "**or of a**" and insert in lieu thereof the words "**which embraces a municipality which has established**" and insert triple parentheses before the word "city"

In line 15 of page 4, insert triple parentheses after the letters "ing" and before the word "or"

In line 16 of page 4, insert triple parentheses after the comma and delete the triple parentheses before and after the word "or"

In line 17 of page 4, delete the words "**or the board of**"

In line 18 of page 4, delete the words "**township supervisors**"

In line 19 of page 4, place triple parentheses before the word "representing" and after the word "sexes"; insert the words "**municipality or**" following the word "the"; and delete the comma following the word "county"

In line 20 of page 4, delete the words "**school district, township,**" and place triple parentheses before the word "or" and after the word "city"

In line 21 of page 4, delete the triple parentheses before the word "One"

In line 26 of page 4, delete the triple parentheses following the period

In line 5 of page 5, delete the underscored comma and word "**the**"

In line 6 of page 5, delete the words "**board of township supervisors,**"

In line 13 of page 5, delete the words "**city, school**"

In line 14 of page 5, delete the words "**district, county, or township**" and insert in lieu thereof the words "**municipality or county**"

In line 17 of page 5, delete the words "**city, school district, county, or township**" and insert in lieu thereof the words "**municipality or county**"

And renumber the lines and pages accordingly.

AMENDMENTS TO SENATE BILL No. 2194

In line 18 of page 1, of the engrossed bill, following the word "**Upon**", insert the following: "**the approval of the electors of the municipality or county thereof, and with the**"

In line 20 of page 1, delete the words "**city, school district, township,**" and insert in lieu thereof the word "**municipality**"

In line 22 of page 1, delete the word "**cities,**"

Delete lines 23 and 24 of page 1 and insert in lieu thereof the following: **"municipalities or counties."**

Delete lines 1 and 2 of page 2 and insert in lieu thereof the following: **"The merger or consolidation shall become effective only if approved by each individual municipality or county considering the question."**

In line 3 of page 2, delete the words **"that may be executed by the"**

In line 4 of page 2, delete the words **"governing boards"**

In line 5 of page 2, delete the words **"cities, school districts,"** and insert in lieu thereof the word **"municipalities"**

In line 6 of page 2, delete the word **"townships,"**

In line 14 of page 2, delete the words **"cities, school districts, town--"**

In line 15 of page 2, delete the word **"ships,"** and insert in lieu thereof the word **"municipalities"**

In line 22 of page 2, following the word **"furnishing,"** insert the word **"the"**

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2204

Delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of students with physical handicaps and learning disabilities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 15-59-07 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-59-07. EDUCATION OF (((PHYSICALLY HANDICAPPED))) STUDENTS WITH PHYSICAL HANDICAPS AND LEARNING DISABILITIES — CONTRACT.) If any school district in this state has any educable elementary or high school student who (((because of his physical handicap))) **in the opinion of a qualified psychologist, a medical doctor, and the district superintendent** is unable to attend the public schools in the district **because of a physical handicap or because of a learning disability,** such school district shall contract with any accredited private nonsectarian nonprofit corporation within or without the state which has proper facilities for the education of such student, if there are no public schools in the state with the necessary facilities which will accept such student. (((Prior to the time any))) **No school district ((enters)) shall enter** into a contract with any private nonsectarian nonprofit corporation for the education of any (((physically handicapped))) student **having a physical handicap or learning disability, unless** the curriculum provided by such school and the contract (((shall be))) **has been approved in advance** by the superintendent of public instruction. The contract shall provide that such school district agrees to pay to the private nonsectarian nonprofit corporation as part of the cost of educating such student an amount for the school year equal to three times the (((county))) **state average per-pupil elementary or high school cost,** depending on whether the enrollment would be in a grade or high school department, (((in the county in which the contracting district is located))) **provided that such payment shall not exceed the actual per-pupil cost incurred by such private, nonsectarian nonprofit corporation. The district of the student's residence shall be reimbursed from funds appropriated by the legislative assembly for the foundation aid program, in an amount equal to sixty percent of the payment made to such private, nonsectarian nonprofit corporation.** If the attendance of such student at such school is (((operated))) for less than a school year, then the contract shall provide for such lesser amount prorated on a monthly basis. (((For the purpose of this section, any student contracted for to attend a school as herein

provided shall be considered as enrolled in the contracting district and the district shall be entitled to the per-pupil payment out of the county equalization fund the same as other regularly enrolled students in the district))) **The reimbursement herein provided to the contracting district from the foundation aid program shall be in lieu of any other foundation aid to which the district might otherwise be entitled.**

As used in this section, the term "learning disability" shall mean a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written languages, and which may be manifested in disorders of listening, thinking, talking, reading, writing, spelling, or arithmetic. The term "learning disability" shall include, but not be limited to, such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia; but shall not include learning problems due primarily to visual hearing or motor handicaps, mental retardation, emotional disturbance, or environmental disadvantage."

And renumber the lines, sections, and pages accordingly.

AMENDMENTS TO SENATE BILL No. 2276

On page 1, line 19, after the period, insert the following new section:

"SECTION 3. PLANNING AND DESIGN.) The director of institutions in the selection of an architect to plan and design the food service building shall select an architect who will, in consultation with the director of institutions, employ for assistance in designing and planning such facility a consulting firm which specializes in work related to the construction and equipping of food service facilities. The University of North Dakota is urged to make its food service personnel available to assist the director of institutions in selecting a food service consultant and for such other services as the university of North Dakota may reasonably be called upon to provide in this project."

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2309

On page 1, line 14 delete the words **"parochial or"**

On page 1, line 15 after the word **"nonprofit"** insert the words **"elementary and secondary"**

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 2381

On page 1, line 1, delete everything after **"A BILL"** and insert in lieu thereof the following:

"for an Act to create and enact subsection 10 of 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal identification and apprehension.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Subsection 10 of section 12-60-07 of the 1969 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

10. To detect and apprehend persons illegally possessing or disposing of drugs.

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2093

On page 1, line 23, of the engrossed bill, delete the word **"forty-five"** and insert in lieu thereof **"fifty"**

On page 1, line 24, delete the word **"fifty-five"** and insert in lieu thereof **"sixty"**

And renumber the lines accordingly.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1053

House Bill No. 1246

And the Speaker has appointed as a conference committee to act with a like committee from the Senate:

House Bill No. 1053

Rep. Gackle

Rep. DeKrey

Rep. Shablow

House Bill No. 1246:

Rep. Boyum

Rep. L. Larson

Rep. Wilkie

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to transmit herewith the following,

House Concurrent Resolution No. 3092

House Concurrent Resolution No. 3093

House Concurrent Resolution No. 3094

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2091

Senate Bill No. 2217

Senate Bill No. 2262

Senate Bill No. 2264

Senate Concurrent Resolution No. 4043

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2160

Senate Concurrent Resolution No. 4077

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2385

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4063

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

MOTION

Senator Nothing moved that the House be requested to return House Bill No. 1389, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 15, 1971

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 1389.

Very respectfully,
LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1394. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to public dancing on Sunday, 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, 29; nays, 9; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Hernett	Litten	Ringsak
Barth	Jacobson	Longmire	Robinson
Chesrown	Jones	Melland	Sorlie
Christensen	Just	Morgan	Stroup
Doherty	Kautzmann	Nething	Swedlund
Freed	Larson, G.	Page	Thane
Goldberg	Lips	Rait	Thoreson
Gronhovd			

Those voting in the negative were:

Coughlin	Larson, L.	Schultz	Unruh
Erdman	Mutch	Strinden	Wilhite
Forkner			

Absent and not voting:

Berube	Nasset	Roen	Van Horn
Butler	Pyle	Sanstead	Wenstrom
Holand	Redlin		

So the bill passed and the title was agreed to.

House Bill No. 1545. A Bill for an Act to amend and reenact sections 15-53.1-05, 15-53.1-06, 15-53.1-11, 15-53.1-27, 15-53.1-35, and 15-53.1-36 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to annexation hearings, continuance of elementary schools, county committees, attachment of contiguous territory to school districts, transfers of land upon reorganization or annexation, and publication of reorganization notices.

Which has been read.

Senator Longmire moved that House Bill No. 1545 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1550. A Bill for an Act to authorize the use of a chemical screening test or tests of a driver's breath when the vehicle he is driving is involved in a collision which results in the death or personal injury requiring hospitalization of any person; to authorize a test of blood for screening test under certain circumstances; to limit the use of the results of screening tests to determine justification for a further test under the provisions of section 39-20-01; and to authorize the revocation of driver's license for a refusal to submit to a screening test.

Which has been read.

Senator Unruh moved that House Bill No. 1550 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF
SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4059. A Concurrent Resolution

relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Wilhite moved that Senate Concurrent Resolution No. 4059 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 4085. A Concurrent Resolution urging the North Dakota Judicial Council to take under consideration the problem of inadequate support payments for children left dependent through divorce and legal separation, and to recommend corrective procedures.

Which has been read.

Senator Kautzmann moved that Senate Concurrent Resolution No. 4085 be adopted, which motion prevailed.

House Concurrent Resolution No. 3038. A Concurrent Resolution to commend the Assumption Abbey for its many years of educational service to North Dakota.

Which has been read.

Senator Melland: "Mr. President: I request that these remarks be printed in the Journal, and I have a copy for the desk.

"I present House Concurrent Resolution No. 3038 with mixed feelings. It commends Assumption Abbey for more than seventy years of educational effort and excellence while it acknowledges the closing of the junior college at the end of this year. My deep concern is that in future years the Legislature may be called upon to pass similar resolutions for the remaining three private colleges within the state.

"We have defeated in this session two bills designed to lend aid to the students and supporters of private colleges. The first bill, called tuition equalization, would have provided for North Dakota resident students, in their first two years at a private college, an annual assistance of lesser amount than we pay to junior college students. The second bill, indefinitely postponed in the House of Representatives would have provided individuals and corporations filing North Dakota income tax returns the privilege of limited tax credits for their voluntary support of accredited private colleges. The people of North Dakota have, by constitutional revision, indicated that higher education is not the full responsibility of the taxpayer. We continue to appropriate funds at an increasing level to support and expand our state colleges but we refuse to recognize our parallel responsibility to assist, in some manner, not the schools, but our citizens who attend and support private colleges. The increasing excellence of state colleges provides stiff educational competition to private schools and the growing trend for tax supported schools to establish local foundations to additionally compete for private dollars. This triple threat — improving state education — greater tax dollars — local foundations for tax supported schools — is threatening the survival of private education, not only in North Dakota but across the nation.

"We who have concern for private education do not object to the provisions of what I have called a threat but we do request the recognition of legislative concern for private education by future passage of some sort of legislation. We ask no help for the colleges but pray for assistance for those who prefer private college education. It is with reluctance and sadness that I ask your favorable vote on House Concurrent Resolution No. 3038."

Senator Melland moved that House Concurrent Resolution No. 3038 be adopted, which motion prevailed.

SECOND READING OF
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3045. A Concurrent Resolution for the amendment of section 216 of the Constitution of the state of North Dakota, and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to the removal of the constitutional status of the Ellendale Branch of the University of North Dakota.

Which has been read.

Senator Hernet moved that House Concurrent Resolution No. 3045 be placed at the foot of the calendar, which motion prevailed.

House Concurrent Resolution No. 3076. A Concurrent Resolution encouraging the State Board of Equalization to establish a 20% level of assessment on locally assessed property in North Dakota.

Which has been read.

Senator Unruh moved that House Concurrent Resolution No. 3076 be adopted, which motion prevailed.

SECOND READING OF
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3088. A Concurrent Resolution urging the State Department of Health to initiate and conduct a program of testing and immunizing for rubella.

Which has been read.

Senator Kautzmann moved that House Concurrent Resolution No. 3088 be adopted, which motion prevailed.

MOTION

Senator Wilhite moved that the rules be suspended and that House Bills Nos. 1004, 1015, 1021, 1089 and 1259 be placed at the head of calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1004. A Bill for an Act making an appropriation to the state historical board for salary, clerkhire and miscellaneous expenses and the maintenance of the state historical board.

Was read the second time.

Senator Sanstead moved that House Bill No. 1004 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1015. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the workmen's compensation bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1064 of the Senate Journal, the roll was called and there were ayes, 34; nays, 4; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Sanstead
Barth	Hernett	Longmire	Sorlie
Christensen	Jacobson	Melland	Stroup
Coughlin	Jones	Morgan	Swedlund
Doherty	Just	Nething	Thane
Erdman	Kautzmann	Page	Thoreson
Forkner	Larson, G.	Rait	Unruh
Freed	Larson, L.	Robinson	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Mutch	Ringsak	Schultz	Strinden
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Absent and not voting:

Berube	Holand	Redlin	Van Horn
Butler	Nasset	Roen	Wenstrom
Chesrown	Pyle		

So the bill passed and the title was agreed to.

House Bill No. 1021. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the North Dakota mill and elevator association.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1064 of the Senate Journal, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Sorlie
Chesrown	Jacobson	Morgan	Strinden
Christensen	Jones	Mutch	Stroup
Coughlin	Just	Nothing	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Robinson	Wilhite
Goldberg	Litten	Sanstead	

Absent and not voting:

Berube	Nasset	Redlin	Van Horn
Butler	Pyle	Roen	Wenstrom
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1089. A Bill for an Act to amend and reenact sections 4-13-04, 4-13-05, 4-13-06, and 4-13-07 of the North Dakota Century Code, relating to the appointment, qualifications, and compensation of members of the poultry improvement board.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1065 of the Senate Journal, the roll was called and there were ayes, 36; nays, 3; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Robinson
Barth	Hernett	Longmire	Sanstead
Chesrown	Jacobson	Melland	Sorlie
Christensen	Jones	Morgan	Strinden
Doherty	Just	Mutch	Stroup
Erdman	Kautzmann	Nothing	Swedlund
Forkner	Larson, G.	Page	Thane
Freed	Larson, L.	Rait	Thoreson
Goldberg	Lips	Ringsak	Unruh

Those voting in the negative were:

Coughlin	Schultz	Wilhite
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Absent and not voting:

Berube	Nasset	Redlin	Van Horn
Butler	Pyle	Roen	Wenstrom
Holand			

So the bill passed and the title was agreed to.

House Bill No. 1259. A Bill for an Act to amend and reenact subsection 2 of section 43-21-01, and sections 43-21-02, 43-21-03, 43-21-04, 43-21-08, 43-21-09, 43-21-10, 43-21-11, and 43-21-12 of the

North Dakota Century Code, relating to practical nurses, and providing a penalty.

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, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler	Holand	Roen	Wenstrom
Freed			

So the bill passed and the title was agreed to.

House Bill No. 1545. A Bill for an Act to amend and reenact sections 15-53.1-05, 15-53.1-06, 15-53.1-11, 15-53.1-27, 15-53.1-35, and 15-53.1-36 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to annexation hearings, continuance of elementary schools, county committees, attachment of contiguous territory to school districts, transfers of land upon reorganization or annexation, and publication of reorganization notices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1021 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Wenstrom
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So the bill passed and the title was agreed to.

House Bill No. 1550. A Bill for an Act to authorize the use of a chemical screening test or tests of a driver's breath when the vehicle he is driving is involved in a collision which results in the death or personal injury requiring hospitalization of any person; to authorize a test of blood for screening test under certain circumstances; to limit the use of the results of screening tests to determine justification for a further test under the provisions of section 39-20-01; and to authorize the revocation of driver's license for a refusal to submit to a screening test.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1021 and 1022, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Schultz
Christensen	Jacobson	Nething	Sorlie
Coughlin	Jones	Page	Strinden
Doherty	Just	Pyle	Stroup
Erdman	Larson, G.	Rait	Swedlund
Forkner	Larson, L.	Redlin	Thoreson
Freed	Lips	Ringsak	Unruh
Goldberg	Litten	Robinson	Van Horn
Gronhovd	Longmire	Roen	Wilhite
Hernett	Melland	Sanstead	

Those voting in the negative were:

Barth	Chesrown	Morgan	Thane
Berube	Kautzmann	Mutch	

Absent and not voting:

Butler Wenstrom

So the bill passed and the title was agreed to.

SECOND READING OF

A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Which has been read.

Senator Doherty requested a recorded vote, which request was granted.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 26; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Litten	Redlin	Strinden
Coughlin	Longmire	Ringsak	Stroup
Doherty	Morgan	Robinson	Thane
Forkner	Mutch	Roen	Thoreson
Jacobson	Nasset	Schultz	Unruh
Jones	Page	Sorlie	Wilhite
Larson, G.	Pyle		

Those voting in the negative were:

Barth	Goldberg	Kautzmann	Rait
Berube	Gronhovd	Larson, L.	Sanstead
Chesrown	Hernett	Lips	Swedlund
Christensen	Holand	Melland	Van Horn
Erdman	Just	Nething	

Absent and not voting:

Butler Freed Wenstrom

So the resolution was declared adopted.

SECOND READING OF

A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3045. A Concurrent Resolution for the amendment of section 216 of the Constitution of the state of North Dakota, and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to the removal

of the constitutional status of the Ellendale Branch of the University 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Butler	Goldberg	Larson, G.	Wenstrom
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So the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 1004. A Bill for an Act making an appropriation to the state historical board for salary, clerkhire and miscellaneous expenses and the maintenance of the state historical board.

Which has been read.

Senator Sanstead moved that House Bill No. 1004 be amended as follows:

On page 1, line 12, of the engrossed bill, delete the figure "473,296.00" and insert in lieu thereof the figure "521,796.00"

On page 1, line 18, delete the figure "201,957.00" and insert in lieu thereof the figure "210,457.00"

On page 2, after line 1, add the following new line:
"Medora interpretive center and parking 40,000.00"

On page 2, line 4, delete the figure "344,257.00" and insert in lieu thereof the figure "392,757.00"

On page 2, line 6, delete the figure "339,296.00" and insert in lieu thereof the figure "387,796.00"

On page 2, line 11, delete the figure "473,296.00" and insert in lieu thereof the figure "521,796.00"

And renumber the lines accordingly.

Which motion prevailed.

Senator Sanstead moved that the rules be suspended and that House Bill No. 1004 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1004, as amended from the floor, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Jacobson	Nasset	Sanstead
Berube	Jones	Nothing	Sorlie
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thoreson

Erdman	Lips	Redlin	Van Horn
Forkner	Longmire	Robinson	Unruh
Gronhovd			

Those voting in the negative were:

Coughlin	Litten	Ringsak	Strinden
Freed	Morgan	Schultz	Thane
Goldberg	Mutch		

Absent and not voting:

Butler	Larson, G.	Wenstrom	Wilhite
Holand			

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

- House Bill No. 1033
- House Bill No. 1057
- House Bill No. 1101
- House Bill No. 1188
- House Bill No. 1247
- House Bill No. 1401
- House Bill No. 1436
- House Bill No. 1446
- House Concurrent Resolution No. 3066

Very respectfully,
ROY GILBREATH, Chief Clerk

MOTION

Senator Wilhite moved that the rules be suspended and that House Bills Nos. 1001, 1111, 1325, 1368, 1399, 1456, and 1538, be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1001. A Bill for an Act making an appropriation for the general operation, maintenance and plant improvements of the state institutions of higher learning of the state of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1063 and 1078 of the Senate Journal, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sortie
Barth	Hernett	Morgan	Strinden
Berube	Holand	Nothing	Stroup
Chesrown	Jacobson	Page	Swedlund
Christensen	Jones	Pyle	Thane
Coughlin	Just	Rait	Thoreson
Doherty	Kautzmann	Redlin	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Roen	Wenstrom
Freed	Litten	Sanstead	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Mutch	Robinson	Schultz
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Absent and not voting:

Butler	Larson, G.	Nasset
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So the bill passed and the title was agreed to.

House Bill No. 1111. A Bill for an Act to permit a physician to examine and treat a minor for psychiatric problems, venereal disease or pregnancy without parental consent.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1075 of the Senate Journal, the roll was called and there were ayes, 14; nays, 31; absent and not voting, 3.

Those voting in the affirmative were:

Chesrown	Just	Pyle	Unruh
Goldberg	Lips	Sanstead	Van Horn
Gronhovd	Litten	Swedlund	Wilhite
Jones	Melland		

Those voting in the negative were:

Anderson	Freed	Nasset	Schultz
Barth	Hernett	Nothing	Sorlie
Berube	Holand	Page	Strinden
Christensen	Jacobson	Rait	Stroup
Coughlin	Kautzmann	Redlin	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Morgan	Robinson	Wenstrom
Forkner	Mutch	Roen	

Absent and not voting:

Butler	Larson, G.	Longmire
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So the bill was declared lost.

House Bill No. 1325. A Bill for an Act to amend and reenact sections 43-12-01, 43-12-02, 43-12-03, 43-12-04, 43-12-05, 43-12-06, 43-12-07, 43-12-08, 43-12-09, 43-12-10, 43-12-11, 43-12-13, 43-12-15, 43-12-16, 43-12-17, 43-12-18, 43-12-21, 43-12-22, and 43-12-24 of the North Dakota Century Code, and to repeal sections 43-12-19 and 43-12-20 of the North Dakota Century Code, all relating to professional nurses, and providing a penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1075 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Thoreson
Forkner	Litten	Ringsak	Unruh
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Larson, G.	Van Horn
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So the bill passed and the title was agreed to.

House Bill No. 1368. A Bill for an Act authorizing the state board of higher education to pay the revenue bonds of 1969 for the new men's dormitory and the revenue bonds for Hicks Hall and Crabtree Hall at the state teacher's college at Ellendale from the insurance proceeds in the fire replacement fund, and making an appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1065 and 1066 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Christensen	Jones	Nething	Strinden
Coughlin	Just	Page	Stroup
Doherty	Kautzmann	Pyle	Swedlund
Erdman	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Unruh
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite

Absent and not voting:

Butler	Chesrown	Larson, G.	Van Horn
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1229

House Bill No. 1254

And the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On House Bill No. 1229:

Rep. White
Rep. Brekke
Rep. Gerl

On House Bill No. 1254:

Rep. White
Rep. Brekke
Rep. Backes

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

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. 2004

Representatives:

Miedema
L. Hausauer
Anderson

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Concurrent Resolution No. 3083

And the Speaker has appointed as a conference committee to act with a like committee from the senate,

Representatives:
 Gunderson
 Berg
 Patrick

Very respectfully,
 ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the vote by which House Bills Nos. 1001, 1004, 1015, 1021, 1089, 1259, 1325, 1368, 1394, 1545, and 1550, Senate Concurrent Resolutions Nos. 4059, 4085, and House Concurrent Resolutions Nos. 3038, 3045, 3076 and 3088, were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilhite moved that the vote by which House Bills Nos. 1062, 1086 and 1351, were indefinitely postponed 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 Concurrent Resolution No. 4005 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 Education to whom was referred House Bill No. 1517 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of page 1 of the engrossed bill, following the word "for" where it last appears, insert the words "a tax levy and for"

In line 1 of page 13, following the period, insert the following:

"15-39.1-28. MILL LEVY FOR TEACHERS' RETIREMENT.) Any school district by resolution of its school board may levy a tax of not to exceed two mills on the assessed taxable valuation within the district, the proceeds to be used for the purposes of meeting the district's contribution to the fund arising under this Act. The mill levy permitted by this section shall be in addition to any tax levy limitations now prescribed by law."

And renumber the lines, pages, 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 Political Subdivisions to whom was referred House Bill No. 1547 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

- 1 for an Act to provide for state legislative apportion-
- 2 ment, and to repeal section 1 of chapter 338 of the North
- 3 Dakota Session Laws of 1965, relating to state legislative
- 4 apportionment.
- 5
- 6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF
- 6a THE
- 7 STATE OF NORTH DAKOTA:
- 8

SECTION 1. STATE LEGISLATIVE APPORTIONMENT.)					
	Population	Legis- lative District	Number of Senators	Total Popu- lation in New District	
9					
10					
11					
12	Counties				
13	Bowman				
14	Adams				
15	Hettinger		1	1	12,808
16	Dickinson		2	1	12,405
17	Slope				
18	Golden Valley				
19	Billings				
20	Stark		3	1	12,501
21	McKenzie				
22	Dunn				
23	Pt. Mountrail		4	1	12,475
24	Mercer				
1					
2					
3	Counties				
4	Oliver				
5	Pt. Morton		5	1	12,727
6	Grant				
7	Sioux				
8	Pt. Morton		6	1	12,365
9	Mandan				
10	Pt. Morton		7	1	12,356
11	Williston		8	1	11,928
12	Williams				
13	Divide				
14	Pt. Mountrail		9	1	12,756
15	Burke				
16	Renville				
17	Pt. Mountrail				
18	Pt. Ward		10	1	12,569
19	Pt. Mountrail				
20	Pt. Ward				
21	Pt. McHenry		11	5	62,760 (12,552)
22	McLean				
23	Pt. Burleigh		12	1	12,566
24	Bismarck				
25	Pt. Burleigh		13	3	37,413 (12,471)
26	Sheridan				
27	Wells				
28	Pt. Pierce		14	1	11,897
29	Pt. Emmons				
30	Pt. Burleigh				
31	Kidder		15	1	12,593
32	Pt. Emmons				
33	Logan				

34	McIntosh	5,545			
35	Pt. LaMoure	1,587	16	1	12,332
1			Legis-	Number	Total Popu-
2			lative	of	lation in
3	Counties	Population	District	Senators	New District
4	Pt. LaMoure	5,530			
5	Dickey	6,976	17	1	12,506
6	Ransom	7,102			
7	Sargent	5,937	18	1	13,039
8	Bottineau	9,496			
9	Pt. Rolette	3,081	19	1	12,577
10	Pt. McHenry	6,940			
11	Pt. Pierce	5,505	20	1	12,445
12	Pt. Rolette	8,468			
13	Towner	4,645	21	1	13,113
14	Benson	8,245			
15	Eddy	4,103	22	1	12,348
16	Ramsey	12,915	23	1	12,915
17	Cavalier	8,213			
18	Pt. Walsh	1,615			
19	Pt. Nelson	3,000	24	1	12,828
20	Pembina	10,728			
21	Pt. Walsh	1,768	25	1	12,496
22	Pt. Walsh	9,829			
23	Pt. Nelson	3,039	26	1	12,868
24	Grand Forks	61,102			
25	Pt. Nelson	2,776	27	5	63,878 (12,775)
26	Wahpeton	7,076			
27	Pt. Richland	5,374	28	1	12,450
28	Pt. Richland	5,639			
29	Pt. Cass	7,233	29	1	12,872
30	Fargo	53,513			
31	West Fargo	5,265			
32	Pt. Cass	4,559	30	5	63,337 (12,665)
33	Pt. Barnes	13,139	31	1	13,139
34	Pt. Barnes	1,530			
35	Stutsman	23,550	32	2	25,080 (12,540)
1			Legis-	Number	Total Popu-
2			lative	of	lation in
3	Counties	Population	District	Senators	New District
4	Foster	4,832			
5	Griggs	4,184			
6	Steele	3,749	33	1	12,765
7	Traill	9,571			
8	Pt. Cass	3,083	34	1	12,654
9	Totals			49	617,761
10	Ideal population per district (617,761 divided by 49).				12,607

11	Largest district per senator.	13,139
12	Smallest district per senator.	11,897
13	Deviation in percent, largest district.	+4.2
14	Deviation in percent, smallest district.	-5.6
15	Number of whole counties.	39
16	Number of districts.	34
17	Number of senators.	49
18	Number of representatives (each district to be repre-	
19	sented in the house by two members per senator).	98
20	SECTION 2. REPEAL.) Section 1 of chapter 338 of the	
21	North Dakota Session Laws of 1965 is hereby repealed.	

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-EIGHTH DAY

Bismarck, March 12, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Arne Gilje, Bill Room Clerk, Carrington.

"We praise and thank You for the wonderful opportunities which you have opened for us. Not the least of these opportunities is the trust You have placed in us to carry out Your good purposes here on earth. In these closing hours of this session we ask for wisdom and good judgment as we formulate laws; laws which You inspire in us through Your guidance. We implore You for increased guidance that the words of our mouths and the meditations of our hearts will be acceptable to You.

"As we complete our appointed tasks may we be fully mindful of the trust which has been placed in us. We are engaged in fulfilling our obligations to the people of the State of North Dakota, to the people of the United States and the world. As mere men we must have Your help. This we prayerfully seek. We will then be doing Your bidding and fulfilling our obligation to You. Lord, help us to that end. In Jesus name we pray. Amen."

Roll call: All Senators present except Senators Butler, G. Larson and Van Horn.

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 fifty-sixth day after recess and fifty-seventh day and recommends that the same be corrected as follows:

On page 1009, line 11 from the bottom, delete the numeral "1346" and insert in lieu thereof the figure "1316"

On page 1046, line 11, delete the words "Political Subdivisions" and insert in lieu thereof the word "Judiciary"

On page 1056, line 7 from the bottom, correct spelling of the word "conference".

On page 1067, line 2, correct spelling of name "Kautzmann"

On page 1064, line 37, correct spelling of the word "Bureau"

On page 1072, line 45, delete the numeral "1328" and insert in lieu thereof the numeral "1382"

On page 1089, line 8, delete the numeral "4077" and insert in lieu thereof the numeral "1077"

On page 925, line 19, (Journal of March 8, 1971, delete the name "THOMPSON" and insert in lieu thereof the name "THORESON")

And when so corrected recommends that that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Thoreson 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. 1053, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1053,

Senators:

Doherty
Thoreson
Rait

Senator Thoreson 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. 1246, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1246,

Senators:

Anderson
Unruh
Erdman

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 15, 1971

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. 1053

House Bill No. 1246

Senators:

Doherty
Thoreson
Rait

to serve on House Bill No. 1053

Senators:

Anderson
Unruh
Erdman

to serve on House Bill No. 1246

Very respectfully,
LEO LEIDHOLM, Secretary

Senator Wilhite moved that after the reading of Senate Concurrent Resolutions Nos. 4023, 4027, 4028, 4029, 4033, 4035, 4042, 4065, 4066, 4070, 4074, 4083, 4088, and House Bills Nos. 1009, 1360, 1399, 1456, and 1538, that the Senate recess at the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-EIGHTH DAY AFTER RECESS
AND FIFTY-NINTH DAY

Bismarck, March 15, 1971

The Senate convened at the call of the Chair, pursuant to recess taken, the President presiding.

CONSIDERATION OF AMENDMENTS

Senator Wilhite moved that the reading of the amendments to House Bills Nos. 1017, 1492, 1503, 1517, 1547, 1554 and 1558 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1017 as recommended by the Committee on Appropriations, and printed on page 1098 of the Senate Journal, be adopted, which motion prevailed.

Senator Wilhite moved that the amendments to House Bill No. 1492 as recommended by the Committee on Finance and Taxation, and printed on pages 1104 through 1107 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1503 as recommended by the Committee on Appropriations, and printed on pages 1107 and 1108 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 1517 as recommended by the Committee on Education, and printed on page 1140 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 1547 as recommended by the Committee on Political Subdivisions, and printed on pages 1140 through 1143 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 1554 as recommended by the Committee on Appropriations, and printed on pages 1098, 1099 and 1100 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1558 as recommended by the Committee on Social Welfare and Veterans' Affairs, and printed on page 1108 of the Senate Journal, be adopted, which motion prevailed.

Senator Rait moved that House Bill No. 1558 be further amended as follows:

On page 7, after line 34, insert the following:

"6. The State Laboratories Department shall exclude any non-narcotic substance from a schedule if such substance may, under the Federal Food, Drug, and Cosmetic Act and Section 19-02.1-15 of the North Dakota Century Code, be lawfully sold over the counter without a prescription."

Remember the lines accordingly.

Which motion lost.

MOTION

Senator Holand moved that the Senate reconsider the action by which House Bill No. 1111 was lost, which motion prevailed.

Senator Holand moved that House Bill No. 1111 be placed at the foot of the calendar, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Redlin 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. 1077, which motion prevailed.

The president appointed as a Conference Committee on:

House Bill No. 1077,

Senators:

Redlin

Longmire

Just

Senator Chesrown 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. 1140, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1140,

Senators:

Freed

Thane

Barth

Senator Redlin 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. 1229, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1229,

Senators:

Redlin

Longmire

Just

Senator Redlin 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. 1254, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1254,

Senators

Redlin

Longmire

Just

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie 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,

Senators:

Melland

Coughlin

Jones

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2003 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. 2003,

Senators:
Wenstrom
Lips
Swedlund

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2006 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. 2006,

Senators:
Litten
Schultz
Robinson

CONSIDERATION OF MESSAGE FROM THE HOUSE

Senator Melland moved that the Senate do concur in the House amendments to Senate Bill No. 2027, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 2027 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2027. A Bill for an Act making an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association and certain activities at the University of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite

Absent and not voting:

Butler	Gronhovd	Longmire	Redlin
Goldberg	Just	Nasset	Stroup

So the bill passed and the title was agreed to.

Senator Swedlund moved that the Senate do concur in the House amendments to Senate Bill No. 2033, which motion prevailed.

Senator Swedlund moved that the rules be suspended and that Senate Bill No. 2033 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2033. A Bill for an Act making an appropriation for the expenses of the operation of the centralized data processing system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 37; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Pyle	Stroup
Christensen	Kautzmann	Rait	Swedlund
Coughlin	Larson, G.	Redlin	Unruh
Doherty	Larson, L.	Ringsak	Van Horn
Erdman	Lips	Robinson	Wenstrom
Freed	Litten	Sanstead	Wilhite
Gronhovd			

Those voting in the negative were:

Forkner	Mutch	Page
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Absent and not voting:

Butler	Just	Nasset	Thane
Goldberg	Longmire	Roen	Thoreson

So the bill passed and the title was agreed to.

Senator Thoreson moved that the Senate do not concur in the House amendments to Senate Bill No. 2045 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. 2045:

Senator Thoreson
 Senator Unruh
 Senator Erdman

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 2100, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 2100 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. 2100. A Bill for an Act to authorize a levy by counties and cities for programs and activities for older persons, to provide elections for authorizing or removing the levy, and to require contracts with the governing bodies of such counties and cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nothing	Strinden
Berube	Jones	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane

Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Melland	Sanstead	Wenstrom
Gronhovd	Morgan	Schultz	Wilhite
Hernett			

Absent and not voting:

Butler	Doherty	Longmire	Roen
Chesrown	Just	Nasset	

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2122 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. 2122
 Senator Melland
 Senator Litten
 Senator Swedlund

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No 2180, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 2180 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2180. A Bill for an Act to create and enact chapter 63-01.1 of the North Dakota Century Code, relating to the control and eradication of noxious weeds, the authority and duties of the commissioner of agriculture and the governing bodies of the political subdivisions in regard to noxious weed control, and creating the office of county weed control officer; to repeal subsection 71 of section 40-05-01 and chapters 63-01, 63-02, 63-03, and 63-04 of the North Dakota Century Code, relating to weed eradication and control; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Mutch	Sorlie
Barth	Hernett	Nasset	Strinden
Berube	Holand	Nothing	Stroup
Chesrown	Jacobson	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, L.	Rait	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Roen	Van Horn
Forkner	Melland	Sanstead	Wenstrom
Freed	Morgan	Schultz	Wilhite
Goldberg			

Absent and not voting:

Butler	Just	Longmire	Robinson
Jones	Larson, G.	Redlin	

So the bill passed and the title was agreed to.

Senator Nasset moved that the Senate do concur in the House amendments to Senate Bill No. 2192, which motion prevailed.

Senator Nasset moved that the rules be suspended and that Senate Bill No. 2192 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2192. A Bill for an Act to amend and reenact sections 40-38-01, 40-38-02, and 40-38-03 of the North Dakota Century Code, and to repeal section 58-03-08 of the North Dakota Century Code, relating to public libraries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Roen
Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Coughlin	Morgan	Schultz	Strinden
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Absent and not voting:

Butler	Just	Stroup
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So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2194, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2194 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 40-38-11 of the North Dakota Century Code, relating to the consolidation or merger of library services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett	Morgan		

Absent and not voting:

Butler	Coughlin
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So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2204, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2204 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2204. A Bill for an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of students with physical handicaps and learning disabilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Chesrown	Jacobson	Nething	Swedlund
Christensen	Jones	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Butler	Longmire	Redlin	Stroup
Just			

So the bill passed and the title was agreed to.

Senator Thoreson moved that the Senate do concur in the House amendments to Senate Bill No. 2207, which motion prevailed.

Senator Unruh moved that the rules be suspended and that Senate Bill No. 2207 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2207. A Bill for an Act to amend and reenact section 57-23-08 of the North Dakota Century Code, relating to property tax abatements and to repeal section 57-23-10 of the North Dakota Century Code, relating to appeals from decision of the board of county commissioners abating, refunding or compromising property taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sanstead
Barth	Hernett	Mutch	Schultz
Berube	Holand	Nasset	Sorlie
Chesrown	Jacobson	Nething	Strinden
Christensen	Jones	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Melland		

Absent and not voting:

Butler	Longmire	Stroup	Thoreson
Just	Redlin		

So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 2276, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2276 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2276. A Bill for an Act to provide an appropriation for the construction of a food service building at the Grafton state school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jacobson	Nothing	Strinden
Chesrown	Jones	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler	Just	Redlin	Stroup
Forkner	Longmire		

So the bill passed and the title was agreed to.

Senator Thoreson moved that the Senate do concur in the House amendments to Senate Bill No. 2309, which motion prevailed.

Senator Thoreson moved that the rules be suspended and that Senate Bill No. 2309 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2309. 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 exemption of textbooks from sales tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Chesrown	Jacobson	Nothing	Swedlund
Christensen	Jones	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Butler	Longmire	Redlin	Stroup
Just			

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2464, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2464 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2464. A Bill for an Act relating to the levy of special assessments for municipal improvements consisting of parking lots, ramps, garages and other facilities for motor vehicles, and enacting section 40-23-23.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Chesrown	Jacobson	Nothing	Swedlund
Christensen	Jones	Page	Thane
Coughlin	Kautzmann	Pyle	Thoreson
Doherty	Larson, G.	Rait	Unruh
Erdman	Larson, L.	Ringsak	Van Horn
Forkner	Lips	Robinson	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Melland	Sanstead	

Absent and not voting:

Butler	Longmire	Redlin	Stroup
Just			

So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do not concur in the House amendments to Senate Bill No. 2509 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COOMMITTEE

The President appointed as a Conference Committee on:

Senate Bill No. 2509
 Senator Goldberg
 Senator Hernett
 Senator Just

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return herewith the following, Which the House has passed unchanged.

Senate Bill No. 2299
 Senate Bill No. 2334
 Senate Bill No. 2512
 Senate Concurrent Resolution No. 4084
 Senate Concurrent Resolution No. 4086
 Senate Concurrent Resolution No. 4087
 Senate Concurrent Resolution No. 4091

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return herewith the following,
 Senate Bill No. 2045
 Senate Bill No. 2122
 Senate Bill No. 2316
 Senate Bill No. 2348
 Senate Concurrent Resolution No. 4002
 Which the House has amended.

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL No. 2045

On page 3 of the engrossed bill, following line 31, add the following:

"Any political subdivision which levied taxes on taxable property in the year 1970 for a specific fund or purpose for which a levy was not made by it in the year 1968 shall be entitled to a distribution of revenue from the state in the year 1971 for any such levy. The amount of such distribution shall be determined as follows: the county auditor shall certify to the state tax commissioner as soon as possible after the effective date of this Act the amount of each such levy made by and spread for each political subdivision on taxable real property in the county in the year 1970; the tax commissioner shall forthwith determine the correctness of such amounts and certify to the state treasurer for immediate payment to the county an amount that is determined by dividing the total of such levies made and spread in 1970 on taxable real property in the county by the growth factor that is provided in the first paragraph of this section; the county treasurer within fifteen days after the receipt of such revenue from the state treasurer shall allocate and remit to each political subdivision its proportionate amount of that revenue.

If the classification of any property for taxation purposes is changed from real to personal property or from personal to real property because of legislative or judicial action, the county auditor of the county in which the property is located shall forthwith certify to the tax commissioner the amount of real estate taxes or personal property taxes that was levied on all such property by each taxing district in the year 1968 and in any other year thereafter that the tax commissioner may request. The tax commissioner, in determining the amount to be certified to the state treasurer for payment to the county pursuant to this section, shall adjust the amounts of taxes certified by the county auditor as levied on real property and on personal property in 1968 and in any other year as may be necessary by adding to or subtracting from each such amount the taxes on the reclassified property so that the distribution by the state to the county will be determined as though such property had been taxed in 1968 and all later years in the classification into which it was reclassified."

AMENDMENTS TO SENATE BILL No. 2122

On page 1, line 2, delete the word "and"; following the numerals "25-09-04.1", insert the following: " , and 25-09-11.1"

On page 1, line 19, delete both sets of triple parentheses; insert triple parentheses before and after the numerals "25-09-11" and insert in lieu thereof the underscored numerals "25-09-11.1"; and delete the underscored word "The"

On page 9, line 3, insert the following new section:

"SECTION 12.) Section 25-09-11.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-11.1 REDUCTIONS IN CLAIMS AGAINST RESIDENT PATIENTS OF THE GRAFTON STATE SCHOOL AND THEIR RESPONSIBLE RELATIVES.) Upon filing a statement with the director of institutions certifying that making payments for the full cost of

care and treatment would cause economic hardship, responsible relatives, or their respective estates shall not be liable for more than a sum equal to six hundred dollars per annum, payable in equal monthly installments."

And renumber the lines and sections accordingly.

AMENDMENTS TO SENATE BILL No. 2316

On page 1, line 1, after the word "to", insert the following: "create and enact subsection 5 of section 34-06-06 and to"

On page 1, line 3, after the word "to", insert the words "females holding management positions, and to"

On page 2, line 12, after the word "storm" insert the following: "**mechanical failure, or**"

On page 2, line 13, delete the following language: "**, or any other condition**"

On page 2, following line 14, insert the following new section: "**SECTION 2.)** Subsection 5 of section 34-06-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

5. Females holding positions of management."

And renumber the pages and lines accordingly.

AMENDMENTS TO SENATE BILL No. 2348

On page 1, line 11 of the bill, delete the figure "346,930.00" and insert in lieu thereof the figure "371,930.00"

On page 1, line 15, delete the figure "275,247.00" and insert in lieu thereof the figure "298,747.00"

On page 1, line 20, delete the figure "1,000.00" and insert in lieu thereof the figure "2,500.00"

On page 1, line 21, delete the figure "346,930.00" and insert in lieu thereof the figure 371,930.00"

On page 1, line 11, delete the figure "320,204.00" and insert in lieu thereof the figure "346,930.00"

On page 1, line 18, delete the figure "37,257.00" and insert in lieu thereof the figure "63,983.00"

On page 1, line 21, delete the figure "320,204.00" and insert in lieu thereof the figure "346,930.00"

AMENDMENTS TO SENATE CONCURRENT RESOLUTION No. 4002

On page 3, line 2, of the engrossed resolution, delete all of the words after the word "In" and insert in lieu thereof the following: "regard to nursing home reimbursement, the board is directed to call for improved reporting from nursing homes on nursing home costs and to develop an improved formula for the payments to nursing homes for the care and treatment of welfare recipients;"

On page 3, delete lines 3, 4, 5, and 6, inclusive

On page 5, line 7, remove the period and insert the following: "; and

BE IT FURTHER RESOLVED, that the Public Welfare Board implement the recommendations and directives contained within this resolution to the extent that funds are available from moneys appropriated to the Public Welfare Board for the biennium beginning July 1, 1971, and ending June 30, 1973."

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2182

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2066

Which the House has failed to pass over the Governor's veto.

The vote on Senate Bill No. 2066 is ayes, 57; nays, 39; absent and not voting, 2.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 15, 1971

Mr. President: I have the honor to return:

House Bill No. 1389

Which the Senate has requested.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 15, 1971

Mr. President: I have the honor to request the return of:
Senate Bill No. 2489

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 15, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1077

House Bill No. 1306

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Lang

Stone

Jacobson

to serve on House Bill No. 1077

Representatives:

Rivinius

Hensrud

W. Erickson

to serve on House Bill No. 1306

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to:

House Bill No. 1534

And the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives:

Stone

Murphy

Mertens

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1140

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Atkinson
Rundle
Rocheleau

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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. 2306

Representatives:

Bunker
Strinden
Fleming

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2489 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 House:

For the Senate:

Senator G. Larson
Senator Jacobson
Senator Christensen

Senator G. Larson explained that the members of the House Conference Committee on Senate Bill No. 2489 refused to sign the report.

Senator Larson moved that Senate Bill No. 2489 be returned to the House as requested, which motion prevailed.

MOTION

Senator Wilhite moved that House Bills Nos. 1009, 1360, 1399, 1456 and 1538 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1009. A Bill for an Act providing an appropriation for paying the expenses of the commissioner of veterans' affairs and the veterans' aid commission.

Which has been read.

Senator Lips moved that House Bill No. 1009 be placed at foot of the calendar, which motion prevailed.

House Bill No. 1360. A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to funds provided by the legislative assembly for reimbursement for special 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, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Roen
Barth	Jacobson	Mutch	Sanstead
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Swedlund
Christensen	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Lips	Rait	Unruh
Freed	Litten	Redlin	Van Horn
Goldberg	Longmire	Ringsak	Wenstrom
Gronhovd	Melland	Robinson	Wilhite
Hernett			

Absent and not voting:

Butler	Doherty	Schultz	Stroup
Coughlin	Larson, L.	Strinden	

So the bill passed and the title was agreed to.

House Bill No. 1399. A Bill for an Act to amend and reenact subsections 1, 4, and 10 of section 27-20-02 of the North Dakota Century Code, relating to the definition of terms used in the Uniform Juvenile Court Act; to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to the compensation of juvenile supervisors; to amend and reenact subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to the powers and duties of juvenile supervisors; to amend and reenact subsections 1, 2, and 4 of section 27-20-16 of the North Dakota Century Code, relating to the place of detention of a child; and to amend and reenact subsection 2 of section 27-20-17 of the North Dakota Century Code, relating to the release of a child from detention.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1076 of the Senate Journal, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sanstead
Barth	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Melland	Robinson	Wenstrom
Gronhovd	Morgan	Roen	Wilhite
Hernett			

Absent and not voting:

Berube	Goldberg	Longmire	Strinden
Butler	Larson, L.	Schultz	

So the bill passed and the title was agreed to.

MOTIONS

Senator Wilhite moved that the rules be suspended and that House Bills Nos. 1017, 1492, 1503, 1517, 1547, 1554 and 1558 be placed at the head of the calendar, which motion prevailed.

Senator Nothing moved that the Senate reconsider the action by which House Bill No. 1389 was indefinitely postponed, which motion prevailed.

Senator Nothing moved that House Bill No. 1389 be placed at the foot of the calendar, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1020 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

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 be amended as follows:

On page 2, line 6 delete the figure "785,707.00" and insert in lieu thereof the figure "650,000.00"

On page 2, line 18 delete the figure "625,707.00" and insert in lieu thereof the figure "650,000.00"

On page 2 line 19 delete the word "proportionately"

On page 2 line 19 after the word "the" delete the word "existing"

On page 2 after line 21 add the following new SECTION:

"SECTION 5. INTERAGENCY COORDINATION.) The health department is hereby directed to coordinate the services provided in the area mental health centers with the services provided in the social service centers under the direction of the public welfare board and to eliminate all unnecessary duplication of programs and staff."

And renumber the lines, pages and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment: The intent of the amendments is to encourage interagency cooperation in community mental health efforts and leave location selection decisions to the administration.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1384 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.

Senator Wilhite moved the previous question, which motion prevailed.

The question being on the motion of Senator Holand, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1497 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 Education to whom was referred House Bill No. 1501 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.

SECOND READING OF HOUSE BILLS

House Bill No. 1456. A Bill for an Act to create and enact sections 50-11-01.1, 50-11-01.2, and 50-11-01.3 of the North Dakota Century Code, defining a family day care home for children, a day care center for children, and providing for the use of public funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1076 of the Senate Journal, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Sorlie
Barth	Jacobson	Nothing	Strinden
Chesrown,	Jones	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Ringsak	Thoreson
Erdman	Lips	Robinson	Unruh
Forkner	Litten	Roen	Van Horn
Freed	Melland	Sanstead	Wenstrom
Goldberg	Morgan	Schultz	Wilhite
Gronhovd			

Those voting in the negative were:

Berube

Absent and not voting:

Butler	Just	Nasset	Redlin
Hernett	Longmire		

So the bill passed and the title was agreed to.

House Bill No. 1538. A Bill for an Act to provide for the humane treatment of animals and to provide penalties for their inhumane treatment; to repeal sections 36-21-02, 36-21-03, 36-21-06, 36-21-07, 36-21-08, and 36-21-09 of the North Dakota Century Code; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1076 of the Senate Journal, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Nothing	Sorlie
Christensen	Jones	Page	Strinden
Coughlin	Kautzmann	Pyle	Stroup
Doherty	Larson, G.	Rait	Swedlund
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Hernett	Nasset	Schultz	

Those voting in the negative were:

Barth	Goldberg	Litten	Thane
Berube	Jacobson	Mutch	Thoreson

Absent and not voting:

Butler	Just	Longmire	Redlin
Chesrown			

So the bill passed and the title was agreed to.

House Bill No. 1111. A Bill for an Act to permit a physician to examine and treat a minor for psychiatric problems, venereal disease or pregnancy without parental consent.

Which has been read.

Senator Holand moved that House Bill No. 1111 be placed at foot of calendar, which motion prevailed.

House Bill No. 1009. A Bill for an Act providing an appropriation for paying the expenses of the commissioner of veterans' affairs and the veterans' aid 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, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Schultz
Barth	Hernett	Mutch	Sorlie
Berube	Holand	Nasset	Strinden
Chesrown	Jacobson	Nething	Stroup
Christensen	Jones	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite

Absent and not voting:

Butler	Just	Longmire	Redlin
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So the bill passed and the title was agreed to.

House Bill No. 1017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the teachers' insurance and retirement fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1098 of the Senate Journal, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Sorlie
Barth	Holand	Nasset	Strinden
Berube	Jacobson	Nething	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Kautzmann	Pyle	Thane
Coughlin	Larson, G.	Rait	Thoreson
Doherty	Larson, L.	Ringsak	Unruh
Erdman	Lips	Robinson	Van Horn
Forkner	Litten	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Goldberg	Morgan		

Those voting in the negative were:

Schultz

Absent and not voting:

Butler	Just	Longmire	Redlin
Gronhovd			

So the bill passed and the title was agreed to.

House Bill No. 1492. A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code to provide for the imposition of a surtax on the income of every individual, estate, trust and corporation required to file a North Dakota income tax return; to allocate the proceeds of such tax to payment of bonds issued to pay adjusted compensation to North Dakota veterans of the Viet Nam conflict; and to provide an effective date and a termination date for such tax.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1104 through 1107 of Senate Journal, the roll was called and there were ayes, 32; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sorlie
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Coughlin	Kautzmann	Nothing	Strinden
Doherty	Larson, G.	Page	Stroup
Freed	Larson, L.	Pyle	Thane
Goldberg	Litten	Ringsak	Thoreson
Hernett	Melland	Robinson	Unruh
Holand	Morgan	Roen	Wenstrom
Jacobson	Mutch	Schultz	Wilhite

Those voting in the negative were:

Barth	Christensen	Lips	Swedlund
Berube	Erdman	Rait	Van Horn
Chesrown	Forkner	Sanstead	

Absent and not voting:

Butler	Just	Longmire	Redlin
Gronhovd			

So the bill passed and the title was agreed to.

House Bill No. 1503. A Bill for an Act setting forth minimum wage standards for employees of the state of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1107 and 1108 of the Senate Journal, the roll was called and there were ayes, 31; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Morgan	Schultz
Berube	Jacobson	Nasset	Stroup
Chesrown	Jones	Nothing	Swedlund
Christensen	Kautzmann	Pyle	Thane
Erdman	Larson, G.	Rait	Unruh
Freed	Larson, L.	Ringsak	Van Horn
Goldberg	Lips	Roen	Wenstrom
Hernett	Litten	Sanstead	

Those voting in the negative were:

Anderson	Forkner	Page	Strinden
Coughlin	Melland	Robinson	Thoreson
Doherty	Mutch	Sorlie	Wilhite

Absent and not voting:

Butler	Just	Longmire	Redlin
Gronhovd			

So the bill passed and the title was agreed to.

House Bill No. 1517. A Bill for an Act to create a new system of retirement benefits for teachers, providing for assessments, and creating Chapter 15-39.1 of the North Dakota Century Code; and repealing Chapter 15-39 of the North Dakota Century Code, relating to teachers' insurance and retirement fund.

Was read the second time.

Senator Holand moved that House Bill No. 1517 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1547. A Bill for an Act to provide for state legislative apportionment, and to repeal section 1 of chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

Was read the second time.

Senator Lips moved that House Bill No. 1547 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 1554. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construc-

tion of college buildings and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1098, 1099, 1100 of the Senate Journal, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Goldberg	Melland	Sorlie
Barth	Gronhovd	Morgan	Strinden
Berube	Hernett	Nasset	Stroup
Chesrown	Jacobson	Nething	Thane
Christensen	Jones	Page	Unruh
Coughlin	Kautzmann	Pyle	Van Horn
Doherty	Larson, G.	Ringsak	Wenstrom
Forkner	Lips	Roen	Wilhite
Freed	Litten	Sanstead	

Those voting in the negative were:

Erdman	Mutch	Robinson	Swedlund
Larson, L.	Rait	Schultz	Thoreson

Absent and not voting:

Butler	Just	Longmire	Redlin
Holand			

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:
House Bill No 1313

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. 1313

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1313

Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1558. A Bill for an Act to establish a coordinated and codified system of drug control, to create a closed regulatory system for the legitimate handlers of controlled drugs, to prohibit certain activities relating to controlled drugs, to provide penalties for violations thereof, to amend and reenact section 19-02-21; subsections 15 and 16 of section 19-02.1-01; subsections 1, 2, 3, 4, 7, 9 and 13 of section 19-02.1-02; subsections 1 and 9 of section 19-02.1-05; section 19-02.1-13 section 19-02.1-14; section 19-02.1-19; section 19-02.1-20; section 19-02.1-21; section 19-02.1-22 of the North Dakota Century Code and to repeal chapter 19-03 of the North Dakota Century Code, relating to narcotics, and to repeal subsections 4, 7, 13, 14, 23, 24 and 25 of section 19-02.1-01; subsections 11, 12, 14, 15, 16, 17, 18, 19, 20, 22 and 23 of section 19-02.1-02; subsection 4 of section 19-02.1-04; subsection 5 and 6

of section 19-02.1-05; section 19-02.1-15; section 19-02.1-16 and section 19-02.1-23 of the North Dakota Century Code relating to drugs.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1108 of the Senate Journal, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sorlie
Chesrown	Just	Nething	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Lips	Redlin	Thane
Forkner	Liften	Ringsak	Thoreson
Freed	Longmire	Robinson	Unruh
Goldberg	Melland	Roen	Van Horn
Hernett	Morgan	Sanstead	Wenstrom
Holand	Mutch	Schultz	Wilhite
Jacobson			

Those voting in the negative were:

Barth	Erdman	Larson, L.	Rait
Berube	Gronhøvd		

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1389. A Bill for an Act to amend and reenact section 32-09-02 of the North Dakota Century Code, relating to the maximum wages subject to garnishment.

Which has been read.

Senator Nething moved that House Bill No. 1389 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact sections 32-09-02 and 32-09-03 of the North Dakota Century Code, relating to garnishment of earnings.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 32-09-02 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

32-09-02. (((WHAT WAGES EXEMPT FROM))) RESTRICTION ON GARNISHMENT OF EARNINGS.) (((The wages or salary of any person who is not a head of a family but is a resident of this state, to the amount of thirty-five dollars per week, shall be exempt from garnishment. The wages of any person who is head of a family and a resident of this state shall be exempt to the amount of fifty dollars per week plus five dollars per week for each dependent but not more than twenty-five dollars. Every employer shall pay to such person such exempt wages or salary, not to exceed the amounts exempted by this section, of each week's wages earned by him when due. Upon such wage earner's making and delivering to such employer his affidavit that he is a head of a family and specifying the number of his dependents residing with the family in this state, he shall be entitled to additional exemptions for dependents, notwithstanding the service of a garnishee summons, and the surplus only of his wages above the exemptions shall be held by the employer to abide the event of the garnishment suit.)))

1. As used in this chapter:

- a. The term "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program; and
 - b. The term "disposable earnings" means that part of the earnings of any individual remaining after the deduction from these earnings of any amounts required by other law to be withheld.
2. The maximum part of the aggregate disposable earnings of an individual for any workweek which is subject to garnishment may not exceed the lesser of:
 - a. Twenty-five percent of his disposable earnings for that week; or
 - b. The amount by which his disposable earnings for that week exceed forty times the federal minimum hourly wage prescribed by section 6 (a) (1) of the Fair Labor Standards Act of 1938 or any equivalent multiple thereof prescribed by regulation by the secretary of labor in case of earnings for any pay period other than a week, in effect at the time the earnings are payable.
 3. The restrictions of subsection 2 do not apply in the case of:
 - a. Any order of any court for the support of any person;
 - b. Any order of any court of bankruptcy under chapter XIII of the Bankruptcy Act; or
 - c. Any debt due for any state or federal tax.
 4. No court of this state may make, execute, or enforce any order or process in violation of this section.

SECTION 2. AMENDMENT.) Section 32-09-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

32-09-03. NOTICE BEFORE GARNISHMENT OF (((WAGES..... EARNINGS.)) At least two days prior to the issuance of any garnishment summons against the (((wages or salary))) earnings of any person, the creditor shall cause demand to be served upon the debtor and the employer for any (((wages not exempt))) disposable earnings subject to garnishment under section 32-09-02. In an action in justice court, such demand, with proof of service, shall be filed with the court at the time of the issuance of the garnishment summons, and in an action in district court or county court with increased jurisdiction, at the time the summons is filed. Failure to serve or file (((said))) the notice as herein provided shall render such garnishment void. The (((excess of wages over and above the amount exempted))) amount of disposable earnings subject to garnishment shall be held by the employer subject to such garnishment from the time of service of such demand and for five days thereafter."

And renumber the lines and pages accordingly.

Which motion prevailed.

Senator Nething moved that the rules be suspended and that House Bill No. 1389 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 1389, as amended from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden

Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Robinson	Van Horn
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

Senator Nothing: "Mr. President."

Lt. Governor: "State your privilege, Senator."

Senator Nothing: "My comments are in regard to the veto of House Bill No. 1299 and the message which is found on page 1303 of the House Journal.

"Interest is the cost of money. The cost of money is based on the availability of money and risk incurred. The risk incurred is determined by the collateral and the individual.

"Interest ceilings were contained in U.C.C.C. — not interest rates.

"Figures found on page 1304, paragraph 6, lines 6, 7, and 8, are conjecture, based on minimum facts.

"Actually the amount paid for interest could have been less since many of these borrowers would not have been forced to go to a small loan agency, if the institutions who engage in financial consulting as well as loaning money had been able to make the loan. Such a loan could have been made at a higher rate of interest than on current 9% but much lower than 30%. I am referring to loans made by banks, savings and loans and credit unions.

"The veto of House Bill No. 1299 forces the low income person with limited collateral to borrow his money from small loan agencies only. The veto of House Bill No. 1299 forces this borrower to pay a high rate of interest and prohibits him from borrowing money in a competitive market. This veto is against the little man of North Dakota and is in favor of the small loan out of state companies operating in North Dakota.

"This veto denies the consumer of North Dakota the protection every citizen deserves. The message says we are not deficient in our consumer protection. If that were the case I would not receive calls asking what to do about the magazine contract, the pots and pans contract or the encyclopedia contract they signed the previous night and want to void the next day.

"This legislature has been accused of not being progressive. This bill, House Bill No. 1299, was progressive legislation, yet the same man who accuses us of not being progressive vetos this excellent concept which provided consumer benefits.

"On page 1303 of the House Journal the message says and I quote 'I recommended to its sponsors that it (UCCC) be introduced in this session but with an adjustment in the Code's interest rates to existing North Dakota legal interest rate ceilings.' The chief proponent of this bill testified before our committee that the governor said to put in a clean bill, no amendments; put in the uniform act. Now, in searching for a flimsy excuse to veto, the governor sees fit to change the ground rules.

"On page 95 of the House Journal appears the following: 'Two sessions ago, we adopted the Uniform Commercial Code in order to facilitate business in our state. I now recommend that we consider the Uniform Credit Code as a means of making our state more at-

tractive to those who would invest. I am well aware that some consumer groups oppose the Uniform Credit Code. Their objections must be weighed against probable advantages.'

"The legislature did pass the UCCC. Now we see again of the hypocrisy that exists in the governor's office. He asks the legislature to be progressive. We attempt to do this. He then vetos progressive legislation that he asked for. It is no wonder that the young people of our state and country cringe at the hypocrisy existing today. We have ample evidence that it is prevalent in the office of the chief executive of North Dakota."

Senator Strinden moved that the remarks of Senator Nething be printed in the Journal, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1111. A Bill for an Act to permit a physician to examine and treat a minor for psychiatric problems, venereal disease or pregnancy without parental consent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, on pages 1075 and 1109 of the Senate Journal, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Just	Nething	Strinden
Chesrown	Larson, G.	Pyle	Stroup
Coughlin	Lips	Redlin	Swedlund
Goldberg	Litten	Roen	Unruh
Hernett	Longmire	Sanstead	Van Horn
Holand	Melland	Schultz	Wenstrom
Jacobson	Morgan	Sorlie	Wilhite
Jones	Nasset		

Those voting in the negative were:

Barth	Forkner	Larson, L.	Ringsak
Berube	Freed	Mutch	Robinson
Christensen	Gronhovd	Page	Thane
Doherty	Kautzmann	Rait	Thoreson
Erdman			

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1517. A Bill for an Act to create a new system of retirement benefits for teachers, providing for assessments, and creating Chapter 15-39.1 of the North Dakota Century Code; and repealing Chapter 15-39 of the North Dakota Century Code, relating to teachers' insurance and retirement fund.

Was read the second time.

Senator Sanstead requested to be excused from voting because of a personal interest in House Bill No. 1517.

Senator Lips moved that Senator Sanstead be allowed to vote on House Bill No. 1517, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 1140 of Senate Journal, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Holand	Lips	Sanstead
Christensen	Jacobson	Longmire	Stroup
Doherty	Jones	Nasset	Swedlund
Erdman	Just	Nething	Unruh

Forkner	Kautzmann	Pyle	Wenstrom
Gronhovd	Larson, G.	Redlin	Wilhite
Hernett	Larson, L.	Roen	

Those voting in the negative were:

Barth	Goldberg	Page	Sorlie
Berube	Litten	Rait	Strinden
Chesrown	Melland	Ringsak	Thane
Coughlin	Morgan	Robinson	Thoreson
Freed	Mutch	Schultz	Van Horn

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

House Bill No. 1547. A Bill for an Act to provide for state legislative apportionment, and to repeal section 1 of 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 final passage of the bill, as amended, on pages 1140 through 1143 of the Senate Journal, the roll was called and there were ayes, 31; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Just	Nothing	Strinden
Erdman	Kautzmann	Page	Stroup
Freed	Larson, G.	Pyle	Swedlund
Goldberg	Lips	Rait	Thane
Hernett	Litten	Redlin	Unruh
Holand	Longmire	Roen	Wenstrom
Jacobson	Melland	Schultz	Wilhite
Jones	Nasset	Sorlie	

Those voting in the negative were:

Barth	Doherty	Larson, L.	Robinson
Chesrown	Forkner	Morgan	Sanstead
Christensen	Gronhovd	Ringsak	Thoreson
Coughlin			

Absent and not voting:

Berube	Butler	Mutch	Van Horn
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1030

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Olienyk
Tweten
B. Miller

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to transmit herewith the following,
House Concurrent Resolution No. 3019
House Concurrent Resolution No. 3021

House Concurrent Resolution No. 3031
 House Concurrent Resolution No. 3040
 House Concurrent Resolution No. 3050
 House Concurrent Resolution No. 3052
 House Concurrent Resolution No. 3053
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3091
 House Concurrent Resolution No. 3095

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

House Bill No. 1434

House Bill No. 1484

House Concurrent Resolution No. 3020

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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. 2024

Senate Bill No. 2063

Senate Bill No. 2259

Senate Bill No. 2304

Senate Bill No. 2363

Senate Bill No. 2458

Senate Concurrent Resolution No. 4053

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return herewith the following,

Senate Bill No. 2056

Senate Bill No. 2089

Senate Bill No. 2228

Senate Bill No. 2252

Senate Bill No. 2286

Senate Bill No. 2287

Senate Bill No. 2301

Senate Bill No. 2339

Senate Bill No. 2345

Senate Bill No. 2351

Senate Bill No. 2368

Senate Bill No. 2386

Senate Bill No. 2403

Senate Bill No. 2418

Senate Bill No. 2434

Senate Bill No. 2435

Senate Bill No. 2459

Senate Bill No. 2467

Senate Bill No. 2477

Senate Bill No. 2491

Senate Bill No. 2496

Senate Bill No. 2500

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to transmit herewith the following,

House Bill No. 1003
House Bill No. 1006
House Bill No. 1008
House Bill No. 1012
House Bill No. 1028
House Bill No. 1054
House Bill No. 1058
House Bill No. 1097
House Bill No. 1113
House Bill No. 1158
House Bill No. 1159
House Bill No. 1170
House Bill No. 1192
House Bill No. 1201
House Bill No. 1220
House Bill No. 1235
House Bill No. 1238
House Bill No. 1275
House Bill No. 1336
House Bill No. 1353
House Bill No. 1413
House Bill No. 1421
House Bill No. 1430
House Bill No. 1435
House Bill No. 1437
House Bill No. 1439
House Bill No. 1441
House Bill No. 1442
House Bill No. 1444
House Bill No. 1445
House Bill No. 1508
House Bill No. 1521
House Bill No. 1556

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess subject to the call of the Chair, 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 House Bill No. 1011 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23 delete the figure "200,000.00" and insert in lieu thereof the figure "267,555.00"

On page 1, line 24 delete the figure "45,391,071.00" and insert in lieu thereof the figure "67,681,958.00"

On page 2, delete all of lines 1 through 5

On page 2, line 6 delete the figure "70,555,421.00" and insert in lieu thereof the figure "70,622,976.00"

On page 2, line 7 delete the figure "52,604,858.00" and insert in lieu thereof the figure "52,644,413.00"

On page 2, line 9 delete the figure "17,950,563.00" and insert in lieu thereof the figure "17,978,563.00"

On page 2, line 21 after the word "source" add the following: ", other than general fund moneys,"

On page 2, after line 32 add the following:

"SECTION 4. The Public Welfare Board, insofar as resources permit, is hereby directed to 1) further define and develop the system of screening, patient classification, and program utilization of hospital, nursing care, and custodial care services; 2) initiate a pilot project seeking better coordination, utilization and priority in the delivery of services, including public assistance in the area of mental retardation; 3) solicit the cooperation and assistance of the federal government toward identifying and controlling the causes contributing to the ever-escalating AFDC program; and report to the next legislative assembly the findings and results in the three problem areas as enumerated.

"SECTION 5. INTER-AGENCY COORDINATION.) The welfare department is hereby directed to coordinate the services provided in the social service centers with the service provided in the area mental centers under the direction of the state health department and to eliminate all unnecessary duplication of programs and staff.

"SECTION 6. LEGISLATIVE INTENT.) It is the intent of the legislature that the welfare department make administrative determination of fund allocation by major program functions including old age assistance, aid to the blind, aid to the disabled, aid for dependent and foster children, general assistance, medical services, crippled children, child welfare, older Americans, and administration. Fund allocations shall be revised from time to time in line with federal matching revisions.

It is also intended by the legislative assembly that in the public welfare department, the caseload in the aid to families with dependent children be kept to a minimum for the 1971-73 biennium.

It is also the intent of the legislature that special consideration be given to increased costs of operating nursing homes, and if possible within the appropriation to reimburse them at a rate necessary to meet those increased costs.

Be it further intended that the public welfare board report quarterly to the executive office of the budget for the purpose of comparing proposed budgeted program costs with actual program costs.

And renumber the lines, pages and sections accordingly.

And when so amended recommends the same do pass.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4092 has had the same under consideration and recommends that the same do pass.

SENATOR UNRUH, Chairman

Senator Unruh moved that the report be adopted, which motion prevailed.

FIRST READING OF

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3019. A Concurrent Resolution requesting a Legislative Council study of the North Dakota court system to determine if the citizens and taxpayers of the state would be benefited by changes in administration and procedures followed by the North Dakota judicial system.

Which was read the first time.

House Concurrent Resolution No. 3021. A Concurrent Resolution requesting a Legislative Council study of the adequacy of various forms of agricultural finance that will be required during the implementation period of the individual farm unit irrigation projects and associated intensive farming in the Garrison Diversion Irrigation Project and in the years thereafter.

Which was read the first time.

House Concurrent Resolution No. 3031. A Concurrent Resolution requesting the Legislative Council to examine the need for the continuation of the North Dakota Rural Rehabilitation Corporation and to make such recommendations for its continuance or dissolution as are deemed appropriate.

Which was read the first time.

House Concurrent Resolution No. 3040. A Concurrent Resolution directing the Legislative Council to study the membership, duties, responsibilities, and appointments of all statutory boards and commissions, excepting those occupational and professional licensing boards and commissions.

Which was read the first time.

House Concurrent Resolution No. 3050. A Concurrent Resolution directing the Legislative Council to carry out a revision of the substantive criminal laws of North Dakota.

Which was read the first time.

House Concurrent Resolution No. 3052. A Concurrent Resolution directing the Legislative Council to study the Judges' Retirement Fund, and the statutes providing the system of retirement benefits for supreme and district court judges.

Which was read the first time.

House Concurrent Resolution No. 3053. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Probate Code for North Dakota.

Which was read the first time.

House Concurrent Resolution No. 3063. A Concurrent Resolution directing the Legislative Council to continue the study directed by House Concurrent Resolution No. 17 adopted by the Forty-first Legislative Assembly, relating to the financing of road and street construction.

Which was read the first time.

House Concurrent Resolution No. 3090. A Concurrent Resolution directing a Legislative Council study of teacher certification procedures.

Which was read the first time.

House Concurrent Resolution No. 3091. A Concurrent Resolution providing for a study by the Legislative Council of the impact of federal revenue sharing proposals upon programs of the State and its political subdivisions.

Which was read the first time.

House Concurrent Resolution No. 3092. A Concurrent Resolution declaring the intent of the Legislative Assembly to comply with the requirements of the Omnibus Crime Control and Safe Streets Act.

Which was read the first time.

House Concurrent Resolution No. 3093. A Concurrent Resolution providing for the completion of the legislative journals of the house and senate.

Which was read the first time.

House Concurrent Resolution No. 3094. A Concurrent Resolution commending the Dale Dalziel Rink of Edmore and the Art Tallackson, Jr., Rink of Grafton for winning the United States Men's Curling Championships in 1971 and 1970, respectively.

Which was read the first time.

House Concurrent Resolution No. 3095. A Concurrent Resolution directing the Legislative Council, with the aid and cooperation of the State Tax Department, to make a comprehensive study of the North Dakota tax structure, with emphasis upon property tax assessment procedures, the twenty-one mill levy, the business privilege tax, and the sales tax.

Which was read the first time.

MOTION

Senator Wilhite moved that the rules be suspended and that House Concurrent Resolutions Nos. 3019, 3021, 3031, 3040, 3050, 3052, 3053, 3063, 3090, 3091, 3092, 3093, 3094, and 3095, be not referred to Committee, but placed on second reading and final passage, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom you referred House Bill No. 1434 has had the same under consideration and recommends that the House accede to the Senate amendments and further amends as follows:

On page 1, line 13, after the letters "ly" insert the following: **"and involuntarily"**

And renumber the lines accordingly.

For the Senate:

Senator Forkner
Senator Page
Senator Erdman

For the House:

Rep. Boustead
Rep. Boyum
Rep. DeGroot

Senator Forkner moved that the report be adopted, which motion prevailed.

Senator Forkner moved that rules be suspended and that House Bill No. 1434 be placed on the calendar for second reading and final passage, as amended in conference committee, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1434. A Bill for an Act to amend and reenact section 39-04-44 of the 1969 supplement to the North Dakota Century Code relating to registration credits on destroyed vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Those voting in the negative were:

Schultz

Absent and not voting:

Butler Doherty

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. 1484 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:
 Senator Longmire
 Senator Jacobson
 Senator Christensen

For the House:
 Rep. Lee
 Rep. Hentges
 Rep. W. Erickson

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution No. 3020 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:
 Senator Freed
 Senator Page
 Senator Barth

For the House:
 Rep. Stone
 Rep. Raile
 Rep. Lundene

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that rules be suspended and that House Concurrent Resolution No. 3020 be placed on second reading and final passage, as amended in conference committee, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3020. A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to lowering of the voting age from twenty-one to eighteen.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended, in Conference Committee, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Roen
Barth	Holand	Melland	Sanstead
Berube	Jacobson	Morgan	Sorlie
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nething	Swedlund
Erdman	Kautzmann	Page	Thane
Forkner	Larson, G.	Pyle	Thoreson
Freed	Larson, L.	Rait	Unruh
Goldberg	Lips	Redlin	Van Horn
Gronhovd	Litten	Ringsak	Wenstrom

Those voting in the negative were:

Coughlin	Robinson	Strinden	Wilhite
Mutch	Schultz		

Absent and not voting:

Butler	Doherty
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So the resolution was declared adopted.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2009 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. 2009

- Senator Jones
- Senator Schultz
- Senator L. Larson

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2316, which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Bill No. 2316 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. 2316. A Bill for an Act to create and enact subsection 5 of section 34-06-06 and to amend and reenact subsection 4 of section 34-06-06 of the North Dakota Century Code, relating to females holding management positions, and to the hours of employment of female workers during emergency periods.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund
Erdman	Larson, L.	Rajt	Thane
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Those voting in the negative were:

Christensen

Absent and not voting:

Butler Thoreson

So the bill passed and the title was agreed to.

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4002, which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Concurrent Resolution No. 4002 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 CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4002. A Concurrent Resolution directing the Public Welfare Board to implement administrative recommendations of the welfare study to improve the administration of public welfare in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd	Melland	Sanstead	

Absent and not voting:

Butler

So the resolution was declared adopted.

Senator Just moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

FIFTY-NINTH DAY

Bismarck, March 16, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator G. Larson, Bismarck.

Roll call: All Senators present except Senator Butler.

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 fifty-seventh day after recess and fifty-eighth day and recommends that the same be corrected as follows:

On page 1106, line 17, correct spelling of word "treasurer"

On page 1109, line 8, correct spelling of word "been"

On page 1128, line 23, correct spelling of word "SECTION"

On page 1131, line 25, correct spelling of word "commends"

On page 1140, delete lines 14, 15 and 16

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2480

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4059

Senate Concurrent Resolution No. 4085

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1259
House Bill No. 1394
House Concurrent Resolution No. 3038
House Concurrent Resolution No. 3045
House Concurrent Resolution No. 3088
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1001
House Bill No. 1004
House Bill No. 1015
House Bill No. 1021
House Bill No. 1089
House Bill No. 1325
House Bill No. 1368
House Bill No. 1545
House Bill No. 1550
House Concurrent Resolution 3076
Which the Senate has amended.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1062
House Bill No. 1086
House Bill No. 1351
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4023. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility of consolidating the various state health and welfare agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Just	Nasset	Sorlie
Berube	Kautzmann	Nething	Strinden
Chesrown	Larson, G.	Page	Stroup
Christensen	Larson, L.	Pyle	Swedlund
Coughlin	Lips	Rait	Thane
Erdman	Litten	Redlin	Thoreson
Forkner	Longmire	Ringsak	Unruh
Gronhovd	Melland	Robinson	Van Horn
Hernett	Morgan	Roen	Wenstrom
Holand	Mutch	Schultz	Wilhite

Those voting in the negative were:

Doherty

Absent and not voting:

Barth

Freed

Jacobson

Sanstead

Butler

Goldberg

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4027. A Senate Concurrent Resolution directing the Legislative Council to make a study of all printing laws, requirements, and practices of the State of North Dakota and its political subdivisions.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Berube	Holand	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Stroup
Coughlin	Kautzmann	Pyle	Swedlund
Doherty	Larson, G.	Rait	Thane
Erdman	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite

Absent and not voting:

Barth	Butler	Jacobson	Litten
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So the resolution was declared adopted.

Senate Concurrent Resolution No. 4028. A Concurrent Resolution directing the Legislative Council to study the total field of safety responsibility and revocation of driver's licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Barth	Holand	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Forkner	Lips	Ringsak	Unruh
Freed	Longmire	Robinson	Van Horn
Goldberg	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Hernett	Mutch	Schultz	

Absent and not voting:

Anderson	Erdman	Jacobson	Litten
Butler			

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4029. A Concurrent Resolution directing the Legislative Council to conduct a study of public liability and "no-fault" automobile insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Schultz
Barth	Holand	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup

Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan		

Absent and not voting:

Butler Jacobson

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4033. A Concurrent Resolution recommending that the North Dakota legislative council give consideration to remedying the conflicts which arise between boards of budget review and the county auditors and governing bodies in the application of section 21-03-15 and chapter 40-41 of the North Dakota Century Code.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Christensen	Just	Nothing	Strinden
Chesrown	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler Freed Thoreson

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4035. A Concurrent Resolution directing the Legislative Council to study and revise the statutes relating to the game and fish laws 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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Absent and not voting:

Butler Freed Thoreson

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4042. A Concurrent Resolution directing the Legislative Council to study the problems of buried transmission lines and how best to protect them from damage.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Jacobson	Mutch	Schultz
Barth	Just	Nasset	Sorlie
Berube	Kautzmann	Page	Strinden
Chesrown	Larson, G.	Pyle	Stroup
Christensen	Larson, L.	Rait	Swedlund
Coughlin	Lips	Redlin	Thane
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Van Horn
Gronhovd	Melland	Roen	Wenstrom
Hernett	Morgan	Sanstead	Wilhite
Holand			

Those voting in the negative were:

Doherty Jones

Absent and not voting:

Butler	Goldberg	Nething	Thoreson
Freed			

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4065. A Concurrent Resolution directing the Legislative Council to study the need for a board of tax appeals that will provide taxpayers with a speedy, efficient and inexpensive procedure for the review of their grievances with the administration of the tax laws.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Stroup
Barth	Holand	Morgan	Swedlund
Berube	Jacobson	Mutch	Thane
Christensen	Jones	Nasset	Thoreson
Coughlin	Just	Rait	Unruh
Erdman	Kautzmann	Robinson	Van Horn
Forkner	Larson, L.	Roen	Wenstrom
Freed	Lips	Sorlie	Wilhite
Gronhovd	Longmire	Strinden	

Those voting in the negative were:

Pyle Schultz

Absent and not voting:

Butler	Goldberg	Nething	Ringsak
Chesrown	Larson, G.	Page	Sanstead
Doherty	Litten	Redlin	

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4066. A Concurrent Resolution directing the Legislative Council to conduct an interim study relative to the establishment and the boundaries of a water management district, and the powers and duties of a district's board of commissioners.

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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Barth	Jacobson	Mutch	Strinden
Berube	Jones	Nasset	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Erdman	Larson, L.	Rait	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Gronhovd	Longmire	Robinson	Wenstrom
Hernett	Melland	Roen	Wilhite

Those voting in the negative were:

Schultz

Absent and not voting:

Butler	Doherty	Larson, G.	Sanstead
Chesrown	Goldberg	Nothing	

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4070. A Concurrent Resolution directing an interagency study for the development of a comprehensive mined-land reclamation policy.

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, 4; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Pyle	Stroup
Christensen	Just	Rait	Swedlund
Doherty	Kautzmann	Redlin	Thane
Erdman	Larson, L.	Ringsak	Thoreson
Forkner	Litten	Robinson	Unruh
Freed	Longmire	Roen	Van Horn
Gronhovd	Melland	Sanstead	Wenstrom
Hernett			

Those voting in the negative were:

Coughlin	Page	Schultz	Wilhite
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Absent and not voting:

Barth	Goldberg	Lips	Nothing
Butler	Larson, G.	Mutch	

So the resolution was declared adopted.

Senate Concurrent Resolution No. 4074. A Concurrent Resolution for a study by the Legislative Council of levels of support, duplication in course and degree offerings, cooperation, fiscal practices, uniform accounting practices, uniform academic terms, and space utilization in the field of higher education.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Mutch	Schultz
Barth	Jacobson	Nasset	Sorlie
Berube	Jones	Nothing	Strinden
Chesrown	Just	Page	Stroup

Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rajt	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Litten	Ringsak	Unruh
Forkner	Longmire	Robinson	Van Horn
Freed	Melland	Roen	Wenstrom
Gronhovd	Morgan	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Goldberg	Lips
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So the resolution was declared adopted.

Senate Concurrent Resolution No. 4083. A Concurrent Resolution directing the Legislative Council, with the assistance and cooperation of the State Tax Department, to make a comprehensive study of the income tax laws of this State.

Which has been read.

Senator Unruh moved that Senate Concurrent Resolution No. 4083 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4088. A Concurrent Resolution directing the State Auditing Board to determine and report fiscal irregularities and noncompliance with legislative intent.

Which has been read.

Senator Sorlie moved that Senate Concurrent Resolution No. 4088 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 4092. A Concurrent Resolution directing a study by the Legislative Council of the duplication of services and overlapping of responsibilities between the State Department of Health and the Public Welfare Board in the areas of mental health and retardation service units and area social service centers.

Which has been read.

Senator Unruh moved that Senate Concurrent Resolution No. 4092 be adopted, which motion prevailed.

MOTIONS

Senator Sorlie moved that the Senate reconsider the action by which Senate Bill No. 2002 was passed, which motion prevailed.

Senator Sorlie 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,

Senators:

Robinson

Jones

L. Larson

SECOND READING OF HOUSE BILLS

House Bill No. 1020. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the bank of North Dakota and of the Judge A. M. Christian-son Project.

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, 2.

Those voting in the affirmative were:

Anderson

Gronhovd

Lips

Roen

Barth

Hernett

Litten

Sorlie

Berube	Holand	Longmire	Stroup
Christensen	Jacobson	Melland	Swedlund
Doherty	Just	Nasset	Unruh
Erdman	Larson, G.	Page	Wenstrom
Forkner	Larson, L.	Ringsak	Wilhite
Goldberg			

Those voting in the negative were:

Chesrown	Morgan	Rait	Schultz
Coughlin	Mutch	Redlin	Strinden
Freed	Nething	Robinson	Thane
Jones	Pyle	Sanstead	Van Horn
Kautzmann			

Absent and not voting:

Butler Thoreson

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Conference Committee was unable to agree. Senate acceded to the request by House to return:

Senate Bill No. 2489

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2027
Senate Bill No. 2033
Senate Bill No. 2100
Senate Bill No. 2180
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2207
Senate Bill No. 2276
Senate Bill No. 2309
Senate Bill No. 2464

Refused to concur in the House amendment to:

Senate Bill No. 2001
Senate Bill No. 2003
Senate Bill No. 2006
Senate Bill No. 2509

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:

Melland
Coughlin
Jones

to serve on Senate Bill No. 2001

Senators:

Wenstrom
Lips
Swedlund

to serve on Senate Bill No. 2003

Senators:

Litten
Schultz

Robinson
to serve on Senate Bill No. 2006

Senators:
Hernett
Goldberg
Just
to serve on Senate Bill No. 2509

Very respectfully,
LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

Senator Melland moved that the reading of the amendments to House Bill No. 1011 be dispensed with, which motion prevailed.

Senator Melland moved that the amendments to House Bill No. 1011 as recommended by the Committee on Appropriations, be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended and that House Bill No. 1011 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1011. A Bill for an Act making an appropriation for the maintenance and operation of the public welfare board and welfare programs administered by the public welfare 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, 39; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Litten	Sanstead
Barth	Hernett	Longmire	Schultz
Berube	Holand	Melland	Sorlie
Chesrown	Jacobson	Morgan	Swedlund
Christensen	Jones	Nasset	Thoreson
Doherty	Just	Nothing	Unruh
Erdman	Kautzmann	Page	Van Horn
Forkner	Larson, G.	Rajt	Wenstrom
Freed	Larson, L.	Robinson	Wilhite
Goldberg	Lips	Roen	

Those voting in the negative were:

Coughlin	Mutch	Pyle	Strinden
Absent and not voting:			
Butler	Ringsak	Stroup	Thane
Redlin			

So the bill passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

Senator Coughlin moved that the amendments to House Bill No. 1024 as recommended by the Committee on Appropriations, be adopted.

Senator Melland moved that the amendments to House Bill No. 1024 be amended as follows:

In Section 4, line 2, after the word "among" delete the word "the", and in line 3, between the word "with" and "work" insert the word "anticipated".

Which motion lost.

The question being on the motion of Senator Coughlin, which motion lost.

MOTION

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate reconsidered its action in concurring in House amendment to:
Senate Bill No. 2002

The President has appointed a conference committee to act with a like committee from the House,

Senators:
Robinson
Jones
L. Larson

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 2009
Senate Bill No. 2122

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:
Jones
Schultz
L. Larson
to serve on Senate Bill No. 2009

Senators:
Melland
Litten
Swedlund
to serve on Senate Bill No. 2122

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4023
Senate Concurrent Resolution No. 4027
Senate Concurrent Resolution No. 4028
Senate Concurrent Resolution No. 4029
Senate Concurrent Resolution No. 4033
Senate Concurrent Resolution No. 4035
Senate Concurrent Resolution No. 4042
Senate Concurrent Resolution No. 4065
Senate Concurrent Resolution No. 4066
Senate Concurrent Resolution No. 4070
Senate Concurrent Resolution No. 4074
Senate Concurrent Resolution No. 4083
Senate Concurrent Resolution No. 4088
Senate Concurrent Resolution No. 4092

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Sueaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 2045

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:
Thoreson
Unruh
Erdman

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1434
House Bill No. 1484
Senate Concurrent Resolution No. 3020

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary
House Chamber
Bismarck, March 16, 1971

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
Representatives:

Olienyk
J. Peterson
B. Miller

Very respectfully,
ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1032

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1001

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Wagner
Kingsbury
Opedahl

Very respectfully,
ROY GILBREATH, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Chesrown 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. 1306, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1306

Senators:
Ringsak
Thane
Barth

CONSIDERATION OF AMENDMENTS

Senator Melland moved that House Bill No. 1024 be amended as follows:

On page 2 after line 21 add the following new SECTION:
 "SECTION 5. INTERAGENCY COORDINATION.) The health department is hereby directed to coordinate the services provided in the area mental health centers with the services provided in the social service centers under the direction of the public welfare board and to eliminate all unnecessary duplication of programs and staff."

And renumber the lines, pages and sections accordingly."

Statement of the Purpose of the Amendment: The intent of the amendments is to encourage interagency cooperation in community health efforts.

Which motion prevailed.

Senator Coughlin moved that the rules be suspended and that House Bill No. 1024 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1024. A Bill for an Act making an appropriation for the operating and maintenance expenses of the public health department.

Was read the second time.

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, 38; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Sanstead
Barth	Hernett	Melland	Sorlie
Berube	Holand	Morgan	Swedlund
Chesrown	Jacobson	Nasset	Thane
Christensen	Just	Nothing	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Roen	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Coughlin	Mutch	Ringsak	Schultz
Jones	Page	Robinson	Strinden

Absent and not voting:

Butler Stroup

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3019. A Concurrent Resolution requesting a Legislative Council study of the North Dakota court system to determine if the citizens and taxpayers of the state would be benefited by changes in administration and procedures followed by the North Dakota judicial system.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Schultz
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Sorlie
Christensen	Jones	Nothing	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Absent and not voting:

Butler Ringsak Stroup Van Horn
Larson, G.

So the resolution was declared adopted.

House Concurrent Resolution No. 3021. A Concurrent Resolution requesting a Legislative Council study of the adequacy of various forms of agricultural finance that will be required during the implementation period of the individual farm unit irrigation projects and associated intensive farming in the Garrison Diversion Irrigation Project and in the years thereafter.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nething	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Those voting in the negative were:

Pyle Schultz

Absent and not voting:

Butler Stroup

So the resolution was declared adopted.

House Concurrent Resolution No. 3031. A Concurrent Resolution requesting the Legislative Council to examine the need for the continuation of the North Dakota Rural Rehabilitation Corporation and to make such recommendations for its continuance or dissolution as are deemed appropriate.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Jones	Nething	Swedlund
Coughlin	Just	Page	Thane
Doherty	Kautzmann	Pyle	Thoreson
Erdman	Larson, G.	Rait	Unruh
Forkner	Larson, L.	Redlin	Van Horn
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Absent and not voting:

Butler Nasset Strinden Stroup

So the resolution was declared adopted.

House Concurrent Resolution No. 3040. A Concurrent Resolution directing the Legislative Council to study the membership, duties, responsibilities, and appointments of all statutory boards and com-

missions, excepting those occupational and professional licensing boards and commissions.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Schultz
Barth	Hernett	Melland	Strinden
Berube	Holand	Morgan	Stroup
Chesrown	Jacobson	Mutch	Swedlund
Christensen	Jones	Nasset	Thane
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Robinson	Wenstrom
Freed	Lips	Roen	Wilhite
Goldberg	Litten	Sanstead	
Absent and not voting:			
Butler	Redlin	Ringsak	Sorlie
Nothing			

So the resolution was declared adopted.

House Concurrent Resolution No. 3050. A Concurrent Resolution directing the Legislative Council to carry out a revision of the substantive criminal laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Holand	Mutch	Strinden
Berube	Jacobson	Nasset	Stroup
Chesrown	Jones	Page	Swedlund
Christensen	Just	Pyle	Thane
Coughlin	Kautzmann	Rait	Thoreson
Doherty	Larson, G.	Robinson	Unruh
Erdman	Lips	Roen	Van Horn
Forkner	Litten	Sanstead	Wenstrom
Freed	Longmire	Schultz	Wilhite
Goldberg	Melland		

Absent and not voting:

Butler	Larson, L.	Redlin	Ringsak
Hernett	Nothing		

So the resolution was declared adopted.

House Concurrent Resolution No. 3052. A Concurrent Resolution directing the Legislative Council to study the Judges' Retirement Fund, and the statutes providing the system of retirement benefits for supreme and district court judges.

Was read the second time.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Schultz
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup

Christensen	Just	Nething	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd			

Absent and not voting:

Butler	Redlin	Ringsak
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So the resolution was declared adopted.

House Concurrent Resolution No. 3053. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Probate Code for North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 37; nays, 3; absent and not voting, 8. Those voting in the affirmative were:

Anderson	Hernett	Longmire	Roen
Barth	Holand	Melland	Sanstead
Berube	Jacobson	Morgan	Sorlie
Christensen	Jones	Mutch	Stroup
Coughlin	Just	Nasset	Swedlund
Doherty	Kautzmann	Nething	Thane
Erdman	Larson, G.	Page	Thoreson
Forkner	Lips	Rait	Unruh
Freed	Litten	Robinson	Wilhite
Gronhovd			

Those voting in the negative were:

Larson, L.	Schultz	Van Horn
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Absent and not voting:

Butler	Goldberg	Redlin	Strinden
Chesrown	Pyle	Ringsak	Wenstrom

So the resolution was declared adopted.

House Concurrent Resolution No. 3063. A Concurrent Resolution directing the Legislative Council to continue the study directed by House Concurrent Resolution No. 17 adopted by the Forty-first Legislative Assembly, relating to the financing of road and street construction.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 37; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Jacobson	Melland	Sanstead
Barth	Jones	Morgan	Sorlie
Berube	Just	Mutch	Stroup
Chesrown	Kautzmann	Nasset	Swedlund
Erdman	Larson, G.	Nething	Thane
Forkner	Larson, L.	Page	Thoreson
Freed	Lips	Rait	Unruh
Gronhovd	Litten	Robinson	Van Horn
Hernett	Longmire	Roen	Wilhite
Holand			

Those voting in the negative were:

Doherty	Schultz
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Absent and not voting:			
Butler	Goldberg	Redlin	Strinden
Christensen	Pyle	Ringsak	Wenstrom
Coughlin			

So the resolution was declared adopted.

House Concurrent Resolution No. 3090. A Concurrent Resolution directing a Legislative Council study of teacher certification procedures.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Longmire	Sanstead
Barth	Holand	Melland	Schultz
Berube	Jacobson	Morgan	Sorlie
Chesrown	Jones	Mutch	Stroup
Coughlin	Just	Nasset	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Rait	Thoreson
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Robinson	Van Horn
Gronhovd	Litten	Roen	Wenstrom

Absent and not voting:			
Butler	Goldberg	Pyle	Strinden
Christensen	Nothing	Redlin	Wilhite

So the resolution was declared adopted.

House Concurrent Resolution No. 3091. A Concurrent Resolution providing for a study by the Legislative Council of the impact of federal revenue sharing proposals upon programs of the State and its political subdivisions.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Ringsak	Van Horn
Freed	Litten	Robinson	Wenstrom
Gronhovd	Longmire	Roen	

Absent and not voting:			
Butler	Pyle	Strinden	Wilhite
Goldberg			

So the resolution was declared adopted.

House Concurrent Resolution No. 3092. A Concurrent Resolution declaring the intent of the Legislative Assembly to comply with the requirements of the Omnibus Crime Control and Safe Streets Act.

Was read the second time.

Senator Melland moved that House Concurrent Resolution No. 3092 be adopted, which motion prevailed.

House Concurrent Resolution No. 3093. A Concurrent Resolution

providing for the completion of the legislative journals of the house and senate.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Larson, L.	Ringsak	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Gronhovd	Longmire		

Absent and not voting:

Butler	Nothing	Schultz	Wilhite
Goldberg	Pyle		

So the resolution was declared adopted.

House Concurrent Resolution No. 3094. A Concurrent Resolution commending the Dale Dalziel Rink of Edmore and the Art Tallackson, Jr., Rink of Grafton for winning the United States Men's Curling Championships in 1971 and 1970, respectively.

Was read the second time.

Senator Jones moved that House Concurrent Resolution No. 3094 be adopted, which motion prevailed.

House Concurrent Resolution No. 3095. A Concurrent Resolution directing the Legislative Council, with the aid and cooperation of the State Tax Department, to make a comprehensive study of the North Dakota tax structure, with emphasis upon property tax assessment procedures, the twenty-one mill levy, the business privilege tax, and the sales tax.

Was read the second time.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Gronhovd	Melland	Sanstead	Wilhite
Hernett			

Absent and not voting:

Butler	Goldberg	Nothing
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So the resolution was declared adopted.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to transmit herewith the following,

House Concurrent Resolution No. 3036

Which the House has passed and your favorable consideration is requested on.

ROY GILBREATH, Chief Clerk

PERSONAL EXPLANATION

Senator Melland requested unanimous consent to enter a personal explanation on the record pursuant to Section 224 of Mason's Manual on Legislative Procedure, and to have such explanation entered in the Journal, which request was granted.

Senator Melland: "Mr. President, I ask unanimous consent of the Senate to rise on a point of personal explanation and have my remarks printed in the Journal. Prior to this session I was asked to introduce a bill intended to become North Dakota law, which would have imposed rigid regulations relating to wind erosion and providing penalties against farmers who failed to comply with the provision of the proposed law, modeled after Colorado law. After considerable solicitation of opinion in various agricultural quarters I advised the proponents of the proposed law that I preferred to present their position without introducing legislation. The proponents are the Wildlife Society and I read for the edification of the Senate, the following:

"This is the Position Statement of the Wildlife Society of North Dakota on Soil Erosion.

"Soil is the basic resource upon which North Dakota's agriculture and its economy depends. The State was settled and developed primarily for its rich prairie soil and without this great heritage the State could not exist.

"The soil is a durable natural resource that with proper treatment can be used again and again. Improperly used, however, it will be eroded away by wind and water. Surveys in 1967 showed that more than one half of the State's 27.5 million acres of croplands was subject to excessive erosion. This erosion is destructive of the owner's economic base and of the natural resource heritage of all citizens of North Dakota.

"Erosion itself is a major problem. Dust storms resulting from wind erosion are a menace to the health and well being of citizens; create hazards to air, rail, and highway traffic; fill and destroy ditches, fences, and tree plantings; and blemish the landscape and foul the air North Dakotans are so rightly proud of. Water erosion creates ditches and gullies on the high lands and buries the productive soils on the lowlands; fills natural wetlands, streams, and reservoirs; and degrades swimming and fishing areas.

"The soil can be adequately protected with permanent cover. Erosion of cultivated lands can be eliminated or reduced to tolerable levels with cropping systems such as strip-cropping and spring plow-planting; barriers such as shelterbelts and terraces; and tillage methods such as stubble-mulching and chisel-plowing. These methods have generally been developed at public expense. Public-financed technical guidance and cost-sharing is often available to assist landowners in applying conservation practices. The landowner costs are usually offset by the reduced direct damages and by reduced need to fertilize to replace nutrients that would have otherwise been eroded away.

"North Dakota currently ranks second only to Texas in the number of acres of land subject to excessive erosion. The U. S. Department of Agriculture reported that nearly 280,000 acres of North Dakota cropland were damaged by wind erosion in 1970. The application of practices needed to halt or reduce the soil loss appears to be slow; in 1958, 66% of the cropland needed treatment and in 1967, 54%.

Therefore, it is the position of the North Dakota Chapter of The Wildlife Society that:

1. The application of conservation measures necessary to adequately protect the soil from wind and water erosion is not commensurate with the need as demonstrated by losses to the economy and damage to the natural resources heritage, and
2. Additional measures are necessary to assure the adequate protection of the soil, and
3. The Chapter will increase its efforts to educate and inform both landowners and citizens of the need for soil protection and conservation and of the techniques and financing available to accomplish this goal, and
4. The Chapter will cooperate with all conservation agencies, schools, professional societies, and other interests working to achieve these objectives, and
5. The Chapter will serve in any way the legislature of the State of North Dakota in its efforts to solve the problems of soil erosion through legislative means."

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 accede to House amendments and that Senate Bill No. 2007 be further amended as follows:

On page 2, line 29 of the engrossed bill, delete the figure "150,000.00" and insert in lieu thereof the figure "100,000.00"

On page 3, line 5 delete the figure "11,000.00" and insert in lieu thereof the figure "8,000.00"

On page 3, line 6 delete the figure "4,000.00" and insert in lieu thereof the figure "2,000.00"

On page 3, line 7 delete the figure "15,000.00" and insert in lieu thereof the figure "10,000.00"

On page 4, line 20 delete the figure "643,480.00" and insert in lieu thereof the figure "592,230.00"

For the Senate:

Senator Coughlin
 Senator Jones
 Senator L. Larson

For the House:

Rep. Olienyk
 Rep. J. Peterson
 Rep. B. Miller

Senator Coughlin moved that the report be adopted.

Senator Coughlin: "Mr. President, Gentlemen of the Senate: I am requesting that my remarks be printed in the Journal, not because the appropriation for the Interstate Oil Compact Commission is sufficient to warrant these few minutes, because we spend millions while I am recording these remarks. What is important to me is a principle.

"Your Senate Appropriations Committee in good judgment, deleted the appropriation for the Interstate Oil Compact Commission of \$2,500.00, thanks to the efforts of the petroleum council lobby, the House restored the cut. At this late date and mood to spend, further conferences would be useless. I was going to file a minority report, but after yesterday's spending, I felt personal privilege would serve as well.

"Your Appropriations Committee heard testimony that the \$2,500.00 was because the Interstate Oil Compact Commission was going to hold their annual meeting in North Dakota, and five or six governors might attend. Now, western hospitality is commendable, and we should strive to preserve it, but it should be on a private basis and not out of the general fund. Secondly, the "might" attend is like

the southern invitations to visit — freely given with little expectation of realization.

"The Interstate Oil Compact Commission, and the oil proration laws which administers under the guise of conservation, is one of the cleverest schemes of control ever revised to create and protect monopolistic oil interests. We, as naive and trusting citizens, have given it tools and privileges accorded to no other business until it has grown in the words of Senator Neely of West Virginia, into a "super government more powerful than the president, the congress and the people."

"Most people conserve when there is too little. The oil industry only "conserves" when there is too much. The purpose of the Interstate Oil Compact Commission is to limit production to that level which assures the greatest profit to the biggest corporations. This states the principle for the commission.

"Rapid expansion of production in the 1920's brought a flood of oil in the 30's. The major oil companies were faced with a dilemma. No longer did they have the control they once had. They feared the ogre of federal control, and they could not impose self control of quotas as the Department of Justice turned thumbs down on that.

"In 1933 under Secretary Iches and NRA, the oil industry had the umbrella of special exemption which placed it under its own administrator. In 1935 Congress authorized the creation of the Interstate Oil Compact Commission to coordinate the production controls of the oil states; the state authorities were now coordinated and the market was under control. One by one, the hundred refineries in east Texas began closing down as their supplies dried up. What production was permitted, flowed to the refineries at Port Arthur and Houston which were owned by Standard, Texaco, Gulf, Shell, and other majors. Within a few years, but three independent refineries remained in operation in the greatest oil field on the continent. The present day result of the Oil Compact Commission can be quoted from Senator Wherry's report on Control of Crude Oil Production, part of which reads as follows: "There is a mechanism controlling the production of crude oil to market demand (or below) that operates as smoothly and effectively as the finest watch. No single item is in itself controlling; taken together, they form a perfect pattern of monopolistic control over oil production, the distribution thereof among refineries and distributors, and ultimately the price paid by the public.

"Monopoly, as generally understood, means control of a product both as to quantity allowed to reach the market, and price. If you control the quantity you automatically control the price. Hence, the petroleum industry can be set down as definitely a monopoly. It is supported on a tripod, the first leg of being the proration laws of the oil producing states, the second thing being the federal government in the form of legislation, and the third being the large oil companies and oil producers.

"How does all this affect us? Simply, that we as consumers are paying the price of monopoly, and because North Dakota is now on oil state; the thrill is apparently greater than concern about our pocketbooks. I appreciate the spirit that motivates our largess to the oil industry in the form of favorable laws — which the oil industry supplied the legal talent to write — but unquestioning faith in 'what is good for oil is good for all' will simply place North Dakota and its people more firmly in the grip of monopoly.

"The majors use the argument that proration laws, promulgated by the Oil Compact Commission, protect the small producer along with the large. Thanks to control over the few — and there are very few — small producers operating in North Dakota, the majors have been able to line up their nominal support in favor of proration. However, the actual fact is that in return for a temporary possible

market, the small producer starts a slow but certain path to financial failure.

"It is my firm conviction that we, as legislators, must treat public money with more prudence than we would our own. I do not believe that it is proper for us to appropriate general fund monies to support a segment of an industry. The oil industry does not need the \$2,500.00, and could easily afford to entertain the possible five or six governors of oil producing states who might attend. But they do need the participation by state governments to provide the air of legality they so badly need; because Congress and the Department of Justice are wondering if they didn't make a mistake when they exempted the oil industry from anti-war trust laws which apply to other industries.

"A book could easily be written on this subject as it is complex and far reaching. I hope, however, that this thoroughly unbiased sketch will in a small way help you to understand and appreciate the invaluable service which the Interstate Oil Compact Commission does for the consumers of North Dakota.

At least I am not as biased as a chief justice of the Oklahoma Supreme Court who said, 'In my opinion, prorating of oil was born of monopoly sired by arbitrary power, and its progeny is the deformed child whose playmates are graft, theft, bribery and corruption.'"

The question being on the motion of Senator Coughlin, which motion prevailed.

Senator Coughlin moved that the rules be suspended and that Senate Bill No. 2007 be deemed properly reengrossed 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. 2007. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Sorlie
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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

Senate Bill No. 2022 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 Strinden
Senator Coughlin
Senator Swedlund

For the House:

Rep. J. Peterson
Rep. Miedema
Rep. Miller

Senator Strinden moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a new Conference Committee on:

Senate Bill No. 2022
Senators Wenstrom
Senator Jones
Senator L. Larson

Senator Sorlie 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. 1030, which motion prevailed.

The President appointed as a Conference Committee on:

Senate Bill No. 1030
Senator Schultz
Senator Coughlin
Senator Litten

Senator Chesrown 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. 1140, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1140
Senator Freed
Senator Thane
Senator Barth

Senator Chesrown 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. 1534, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1534
Senator Freed
Senator Page
Senator Gronhovd

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 Concurrent Resolution No. 3083, which motion prevailed.

The President appointed as a Conference Committee on:

House Concurrent Resolution No. 3083
Senator G. Larson
Senator Stroup
Senator Christensen

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1009
House Bill No. 1020
House Bill No. 1360

House Concurrent Resolution No. 3019
 House Concurrent Resolution No. 3021
 House Concurrent Resolution No. 3031
 House Concurrent Resolution No. 3040
 House Concurrent Resolution No. 3050
 House Concurrent Resolution No. 3052
 House Concurrent Resolution No. 3053
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3091
 House Concurrent Resolution No. 3093
 House Concurrent Resolution No. 3094
 House Concurrent Resolution No. 3095
 House Concurrent Resolution No. 3092
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1011
 House Bill No. 1017
 House Bill No. 1111
 House Bill No. 1389
 House Bill No. 1399
 House Bill No. 1456
 House Bill No. 1492
 House Bill No. 1503
 House Bill No. 1517
 House Bill No. 1538
 House Bill No. 1547
 House Bill No. 1554
 House Bill No. 1558
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

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. 1140
 House Bill No. 1306
 House Bill No. 1534
 House Bill No. 1077

Senator Freed
 Senator Thane
 Senator Barth

To serve on House Bill No. 1140

Senator Ringsak
 Senator Thane
 Senator Barth

To serve on House Bill No. 1306

Senator Freed
 Senator Page
 Senator Gronhovd

To serve on House Bill No. 1534

Senator Redlin
 Senator Longmire
 Senator Just

To serve on House Bill No. 1077

Very respectfully,
 LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 16, 1971

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 Concurrent Resolution No. 3083

House Bill No. 1030

Senator Schultz
Senator Coughlin
Senator Litten

To serve on House Bill No. 1030

Senator G. Larson
Senator Stroup
Senator Christensen

To serve on House Concurrent Resoluition No. 3083

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1024

Which the Senate has amended.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2306 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2306 be amended as follows:

Delete lines 8 through 23, inclusive, on page 8 and insert in lieu thereof the following:

- "2. ((The maximum interest rate they shall bear;
- 3. That they will be of serial maturity;
- 4. The years of such maturities, but not the amounts for each of such years;
- 5.)) The purpose for which they are proposed to be issued ((;)).
- ((6.)) 3. The assessed valuation of all taxable property in the municipality as defined in section 23-03-01 ((;)).
- ((7.)) 4. The total amount of bonded indebtedness of the municipality ((;)).
- ((8.)) 5. The amount of outstanding bonds of the municipality issued for a similar purpose ((; and)).
- ((9.)) 6. Any other statement of fact deemed advisable by the governing body of voters proposed the same."

In line 17 of page 12, following the period, remove the underscoring in the remainder of the line

In lines 18 and 19 of page 12 remove the underscoring

And renumber the lines accordingly.

For the Senate:

Senator Longmire
Senator Goldberg
Senator Berube

For the House:

Rep. Fleming
Rep. Bunker
Rep. Strinden

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 2306 be deemed properly 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. 2306. A Bill for an Act to amend and reenact subsection 7 of section 21-03-06 and sections 21-03-07, 21-03-09, 21-03-15, 21-03-18, 21-03-19, and 21-03-28 of the North Dakota Century Code, relating to municipal bonds, and modifying procedures with respect thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Sorlie
Berube	Jones	Nasset	Strinden
Chesrown	Just	Nothing	Stroup
Christensen	Kautzmann	Page	Swedlund
Coughlin	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Hernett	Schultz
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So the bill passed and the title was agreed to.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3036. A Concurrent Resolution directing the Legislative Council, with the cooperation of pertinent state agencies and departments, to study North Dakota laws regarding the sale or exchange of state-owned lands under the authority of either the State or its various departments and agencies.

Was read the first time.

Senator Unruh moved that the rules be suspended and that House Concurrent Resolution No. 3036 be not referred to committee but placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3036. A Concurrent Resolution directing the Legislative Council, with the cooperation of pertinent state agencies and departments, to study North Dakota laws regarding the sale or exchange of state-owned lands under the authority of either the State or its various departments and agencies.

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, 4; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Roen
Barth	Holand	Melland	Sanstead

Berube	Jacobson	Morgan	Sorlie
Chesrown	Jones	Mutch	Strinden
Christensen	Just	Nasset	Swedlund
Coughlin	Kautzmann	Nothing	Thane
Doherty	Larson, G.	Page	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom

Those voting in the negative were:

Pyle	Ringsak	Stroup	Wilhite
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Absent and not voting:

Butler	Goldberg	Hernett	Schultz
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So the resolution was declared adopted.

**REPORT OF COMMITTEE ON RULES
RELATIVE TO RULING ON HOUSE BILL No. 1308**

Senator Wilhite requested that the Opinion of the Attorney General with reference to the constitutional majority on House Bill No. 1308 as previously requested by the Rules committee (page 1024 of the Senate Journal), be read into the record.

**OPINION
STATE OF NORTH DAKOTA**

Helgi Johanneson
ATTORNEY GENERAL
Bismarck, North Dakota 58501

March 15, 1971

The Honorable I. J. Wilhite, Senator
Chairman of Senate Rules Committee
North Dakota Legislative Assembly
State Capitol
Bismarck, North Dakota

Dear Senator Wilhite:

This is in response to your letter in which you observe that the name of Senator Kenneth Lowe has been removed from the Senate roster. You then ask if it still requires 33 votes to satisfy a constitutional two-thirds to amend or repeal a measure approved by the vote of the electors under Section 25 of the North Dakota Constitution.

The specific provision is:

"No measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a yea and nay vote upon roll call of two-thirds of all the members elected to each house."

It further provides that this provision shall be self-executing.

For comparison purposes, Section 65 of the North Dakota Constitution provides:

"No bill shall become a law except by a vote of a majority of all the members-elect in each house, nor unless, on its final passage, the vote be taken by yeas and nays, and the names of those voting be entered on the journal."

Section 46 provides as follows:

"A majority of the members of each house shall constitute a quorum, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such a manner, and under such a penalty, as may be prescribed by law."

This section is referred to only for comparing language. Section 46 has no application to passage of bills.

Section 67 pertains to passing emergency measures and the effective date of such measure. It provides:

"No act of the legislative assembly shall take effect until July first after the close of the session, unless the legislature by a vote of two-thirds of the members present and voting, in each house, shall declare it an emergency measure, which declaration shall be set forth in the act,***"

Section 79, relating to overriding veto of governor, also uses the expression "two-thirds of the members-elect."

We see no significant difference between the expression "all members-elect in each house" and "all the members elected to each house." These two expressions, while using a slightly different style, mean the same thing. This phrase means the entire membership of each house. It does not mean members present and voting. For example, Section 67 uses the expression "members present and voting in each house."

Section 65 has been construed historically to mean the total membership of the house as distinguished from those present and voting.

Jurisdictions which have had occasion to construe the language "members-elect in each house" or "members elected to each house" have reached a conclusion that it means the entire body, including all members who were certified as elected, regardless if they are present or not and regardless of any vacancy. See State ex rel. Peterson vs. Hoppe, 260 NW 215, (Minnesota); Polasky vs. Schmidt, 87 NW 1030, (Michigan); and opinion of the justices, 230 Atlantic 2d 802 (Maine) and 2 ALR 1593.

We recognize that Section 65 is part of the Constitution as adopted and that Section 25 has been amended since its initial adoption. We cannot as a matter of law say that the language used in Section 25 in this respect is substantially different than the language used in Section 65. Both provisions clearly specify a certain number of the entire body. The fact that the membership of the entire body will or may fluctuate from time to time because of reapportionment does not alter this specific requirement. There should be no difficulty once the size of the body has been set or established to determine and apply the constitutional majority or the constitutional two-thirds requirement. The meaning of the phrases "members-elect" and "members elected" become clear in comparing same to the language "members present and voting."

It is our opinion that the language in Section 25 of the North Dakota Constitution requiring a two-thirds vote of all of the members elected to each house means two-thirds of the entire membership with no reduction in the entire membership for vacancies or absence.

The Senate has total of 49 members — the death of Senator Lowe does not reduce such membership. Two-thirds vote of all members elected would require a vote of 33.

I trust this answers your inquiry.

Sincerely yours,
Helgi Johanneson
Attorney General

The Chair thereupon reversed his ruling and ruled that House Bill No. 1308 lost for lack of a two-thirds majority.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2022

And the committees having been unable to agree, the President appointed as a new conference committee:

Senators:
Wenstrom
Jones
L. Larson

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 2007
On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 2306
On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1384
House Bill No. 1497
House Bill No. 1501
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call
of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTY-NINTH DAY AFTER RECESS

Bismarck, March 16, 1971

The Senate convened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

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. 2006

Representatives:

Wagner
J. Peterson
Solberg

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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,

Representatives:

Kingsbury
Henning
Mertens

To serve on Senate Bill No. 2009

Representatives:

Wagner
Thorsgard
Opedahl

To serve on Senate Bill No. 2122

Representatives:

Tweten
L. Hausauer
Linderman

To serve of Senate Bill No. 2001

Representatives:

Halcrow
Henning
Rolfsrud

To serve on Senate Bill No. 2003

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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. 2045

Representatives:

Dornacker

Boustead

Backes

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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. 2509

Representatives:

Strinden

Moore

Backes

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1021

House Bill No. 1089

House Bill No. 1368

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Halcrow

Tweten

Linderman

To serve on House Bill No. 1021

Representatives:

Miedema

J. Peterson

Rolfstrud

To serve on House Bill No. 1089

Representatives:

Jenkins

L. Hausauer

Anderson

To serve on House Bill No. 1368

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1306

And the committees having been unable to agree, the Speaker appointed as a new conference committee,

Representatives:

Hentges

Ganser
Glaspey

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:
House Bill No. 1492

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:
Dornacker
K. Johnson
Backes

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to return:
Senate Bill No. 2042

Which the House has amended.

AMENDMENTS TO SENATE BILL No. 2042

On page 1, line 12, of the engrossed bill, delete the words "shall employ" and insert in lieu thereof the words "may designate", and after the word "processing" delete the word "manager" and insert in lieu thereof the word "coordinator"

On page 1, line 13, delete the word "appointed" and insert in lieu thereof the word "designated"

On page 1, line 17, delete the word "manager" and insert in lieu thereof the word "coordinator"

On page 1, line 18, delete the word "shall" and insert in lieu thereof the word "may"

On page 1, line 24, delete the word "shall" and insert in lieu thereof the word "may"

On page 2, line 2, delete all of the words after the period

On page 2, delete lines 3 and 4

On page 2, delete lines 16 through 21, inclusive, and insert in lieu thereof the following subsection:

"1. To arrange for computer services to all institutions under the control of the board, except those institutions with computer installations at the time of the passage of this Act which choose not to request such services. Computer services shall include access to electronic computers, terminals, communications equipment, systems design, programming, and other electronic data processing services."

On page 2, line 22, after the word "To" delete the words "design, plan, justify, and implement" and insert in lieu thereof the following words: "plan, justify,"

On page 2, line 26, after the word "and" where it first appears delete the word "develop" and insert in lieu thereof the words "supervise the development of"

On page 2, line 30, after the word "To" delete the word "establish" and insert in lieu thereof the words "supervise and require the establishment of"

On page 3, line 4, after the word "appropriation" insert the following words: "and available federal and private funds".

On page 3, line 16, delete the word "use" and insert in lieu thereof the word "user"

On page 3, line 17, after the word "services" where it last appears insert the following: "except when the computer service is located at the college or university receiving the service"

On page 3, line 21, delete the word "shall" and insert in lieu thereof the following: "are hereby appropriated and may"

On page 3, line 22, delete all of the words before the period and insert in lieu thereof the following: "in accordance with this Act"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 1004

House Bill No. 1015

House Bill No. 1070

House Bill No. 1325

House Bill No. 1352

House Bill No. 1389

House Bill No. 1550

House Concurrent Resolution No. 3028

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you the House has reconsidered the action by which it did not concur on Senate amendments to House Concurrent Resolution No. 3083, and has concurred in the Senate amendments to House Concurrent Resolution No. 3083.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1053

House Bill No. 1077

House Bill No. 1229

House Bill No. 1246

House Bill No. 1254

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1022

House Bill No. 1102

House Bill No. 1140

Very respectfully,

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1022 has had the same under consideration and recommends that the Senate recede from its amendments, and that the bill then be amended as follows:

On page 1, line 11, delete the figure "599,370.00" and insert in lieu thereof the figure "624,370.00"

On page 1, line 19, delete the word "economic" and insert in lieu thereof the word "transportation"

On page 1, line 20, delete the words "through North Dakota experiment station" and in the same line delete the figure "80,000.00" and insert in lieu thereof the figure "105,000.00"

On page 1, line 22, delete the figure "599,370.00" and insert in lieu thereof the figure "624,370.00"

On page 2, following line 5, insert the following new section:

"SECTION 3. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that a minimum of \$25,000.00 of the amount shown in the line item dealing with research in section 1 of this Act be expended for transportation research."

And renumber the lines and pages accordingly.

For the Senate:

Senator Wenstrom
Senator Coughlin
Senator L. Larson

For the House:

Rep. Halcrow
Rep. Jenkins
Rep. Opedahl

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended and that House Bill No. 1022 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. 1022. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the state wheat commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Chesrown	Jacobson	Nasset	Strinden
Christensen	Just	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Forkner	Lips	Redlin	Van Horn
Goldberg	Litten	Ringsak	Wenstrom
Gronhovd	Longmire	Robinson	Wilhite

Absent and not voting:

Berube	Freed	Melland	Sorlie
Butler	Jones	Nething	Thoreson
Erdman	Kautzmann	Roen	Unruh

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. 1053 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:

Senator Doherty
Senator Thoreson

Senator Rait

For the House:
Rep. Gackle
Rep. DeKrey
Rep. Shablow

Senator Thoreson moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1077 has had the same under consideration and recommends that the House concurs with Senate amendments.

For the Senate:
Senator Redlin
Senator Longmire
Senator Just

For the House:
Rep. Lang
Rep. Stone
Rep. Jacobson

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1102 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:
Senator Ringsak
Senator Freed
Senator Gronhovd

For the House:
Rep. Moore
Rep. Rundle
Rep. Lundene

Senator Ringsak moved that the report be adopted, which motion prevailed.

Senator Ringsak moved that the rule be suspended and that House Bill No. 1102 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. 1102. A Bill for an Act to amend subdivision h of subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the computation of the adjusted gross estate for purposes of determining the exemption of a surviving spouse for estate tax purposes, and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Schultz
Barth	Jacobson	Mutch	Strinden
Berube	Just	Nasset	Stroup
Chesrown	Kautzmann	Page	Swedlund
Christensen	Larson, G.	Pyle	Thane
Doherty	Larson, L.	Rait	Van Horn
Goldberg	Lips	Redlin	Wenstrom
Gronhovd	Litten	Ringsak	Wilhite
Hernett	Longmire	Sanstead	

Absent and not voting:

Butler	Freed	Nething	Sorlie
Coughlin	Jones	Robinson	Thoreson

Erdman Melland Roen Unruh
Forkner

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

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 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. 2010. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the Grafton state school at Grafton, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 36; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Gronhovd	Lips	Redlin
Barth	Hernett	Longmire	Ringsak
Berube	Holand	Melland	Sanstead
Chesrown	Jacobson	Morgan	Sorlie
Christensen	Jones	Mutch	Stroup
Coughlin	Just	Nasset	Swedlund
Doherty	Kautzmann	Page	Van Horn
Forkner	Larson, G.	Pyle	Wenstrom
Freed	Larson, L.	Rait	Wilhite

Those voting in the negative were:

Strinden Thane

Absent and not voting:

Butler	Litten	Roen	Thoreson
Erdman	Nething	Schultz	Unruh
Goldberg	Robinson		

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2023 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. 2023

Senators:

Lips
Strinden
L. Larson

Senator Wilhite moved that the Senate do not concur in the House amendments to Senate Bill No. 2093, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on:

Senate Bill No. 2093

Senators:

Wilhite
Strinden
Nasset

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2348, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2348 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. 2348. A Bill for an Act to provide for an appropriation out of the state lands maintenance fund in the state treasury for salaries and 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, by the House, the roll was called and there were ayes, 37; nays, 2; absent and not voting 9.

Those voting in the affirmative were:

Anderson	Gronhovd	Longmire	Robinson
Barth	Holand	Melland	Sanstead
Berube	Jacobson	Morgan	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite
Goldberg			

Those voting in the negative were:

Mutch Schultz

Absent and not voting:

Butler	Litten	Roen	Thoreson
Erdman	Netting	Sorlie	Unruh
Hernett			

So the bill passed and the title was agreed to.

Senator Wilhite moved that the Senate do not concur in the House amendments to Senate Bill No. 2367 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on:

Senate Bill No. 2367

Senators:

Wilhite
Strinden
Nasset

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2381, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2381 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. 2381. A Bill for an Act to create and enact subsection 10 of 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal identification and apprehension.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Barth	Jacobson	Mutch	Schultz
Berube	Jones	Nasset	Strinden
Chesrown	Just	Page	Stroup
Christensen	Kautzmann	Pyle	Swedlund
Coughlin	Larson, G.	Rait	Thane
Doherty	Larson, L.	Redlin	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Longmire	Robinson	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler	Hernett	Roen	Thoreson
Erdman	Litten	Sorlie	Unruh
Goldberg	Nething		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4023
Senate Concurrent Resolution No. 4027
Senate Concurrent Resolution No. 4028
Senate Concurrent Resolution No. 4029
Senate Concurrent Resolution No. 4033
Senate Concurrent Resolution No. 4035
Senate Concurrent Resolution No. 4042
Senate Concurrent Resolution No. 4065
Senate Concurrent Resolution No. 4066
Senate Concurrent Resolution No. 4074
Senate Concurrent Resolution No. 4083
Senate Concurrent Resolution No. 4092

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2004 has had the same under consideration and recommends the House recedes from its amendments and Senate Bill No. 2004 be amended as follows:

On page 2, of the engrossed bill, line 6 delete the figure "249,575.00" and insert in lieu thereof the figure "261,575.00"

On page 2, line 10 delete the figure "297,075.00" and insert in lieu thereof the figure "309,075.00"

On page 2, after line 17, add the following lines:

"Less estimated income	50,000.00
	332,254.00"

On page 2, line 20 delete the figure "291,881.00" and insert in lieu thereof the figure "300,000.00"

On page 2, line 21 delete the figure "105,400.00" and insert in lieu thereof the figure "120,400.00"

On page 2, line 23 delete the figure "3,800.00" and insert in lieu thereof the figure "6,000.00"

On page 2, line 24 delete the figure "421,881.00" and insert in lieu thereof the figure "437,200.00"

On page 2, line 26 delete the figure "385,173.00" and insert in lieu thereof the figure "410,492.00"

On page 3, line 6 delete the figure "1,854,151.00" and insert in lieu thereof the figure "1,841,470.00"

For the Senate:

Senator Strinden
 Senator Schultz
 Senator L. Larson

For the House:

Rep. Miedema
 Rep. H. Anderson
 Rep. R. Hausauer

Senator Strinden moved that the report be adopted, which motion prevailed.

Senator Strinden moved that the rules be suspended and that Senate Bill No. 2004 be deemed properly reengrossed 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. 2004. A Bill for an Act to appropriate money for the expenses of departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite
Gronhovd	Longmire	Sanstead	

Absent and not voting:

Barth	Hernett	Nething	Schultz
Butler	Litten	Robinson	Thoreson
Erdman	Melland	Roen	Unruh
Goldberg			

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Coughlin moved that the Senate do concur in the House amendments to Senate Bill No. 2042, which motion prevailed.

Senator Coughlin moved that the rules be suspended and that Senate Bill No. 2042 be deemed properly reengrossed 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 establish an office of higher education computer services under the control of the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 32; nays, 6; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Freed	Lips	Sorlie
Barth	Gronhovd	Longmire	Strinden
Berube	Holand	Melland	Stroup
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Page	Thane
Coughlin	Kautzmann	Pyle	Van Horn
Doherty	Larson, G.	Rait	Wenstrom
Forkner	Larson, L.	Sanstead	Wilhite

Those voting in the negative were:

Jacobson	Mutch	Ringsak	Schultz
Morgan	Redlin		

Absent and not voting:

Butler	Hernett	Robinson	Thoreson
Erdman	Litten	Roen	Unruh
Goldberg	Nothing		

So the bill passed and the title was agreed to.

Senator Jones moved that the Senate do concur in the House amendments to Senate Bill No. 2014, which motion prevailed.

Senator Jones moved that the rules be suspended and that Senate Bill No. 2014 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2014. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the state penitentiary and state farm.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 35; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Jacobson	Morgan	Sorlie
Berube	Jones	Mutch	Stroup
Chesrown	Just	Nasset	Swedlund.
Christensen	Kautzmann	Page	Thane
Coughlin	Larson, G.	Pyle	Van Horn
Doherty	Larson, L.	Rait	Wenstrom
Forkner	Lips	Redlin	Wilhite
Freed	Longmire	Ringsak	

Those voting in the negative were:

Strinden

Absent and not voting:

Butler	Hernett	Nothing	Schultz
Erdman	Holand	Robinson	Thoreson
Goldberg	Litten	Roen	Unruh

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. 1306 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 Ringsak
 Senator Thane
 Senator Barth

For the Home:
 Rep. Rivinius
 Rep. Hensrud
 Rep. W. Erickson

Senator Ringsak moved that the report be adopted, which motion prevailed.

APPOINTMENT OF NEW CONFERENCE COMMITTEE

Senator Chesrown moved that the President appoint a new committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1306, which motion prevailed.

The President appointed as a Conference Committee on:
 House Bill No. 1306

Senators:
 Ringsak
 Thane
 Page

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, March 16, 1971

Mr. President: I have the honor to return:
 Senate Bill No. 2022

On which the House has not adopted the conference committee report and the Speaker has appointed as a new conference committee:

Representatives:
 Jenkins
 Henning
 Anderson

ROY GILBREATH, Chief Clerk
 House Chamber
 Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1554

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:
 L. Hausauer
 Miedema
 Solberg

Very respectfully,
 ROY GILBREATH, Chief Clerk

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1003
 House Bill No. 1006
 House Bill No. 1008
 House Bill No. 1012
 House Bill No. 1028
 House Bill No. 1032
 House Bill No. 1054
 House Bill No. 1058
 House Bill No. 1097
 House Bill No. 1113
 House Bill No. 1158

House Bill No. 1159
House Bill No. 1170
House Bill No. 1192
House Bill No. 1201
House Bill No. 1220
House Bill No. 1235
House Bill No. 1238
House Bill No. 1275
House Bill No. 1336
House Bill No. 1353
House Bill No. 1413
House Bill No. 1421
House Bill No. 1430
House Bill No. 1435
House Bill No. 1437
House Bill No. 1439
House Bill No. 1441
House Bill No. 1442
House Bill No. 1444
House Bill No. 1445
House Bill No. 1508
House Bill No. 1521
House Bill No. 1556

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1003
House Bill No. 1006
House Bill No. 1008
House Bill No. 1012
House Bill No. 1028
House Bill No. 1032
House Bill No. 1054
House Bill No. 1058
House Bill No. 1097
House Bill No. 1113
House Bill No. 1158
House Bill No. 1159
House Bill No. 1170
House Bill No. 1192
House Bill No. 1201
House Bill No. 1220
House Bill No. 1235
House Bill No. 1238
House Bill No. 1275
House Bill No. 1336
House Bill No. 1353
House Bill No. 1413
House Bill No. 1421
House Bill No. 1430
House Bill No. 1435
House Bill No. 1437
House Bill No. 1439
House Bill No. 1441
House Bill No. 1442
House Bill No. 1444
House Bill No. 1445
House Bill No. 1508
House Bill No. 1521
House Bill No. 1556

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1534
Senate Bill No. 2007
Senate Bill No. 2306

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1017
House Bill No. 1024
House Bill No. 1399
House Bill No. 1503
House Bill No. 1558

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2010
Senate Bill No. 2014
Senate Bill No. 2042
Senate Bill No. 2348
Senate Bill No. 2381

Refused to concur in the House amendment to:

Senate Bill No. 2023
Senate Bill No. 2093
Senate Bill No. 2367

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:

Lips
Strinden
L. Larson
to serve on Senate Bill No. 2023

Senators:

Wilhite
Strinden
Nasset
to serve on Senate Bill No. 2093

Senators:

Wilhite
Strinden
Nasset
to serve on Senate Bill No. 2367

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1306

On which the Senate has adopted the conference committee report.
And the President has appointed as a new conference committee,

Senators:
Ringsak
Thane
Page

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1022
House Bill No. 1053
House Bill No. 1077
House Bill No. 1102

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary
Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2004

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2089
Senate Bill No. 2228
Senate Bill No. 2252
Senate Bill No. 2286
Senate Bill No. 2301
Senate Bill No. 2339
Senate Bill No. 2345
Senate Bill No. 2351
Senate Bill No. 2368
Senate Bill No. 2386
Senate Bill No. 2403
Senate Bill No. 2418
Senate Bill No. 2434
Senate Bill No. 2435
Senate Bill No. 2459
Senate Bill No. 2467
Senate Bill No. 2477
Senate Bill No. 2491
Senate Bill No. 2496
Senate Bill No. 2500

Were delivered to the Governor for his approval at the hour of 9:05 o'clock a.m., March 16, 1971.

SENATOR STRINDEN, Chairman

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Sorlie moved that the President appoint committees of three to act with like committees from the House as Conference Committees on House Bills Nos. 1001, 1021, 1089, 1368 and 1554, which motion prevailed.

The President appointed as a Conference Committee on:
House Bill No. 1001

Senators:
Robinson
Strinden
Swedlund

The President appointed as a Conference Committee on:
House Bill No. 1021:

Senators:
Melland
Litten
L. Larson

The President appointed as a Conference Committee on:
House Bill No. 1089:

Senators:
Morgan
Pyle
Barth

The President appointed as a Conference Committee on:
House Bill No. 1368:

Senators:
Litten
Strinden
Swedlund

The President appointed as a Conference Committee on:
House Bill No. 1554:

Senators:
Lips
Melland
L. Larson

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Thoreson 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. 1492, which motion prevailed.

The President appointed as a Conference Committee on:
House Bill No. 1492:

Senators:
Willhite
Doherty
Thoreson

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Willhite moved that the Senate do not concur in the House amendments to Senate Bill No. 2457 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. 2457:

Senators:
Willhite
Doherty
Thoreson

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

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. 1229 and 1254

Senators:
Redlin
Longmire
Just
to serve on House Bill No. 1229

Senators:
Redlin
Longmire

Just
to serve on House Bill No. 1254

Very respectfully,
LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1140 has had the same under consideration and recommends that the Senate recedes from its amendments and House Bill No. 1140 be amended as follows:

On page 1, line 6, of the engrossed bill, after the word "funds", and before the period, insert the following: "; and providing an effective date"

On page 3, line 17, delete the triple parentheses before and after the word "seven"

On page 3, line 18, delete the underscored word "five", and in the same line, delete the triple parentheses before the word "and" and delete the triple parentheses after the word "cents"

On page 4, following line 4, insert the following new section:

"SECTION 8. EFFECTIVE DATE.) The provisions of this Act shall take effect on July 1, 1972."

And renumber the lines and pages accordingly.

For the Senate:

Senator Freed
Senator Thane
Senator Barth

For the House:

Rep. Atkinson
Rep. Rundle
Rep. Rocheleau

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that the rule be suspended and that House Bill No. 1140 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. 1140. A Bill for an Act to amend and reenact subsection 1 of section 11-17-04 and sections 11-17-05, 27-03-05, 27-03-06, 27-07-40, and 27-07-41 of the North Dakota Century Code, relating to court filing fees and the disposition of the proceeds thereof; and to repeal section 27-12-08 of the North Dakota Century Code, relating to the use of bar association funds; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Berube	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Strinden
Christensen	Jones	Nasset	Swedlund
Coughlin	Just	Nothing	Thane
Doherty	Kautzmann	Page	Thoreson
Erdman	Larson, G.	Pyle	Unruh
Forkner	Larson, L.	Rait	Van Horn
Freed	Lips	Redlin	Wenstrom
Gronhovd	Longmire	Ringsak	Wilhite

Absent and not voting:

Barth	Goldberg	Robinson	Schultz
Butler	Litten	Roen	Stroup

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. 1229 has had the same under consideration and recommends that the House accedes to the Senate amendments and that House Bill No. 1229 be further amended as follows:

On line 16, page one of the engrossed bill place ending triple parentheses after the word and comma "sheriff,"

On line 17, page one of the engrossed bill delete the triple parentheses after the word and comma "schools,"

And renumber the lines and pages accordingly.

For the Senate:

Senator Redlin
Senator Longmire
Senator Just

For the House:

Rep White
Rep. Brekke
Rep. Gerl

Senator Redlin moved that the report be adopted, which motion prevailed.

Senator Redlin moved that the rules be suspended and that House Bill No. 1229 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. 1229. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of states attorney in a county of over 35,000 population be a full-time position, the employment of assistant states attorneys, the restrictions on the powers of states attorneys, increasing the salaries of county officials, and to create and enact a section to provide for an effective date thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sanstead
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nothing	Thane
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Larson, L.	Redlin	Wenstrom
Freed	Lips	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Butler	Robinson	Schultz	Stroup
Litten	Roen		

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. 1246 has had the same under consideration and recommends that the House accede to the Senate amendments and that House Bill No. 1246 be further amended as follows:

Delete the word "five" and insert in lieu thereof the word "one" as shown in amendments printed on page 1327, line 40 of the House Journal and page 958, line 30 of the Senate Journal.

For the Senate:

Senator Anderson
Senator Unruh
Senator Erdman

For the House:

Rep. Boyum
Rep. L. Larson
Rep. Wilkie

Senator Anderson moved that the report be adopted, which motion prevailed.

Senator Unruh moved that the rules be suspended and that House Bill No. 1246 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. 1246. A Bill for an Act to amend and reenact section 15-29-13 and subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the expenditure of school district funds and sales tax exemptions for such funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Strinden
Chesrown	Jones	Nasset	Swedlund
Christensen	Just	Nothing	Thane
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Gronhovd	Longmire	Ringsak	Wilhite

Absent and not voting:

Butler	Goldberg	Robinson	Schultz
Freed	Litten	Roen	Stroup

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. 1254 has had the same under consideration and recommends that the House concurs with Senate amendments.

For the Senate:

Senator Redlin
Senator Longmire
Senator Just

For the House:

Rep. Brekke
Rep. White
Rep. Backes

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1534 has had the same under consideration and recommends that the House accedes to Senate amendments and that House Bill No. 1534 be further amended as follows:

On page 1, line 4, of the engrossed bill as amended, after the number and comma "16-11-12", insert the following "16-18-11, 16-18-12,"

Add the following language after the period as shown in the amendments as printed on page 1372, line 58 of the House Journal and page 1021, line 10 of the Senate Journal: "**The initial location of the names in the precinct having the highest total votes shall be determined by lot by the city auditor or responsible election official.**"

Add the following language to the amendments as printed on page 1373, after line 27 in the House Journal and on page 1021, after line 40 in the Senate Journal:

"SECTION 8. AMENDMENT.) Section 16-18-11 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-18-11. ABSENT VOTERS' BALLOTS SENT TO MILITARY PERSONNEL WITHOUT APPLICATION.) It shall be the duty of the officers specified in section 16-18-05, as soon as possible after the printing of the ballots for any primary, special, or general state election or any city ((, village,)) or school election to send such absent voter ballot to all military personnel on active duty ((when requested in the manner provided in section 16-18-09)) **who are qualified to vote in the county, city, or school district, as the case may be.**

SECTION 9. AMENDMENT.) Section 16-18-12 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-18-12. COUNTY AUDITOR TO KEEP REGISTER OF NAMES OF PERSONS IN SERVICE AND ALL OTHER QUALIFIED ELECTORS.) In order to facilitate compliance with the provisions of section 16-18-11, the county auditor of each county in this state shall prepare, keep, and maintain a general register of the names of all persons within his county who are engaged in the military or naval service of the United States, and a further register of all such persons who are qualified to vote in his county at a general election. **The county auditor shall maintain a record of the ages of all such persons for the purpose of assuring that all such persons between the ages of eighteen and twenty-one receive proper absentee ballots to vote for federally elected officials.**"

And renumber the lines, sections, and pages accordingly.

For the Senate:

Senator Freed
Senator Page
Senator Gronhøvd

For the House:

Rep. Stone
Rep. Mertens
Rep. Murphy

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended and that House Bill No. 1534 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. 1534. A Bill for an Act to create and enact

sections 16-04-15.2, 16-11-05.1, and 16-18-06.1 of the North Dakota Century Code; and to amend and reenact sections 16-01-03, 16-04-17, 16-10-12.1, 16-11-12, 16-18-11, 16-18-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to the preparation of ballots for and the operation of voting machines by persons eighteen to twenty-one years of age in voting for elected federal officials and providing a form for the application for absentee ballots and to provide that precincts shall be arranged on voting machines according to the total votes cast in the previous general election for governor, and to provide for the placement of names on ballots and voting machines in races having more than three candidates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Mutch	Swedlund
Chesrown	Jones	Nasset	Thane
Christensen	Just	Nothing	Thoreson
Coughlin	Kautzmann	Page	Unruh
Erdman	Larson, G.	Pyle	Van Horn
Forkner	Larson, L.	Rait	Wenstrom
Freed	Lips	Ringsak	Wilhite
Gronhovd	Longmire		

Those voting in the negative were:

Strinden

Absent and not voting:

Butler	Litten	Robinson	Schultz
Doherty	Redlin	Roen	Stroup
Goldberg			

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. 2022 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:

Senator Wenstrom
 Senator Jones
 Senator L. Larson

For the House:

Rep. Jenkins
 Rep. Henning
 Rep. Anderson

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended and that Senate Bill No. 2022 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. 2022. A Bill for an Act making an appropriation for salaries and expenses of the division of supervised correspondence study.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,

in Conference Committee, the roll was called and there were ayes, 33; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Holand	Longmire	Sanstead
Barth	Jacobson	Melland	Sorlie
Berube	Jones	Mutch	Swedlund
Chesrown	Just	Nasset	Thane
Christensen	Kautzmann	Nething	Unruh
Erdman	Larson, G.	Pyle	Van Horn
Forkner	Larson, L.	Rait	Wenstrom
Freed	Lips	Redlin	Wilhite
Gronhovd			

Those voting in the negative were:

Coughlin	Page	Strinden	Thoreson
Morgan	Ringsak		

Absent and not voting:

Butler	Hernett	Robinson	Schultz
Doherty	Litten	Roen	Stroup
Goldberg			

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1308

Which the Senate has failed to pass.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3036

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

REPORT OF RULES COMMITTEE

Senator Wilhite: "Mr. President.

"Some of your rules committee members met last evening. Although there was not a quorum, those present were unanimous in recommending that regulations on committee assignments be changed to provide that:

- "1. The regular committee on Finance and Taxation be enlarged to include all freshman legislators in order that they may immediately learn to recognize the haggard, drawn look of the down trodden taxpayer and familiarize themselves with the heart rending task of extracting dollars from these poor souls.
- "2. The regular committee on Appropriations be enlarged to accommodate second-year legislators in order that they could differentiate between the hail fellow, well-met department head who dispenses taxpayers' dollars freely with his right hand while grabbing more from the general fund with his left and the conscientious, hard working, frugal administrator who spends the taxpayer's dollar more carefully than he does his own.

"The members of the rules committee who were present were of the opinion that these rule changes would probably be adopted by the Senate 48-0 but would then be either killed by the House or vetoed by the Governor and for these reasons suggest these recommendations be made the subject of a Legislative Council study and then passed on to the 43rd Legislative Assembly."

The President referred the above report to the 43rd Legislative Assembly.

Senator Wilhite moved that the Senate recess at the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE SENATE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 2457

And the President has appointed as a conference committee to act with a like committee from the House,

Senators:

Wilhite
Doherty
Thoreson

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2022

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

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. 1001

House Bill No. 1021

House Bill No. 1089

House Bill No. 1368

House Bill No. 1492

House Bill No. 1554

Senators:

Robinson
Strinden
Swedlund

to serve on House Bill No. 1001

Senators:

Melland
Litten
L. Larson

to serve on House Bill No. 1021

Senators:

Morgan
Pyle
Barth

to serve on House Bill No. 1089

Senators:

Litten
Strinden
Swedlund

to serve on House Bill No. 1368

Senators:

Wilhite

Doherty
Thoreson

to serve on House Bill No. 1492

Senators:

Lips
Melland
L. Larson

to serve on House Bill No. 1554

Very respectfully,
LEO LEIDHOLM, Secretary
Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1140

House Bill No. 1229

House Bill No. 1246

House Bill No. 1254

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2003 has had the same under consideration and recommends that the Senate accede to the House amendments.

For the Senate:

Senator Wenstrom
Senator Lips
Senator Swedlund

For the House:

Rep. Halcrow
Rep. Henning
Rep. Rolfsrud

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended and that Senate Bill No. 2003 be deemed properly reengrossed 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. 2003. A Bill for an Act to appropriate money for the expenses of the regulatory departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Barth	Holand	Morgan	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Pyle	Swedlund
Doherty	Kautzmann	Rait	Thane
Erdman	Larson, G.	Redlin	Thoreson
Forkner	Larson, L.	Ringsak	Unruh
Freed	Lips	Sanstead	Van Horn
Goldberg	Longmire	Schultz	Wenstrom
Gronhovd	Melland		

Absent and not voting:

Anderson	Hernett	Page	Roen
Butler	Litten	Robinson	Wilhite
Coughlin	Mutch		

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 I would ask that my remarks be printed in the Journal, and I have a copy for the desk."

Lt. Governor. "The request is granted. State your privilege, Senator."

Senator Christensen: "The Legislative Assembly of the State of North Dakota is an elected body composed of members of both political parties. As such, each party should have representation on important conference committees of this body.

"The members of the minority strongly protest the assignment of only members of the majority party to conference committees of significant importance to the people of North Dakota. We hereby request written reports on all conference committee reports on which the minority has no representation, and a reasonable length of time before voting on such reports."

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. 1545, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1545,

Senators:

Holand

Pyle

Van Horn

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has concurred to the Senate amendments to:

House Concurrent Resolution No. 3076

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2489

Which the House has failed to pass.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1534

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2003

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has reconsidered the action by which the House concurred in the Senate amendments to:

House Bill No. 1545

And the Speaker has appointed as a new Conference Committee:

Representatives:

Stoltenow

Raymond

Mushik

ROY GILBREATH, Chief Clerk

Senate Chamber

Bismarck, March 16, 1971

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. 1545

Senators:

Holand

Pyle

Van Horn

Very respectfully,

LEO LEIDHOLM, Secretary

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1011

House Bill No. 1456

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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:

Senate Bill No. 2002

And the Speaker has appointed as a new Conference Committee:

Representatives:

Tweten

Olienyk

Opedah

ROY GILBREATH, Chief Clerk

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 of the engrossed bill, line 7 delete the figure "226,662.00" and insert in lieu thereof the figure "235,662.00"

On page 2, line 9 delete the figure "4,630.00" and insert in lieu thereof the figure "5,630.00"

On page 2, line 11 delete the figure "256,551.00" and insert in lieu thereof the figure "266,551.00"

On page 2, line 14 delete the figure "1,861,650.00" and insert in lieu thereof the figure "2,068,500.00"

On page 2, line 15 delete the figure "1,861,650.00" and insert in lieu thereof the figure "2,068,500.00"

On page 2, line 21 delete the words: "STATE COMMISSION ON ALCOHOLISM" and insert in lieu thereof the words: "DIVISION OF ALCOHOLISM and DRUG ABUSE — STATE HEALTH DEPARTMENT"

On page 2, line 33 delete the figure "2,436,486.00" and insert in lieu thereof the figure "2,653,336.00"

And renumber the lines and pages accordingly.

The Purpose of the Amendment: The budget for the Board of Higher Education was increased to provide for an additional secretary. The budget to aid to junior colleges was increased to allow for increase in tuition. The name for Alcoholism Commission was changed in order to transfer this to the Health Department.

For the Senate:
 Senator Robinson
 Senator Jones
 Senator Larson

For the House:
 Rep. Tweten
 Rep. Olienyk
 Rep. Opedahl

Senator Robinson moved that the report be adopted, which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Bill No. 2002 be deemed properly reengrossed 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. 2002. A Bill for an Act to appropriate money for the expenses of the educational departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Melland	Sanstead
Barth	Holanđ	Morgan	Schultz
Berube	Jacobson	Mutch	Sorlie
Chesrown	Jones	Nasset	Strinden
Christensen	Just	Nething	Stroup
Coughlin	Kautzmann	Page	Swedlund
Doherty	Larson, G.	Pyle	Thoreson
Erdman	Larson, L.	Rait	Unruh
Forkner	Lips	Redlin	Van Horn
Freed	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Ringsak Thane

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. 2009 has had the same under consideration and recommends that the House recede from its amendments and Senate Bill No. 2009 be amended as follows:

On page 1, of the engrossed bill in line 3 after the word "North Dakota" insert the following: "; and declaring an emergency"

On page 1, line 11, delete the figure "1,163,171.00" and insert in lieu thereof the figure "1,168,171.00"

On page 1, line 18 delete the figure "111,295.00" and insert in lieu thereof the figure "116,295.00"

On page 1, after line 22, add the following: "The above two line items of this Act are hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

On page 1, line 24 delete the figure "1,163,171.00" and insert in lieu thereof the figure "1,168,171.00"

On page 2 line 2 delete the figure "863,195.00" and insert in lieu thereof the figure "868,195.00"

On page 2, after line 10 add 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 on such items or subdivisions as are designated to be made available immediately on passage and approval."

And renumber the lines and pages accordingly.

For the Senate:

Senator Jones
Senator Schultz
Senator L. Larson

For the House:

Rep. Kingsbury
Rep. Henning
Rep. Mertens

Senator Jones moved that the report be adopted, which motion prevailed.

Senator Jones moved that the rules be suspended and that Senate Bill No. 2009 be deemed properly reengrossed 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. 2009. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the school for the deaf at Devils Lake, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Schultz
Barth	Hernett	Morgan	Sorlie
Berube	Holand	Mutch	Strinden
Chesrown	Jacobson	Nasset	Stroup
Christensen	Jones	Nothing	Swedlund
Coughlin	Kautzmann	Page	Thoreson
Doherty	Larson, G.	Pyle	Unruh
Erdman	Larson, L.	Rait	Van Horn
Forkner	Lips	Redlin	Wenstrom
Freed	Litten	Robinson	Wilhite
Goldberg	Longmire	Sanstead	

Absent and not voting:

Butler Ringsak Roen Thane
 Just

So the bill passed and the title was agreed to and the emergency clause carried.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2122 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2122 be amended as follows:

On page 1, of the engrossed bill on line 2 delete the word "and"

On page 1, line 2 following the numerals "25-09-04.1" insert the following: "; and 25-09-11.1"

On page 1, line 19 delete both sets of triple parentheses; insert triple parentheses before and after the numerals "25-09-11" and insert in lieu thereof the underscored numerals "25-09-11.1"; and delete the underscored word "**The**"

On page 9, line 3 insert the following new section:

"SECTION 12.) Section 25-09-11.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-11.1 REDUCTIONS IN CLAIMS AGAINST RESIDENT PATIENTS OF THE GRAFTON STATE SCHOOL AND THEIR RESPONSIBLE RELATIVES.) Upon filing a statement with the director of institutions certifying that making payments for the full cost of care and treatment would cause economic hardship, responsible relatives shall not be liable for more than a sum equal to six hundred dollars per annum, payable in equal monthly installments."

And renumber the lines and sections accordingly.

For the Senate:

Senator Melland
 Senator Litten
 Senator Swedlund

For the House:

Rep. Wagner
 Rep. Thorsgard
 Rep. Opedahl

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 2122 be deemed properly reengrossed 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. 2122. A Bill for an Act to create and enact sections 25-09-02.1, 25-09-02.2, 25-09-03.1, and 25-09-11.1 of the North Dakota Century Code; to amend and reenact sections 25-09-02, 25-09-03, 25-09-04, 25-09-05, 25-09-06, subsection 2 of section 25-09-07, and section 25-09-08 of the North Dakota Century Code; and to repeal section 25-09-11 of the North Dakota Century Code, all relating to the expenses of care and treatment of patients at the Grafton state school and the state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden

Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Larson, L.	Redlin	Unruh
Forkner	Lips	Robinson	Van Horn
Freed	Litten	Roen	Wenstrom
Goldberg	Longmire	Sanstead	Wilhite
Gronhovd	Melland		

Absent and not voting:

Butler Ringsak

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2002

Senate Bill No. 2009

Senate Bill No. 2122

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that Rep. Weber has been appointed to replace Rep. Backes on the Conference Committee on:

House Bill No. 1492

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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. 2022

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 1538

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2110

Senate Bill No. 2352

And find the same correctly re-engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2016
 Senate Bill No. 2199
 Senate Bill No. 2206
 Senate Bill No. 2269
 Senate Bill No. 2278
 Senate Bill No. 2486

And find the same correctly engrossed and enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup 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. 2019
 Senate Bill No. 2025
 Senate Bill No. 2026
 Senate Bill No. 2030
 Senate Bill No. 2067
 Senate Bill No. 2076
 Senate Bill No. 2203
 Senate Bill No. 2208
 Senate Bill No. 2229
 Senate Bill No. 2283
 Senate Bill No. 2289
 Senate Bill No. 2290
 Senate Bill No. 2305
 Senate Bill No. 2310
 Senate Bill No. 2314
 Senate Bill No. 2332
 Senate Bill No. 2342
 Senate Bill No. 2364
 Senate Bill No. 2378
 Senate Bill No. 2379
 Senate Bill No. 2395
 Senate Bill No. 2446
 Senate Bill No. 2452
 Senate Bill No. 2463
 Senate Bill No. 2503

And find the same correctly enrolled.

SENATOR STRINDEN, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1111
 House Bill No. 1517
 House Bill No. 1547

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Eagles
 Raymond
 Lundene
 on House Bill No. 1111

Representatives:

Knudson
 G. Larson
 Mushik
 on House Bill No. 1517

Representatives:

Strinden

Moore

Backes

on House Bill No. 1547

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1203

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

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. 2023

Senate Bill No. 2093

Senate Bill No. 2367

Representatives:

Henning

Tweten

H. Johnson

on Senate Bill No. 2023

Representatives:

Wagner

Jenkins

Opedahl

On Senate Bill No. 2367

Representatives:

R. Peterson

Hildebrand

Giffey

on Senate Bill No. 2093

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2006 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2006 be amended as follows:

On page 2 of the engrossed bill, delete all of line 1 and insert in lieu thereof the following: "FORTY-SECOND AND FORTY-THIRD LEGISLATIVE"

On page 2, line 3 delete "211,600.00" and insert in lieu thereof the figure "225,623.00"

On page 2, line 4 delete the figure "605,200.00" and insert in lieu thereof the figure "807,760.00"

On page 2, line 5 delete the figure "150,000.00" and insert in lieu thereof the figure "164,261.00"

On page 2, line 6 delete the figure "5,000.00" and insert in lieu thereof the figure "6,335.00"

On page 2, line 7 delete the figure "971,800.00" and insert in lieu thereof the figure "1,203,979.00"

On page 2, line 11 delete the figure "31,700.00" and insert in lieu thereof the figure "35,865.00"

On page 2, line 13 delete the figure "41,200.00" and insert in lieu thereof the figure "45,365.00"

On page 2, line 22 delete the figure "233,610.00" and insert in lieu thereof the figure "243,610.00"

On page 2, line 25 delete the figure "618,668.00" and insert in lieu thereof the figure "628,668.00"

On page 2, line 26 delete the figure "1,679,468.00" and insert in lieu thereof the figure "1,925,812.00"

On page 3, line 1 delete the following: "forty-first and forty-second" and insert in lieu thereof the following: "forty-second and forty-third"

For the Senate:
 Senator Litten
 Senator Schultz
 Senator Robinson

For the House:
 Rep. Wagner
 Rep. J. Peterson
 Rep. Solberg

Senator Litten moved that the report be adopted, which motion prevailed.

Senator Litten moved that the rules be suspended and that Senate Bill No. 2006 be demed properly reengrossed 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. 2006. 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, in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nething	Strinden
Christensen	Kautzmann	Page	Stroup
Coughlin	Larson, G.	Pyle	Swedlund
Doherty	Larson, L.	Rait	Thane
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Just Thoreson

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. 2230 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
 Senator Freed
 Senator Ringsak
 Senator Barth

For the House:
Rep. Atkinson
Rep. Moore
Rep. Lundene

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended and that Senate Bill No. 2230 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. 2230. A Bill for an Act to create and enact Chapter 29-10.1 of the North Dakota Century Code, relating to the Grand Jury, its termination, powers, duties, functions, and activities; providing for criminal contempt of court; and to repeal Chapter 29-10, Sections 29-09-08, 29-09-09, 29-09-10, 29-09-11, Subdivisions c, d, and g of Subsection 2 of Section 29-14-04 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Sorlie
Barth	Holand	Nothing	Strinden
Berube	Jacobson	Page	Stroup
Chesrown	Jones	Pyle	Swedlund
Christensen	Kautzmann	Rait	Thane
Coughlin	Larson, G.	Redlin	Thoreson
Doherty	Lips	Ringsak	Unruh
Erdman	Litten	Robinson	Van Horn
Forkner	Longmire	Roen	Wenstrom
Freed	Melland	Sanstead	Wilhite
Gronhovd	Morgan	Schultz	

Those voting in the negative were:

Larson, L.

Absent and not voting:

Butler	Goldberg	Just	Nasset
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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. 1203 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1203 be further amended as follows:

On page 1, line 17, after the word "constructing" insert the words "or purchasing"

For the Senate:
Senator Lips
Senator Litten
Senator L. Larson

For the House:
Rep. L. Hausauer
Rep. Mertens
Rep. Jenkins

Senator Lips moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended and that House

Bill No. 1203 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. 1203. 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 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 other purposes as are hereinafter provided.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Mutch	Sorlie
Barth	Holand	Nasset	Strinden
Chesrown	Jacobson	Nething	Stroup
Christensen	Jones	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd	Morgan	Schultz	

Those voting in the negative were:

Berube	Larson, L.	Redlin
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Absent and not voting:

Butler	Just
--------	------

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1146 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Senator Litten moved that the vote by which House Bill No. 1146 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Kautzmann 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. 1111, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1111

Senators:

Nothing

Freed

Rait

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. 1517, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1517

Senators:

Holand
Redlin
Berube

Senator Redlin 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. 1547, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1547

Senators:
Hernett
Goldberg
Just

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

Bismarck, March 16, 1971
House Chamber

Mr. President: I have the honor to return:
Senate Concurrent Resolution No. 4059
Senate Concurrent Resolution No. 4070
Senate Concurrent Resolution No. 4088
Which the House has failed to pass.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to return:
Senate Concurrent Resolution No. 4085
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1021
House Bill No. 1089
House Bill No. 1545

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1021 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1021 be amended as follows:

On page 1, line 12, delete the figure "3,893,065.00" and insert in lieu thereof the figure "3,734,785.00"

On page 1, line 17, delete the figure "2,431,165.00" and insert in lieu thereof the figure "2,290,385.00"

On page 1, line 18, delete the figure "1,154,900.00" and insert in lieu thereof the figure "1,066,900.00"

On page 1, line 20, delete the figure "229,500.00" and insert in lieu thereof the figure "300,000.00"

On page 1, line 21, delete the figure "3,893,065.00" and insert in lieu thereof the figure "3,734,785.00"

And renumber the lines and pages accordingly.

For the Senate:

Senator Melland
 Senator Litten
 Senator L. Larson

For the House:

Rep. Halcrow
 Rep. Tweten
 Rep. Linderman

Senator Melland moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Melland moved that the rules be suspended and that House Bill No. 1021 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. 1021. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the North Dakota mill and elevator association.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Berube	Holand	Melland	Sanstead
Chesrown	Jacobson	Morgan	Sorlie
Christensen	Jones	Mutch	Stroup
Coughlin	Just	Nething	Swedlund
Doherty	Kautzmann	Page	Thane
Forkner	Larson, G.	Pyle	Thoreson
Freed	Larson, L.	Redlin	Unruh
Goldberg	Lips	Ringsak	Van Horn
Gronhovd	Litten	Robinson	Wenstrom
Hernett	Longmire		

Those voting in the negative were:

Schultz

Absent and not voting:

Anderson	Erdman	Rait	Strinden
Barth	Nasset	Roen	Wilhite
Butler			

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. 1089 has had the same under consideration and recommends that the House accede to the Senate amendments.

For the Senate:

Senator Morgan
 Senator Pyle
 Senator Barth

For the House:

Rep. J. Peterson
 Rep. Miedema
 Rep. Rolfsrud

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1545 has had the same under consideration and recommends that the Senate recede from its amendments and House Bill No. 1545 be amended as follows:

On page 1, line 2 of the engrossed bill after the second comma delete "15-53.1-27,"

Page 1, line 6 after the first comma delete "continuance of elementary schools,"

Page 4 delete all of lines 33 through 35

Page 5 delete all of lines 1 through 15

Renumber the pages, lines and sections accordingly.

For the Senate:

Senator Holand
Senator Van Horn
Senator Pyle

For the House:

Rep. Stoltenow
Rep. Mushik
Rep. Raymond

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 1545 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. 1545. A Bill for an Act to amend and reenact sections 15-53.1-05, 15-53.1-06, 15-53.1-11, 15-53.1-27, 15-53.1-35, and 15-53.1-36 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to annexation hearings, continuance of elementary schools, county committees, attachment of contiguous territory to school districts, transfers of land upon reorganization or annexation, and publication of reorganization notices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Barth	Holand	Melland	Sanstead
Berube	Jacobson	Morgan	Schultz
Chesrown	Jones	Mutch	Sorlie
Coughlin	Just	Nething	Stroup
Doherty	Kautzmann	Page	Swedlund
Erdman	Larson, G.	Pyle	Thane
Forkner	Larson, L.	Rait	Thoreson
Freed	Lips	Redlin	Unruh
Goldberg	Litten	Ringsak	Van Horn
Gronhovd	Longmire	Robinson	Wenstrom
Hernett			

Absent and not voting:

Anderson	Christensen	Roen	Wilhite
Butler	Nasset	Strinden	

So the bill passed and the title was agreed to.

Senator Litten moved that the Senate recess subject to the call of the Chair, which motion prevailed.

FIFTY-NINTH DAY AFTER RECESS
AND SIXTIETH DAY

Bismarck, March 16, 1971

The Senate convened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

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. 1111

House Bill No. 1517

House Bill No. 1547

Senators:

Nothing

Freed

Rait

to serve on House Bill No. 1111

Senators:

Holand

Redlin

Berube

to serve on House Bill No. 1517

Senators:

Hernett

Goldberg

Just

to serve on House Bill No. 1547

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2316

Senate Bill No. 2352

Senate Concurrent Resolution No. 4002

Senate Concurrent Resolution No. 4025

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1203

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2006

Senate Bill No. 2230

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1146

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2016

Senate Bill No. 2019

Senate Bill No. 2025

Senate Bill No. 2026

Senate Bill No. 2030

Senate Bill No. 2067

Senate Bill No. 2076

Senate Bill No. 2110

Senate Bill No. 2199

Senate Bill No. 2203

Senate Bill No. 2206

Senate Bill No. 2208

Senate Bill No. 2229

Senate Bill No. 2269

Senate Bill No. 2278

Senate Bill No. 2283

Senate Bill No. 2289

Senate Bill No. 2290

Senate Bill No. 2305

Senate Bill No. 2310

Senate Bill No. 2314

Senate Bill No. 2332

Senate Bill No. 2342

Senate Bill No. 2352

Senate Bill No. 2364

Senate Bill No. 2378

Senate Bill No. 2379

Senate Bill No. 2395

Senate Bill No. 2446

Senate Bill No. 2452

Senate Bill No. 2463

Senate Bill No. 2486

Senate Bill No. 2503

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2016

Senate Bill No. 2019

Senate Bill No. 2025

Senate Bill No. 2026

Senate Bill No. 2030
 Senate Bill No. 2067
 Senate Bill No. 2076
 Senate Bill No. 2110
 Senate Bill No. 2199
 Senate Bill No. 2203
 Senate Bill No. 2206
 Senate Bill No. 2208
 Senate Bill No. 2229
 Senate Bill No. 2269
 Senate Bill No. 2278
 Senate Bill No. 2283
 Senate Bill No. 2289
 Senate Bill No. 2290
 Senate Bill No. 2305
 Senate Bill No. 2310
 Senate Bill No. 2314
 Senate Bill No. 2332
 Senate Bill No. 2342
 Senate Bill No. 2352
 Senate Bill No. 2364
 Senate Bill No. 2378
 Senate Bill No. 2379
 Senate Bill No. 2395
 Senate Bill No. 2446
 Senate Bill No. 2452
 Senate Bill No. 2463
 Senate Bill No. 2486
 Senate Bill No. 2503

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senator Hernet moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1021

House Bill No. 1089

House Bill No. 1545

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2023 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2023 be amended as follows:

On page 1, line 11, delete the figure "288,971.00" and insert in lieu thereof the figure "308,971.00"

On page 1, line 15, delete the figure "151,726.00" and insert in lieu thereof the figure "161,726.00"

On page 1, line 18, delete the figure "10,000.00" and insert in lieu thereof the figure "20,000.00"

On page 1, line 19, delete the figure "288,971.00" and insert in lieu thereof the figure "308,971.00"

On page 2, after line 2, insert the following new section:

"SECTION 3. APPROPRIATION.) There is hereby appropriated from the general fund of the state treasury to the North Dakota

state employees' retirement system \$10,000.00, or such lesser amount as may be necessary during the biennium beginning July 1, 1971, and ending June 30, 1973, to provide for administrative costs, including consultants' fees, for the portion of the cost necessary to establish the group health insurance plan for those employees to be covered under such plan who do not participate in the employees' retirement system."

And renumber the lines accordingly.

For the Senate:

Senator Lips
Senator L. Larson
Senator Strinden

For the House:

Rep. Henning
Rep. Tweten
Rep. H. Johnson

Senator Lips moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2023 be deemed properly 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. 2023. A Bill for an Act making an appropriation for the operation of the North Dakota state employees' retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Gronhovd	Morgan	Sorlie
Barth	Hernett	Mutch	Strinden
Berube	Holand	Nasset	Swedlund
Chesrown	Jacobson	Page	Thoreson
Christensen	Just	Pyle	Unruh
Coughlin	Kautzmann	Rait	Van Horn
Doherty	Larson, G.	Redlin	Wenstrom
Erdman	Lips	Robinson	Wilhite
Forkner	Litten	Roen	
Freed	Longmire	Sanstead	
Goldberg	Melland	Schultz	

Absent and not voting:

Butler	Larson, L.	Ringsak	Thane
Jones	Nething	Stroup	

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

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. 2457

Representatives:

Jenkins
L. Larson
Mertens

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1554

And the Speaker appointed as a new conference committee:

Representatives:

Wagner
Miedema
Solberg

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House requests the return of:

House Bill No. 1177.

ROY GILBREATH, Chief Clerk

MOTIONS

Senator Wilhite moved that the Senate do not accede to the request of the House for the return of House Bill No. 1177, which motion prevailed.

Senator Sorlie 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. 1177, which motion prevailed.

The President appointed as a new Conference Committee on:

House Bill No. 1554

Senators:

Lips
Melland
Longmire

Senator Wilhite moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the President has appointed a new conference committee to act with a like committee from the House, on:

House Bill No. 1554

Senators:

Lips
Melland
Longmire

Very respectfully,
LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2023

On which the Senaté has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has refused to return:

House Bill No. 1177

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1005
House Bill No. 1014
House Bill No. 1018
House Bill No. 1038
House Bill No. 1042
House Bill No. 1046
House Bill No. 1047
House Bill No. 1060
House Bill No. 1064
House Bill No. 1099
House Bill No. 1108
House Bill No. 1109
House Bill No. 1110
House Bill No. 1121
House Bill No. 1174
House Bill No. 1183
House Bill No. 1218
House Bill No. 1219
House Bill No. 1288
House Bill No. 1289
House Bill No. 1293
House Bill No. 1307
House Bill No. 1378
House Bill No. 1386
House Bill No. 1391
House Bill No. 1397
House Bill No. 1409
House Bill No. 1410
House Bill No. 1452
House Bill No. 1478
House Bill No. 1498
House Bill No. 1522
House Bill No. 1542
House Bill No. 1553
House Bill No. 1559

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1111

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1111 has had the same under consideration and recommends that the House accede to the Senate amendments.

For the Senate:
Senator Nothing
Senator Freed
Senator Rait

For the House:
 Rep. Eagles
 Rep. Raymond
 Rep. Lundene

Senator Nething moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE GOVERNOR
 STATE OF NORTH DAKOTA
 Executive Office
 Bismarck

March 18, 1971

The Honorable Richard F. Larsen
 President of the Senate
 North Dakota State Senate
 Bismarck, North Dakota 58501

Dear Mr. President:

This is to inform you that on March 16, I signed the Senate Bill No. 2020.

On March 17, I signed the following:

Senate Bill No. 2072
 Senate Bill No. 2198
 Senate Bill No. 2205
 Senate Bill No. 2212
 Senate Bill No. 2219
 Senate Bill No. 2228
 Senate Bill No. 2231
 Senate Bill No. 2245
 Senate Bill No. 2248
 Senate Bill No. 2249
 Senate Bill No. 2254
 Senate Bill No. 2267
 Senate Bill No. 2270
 Senate Bill No. 2301
 Senate Bill No. 2311
 Senate Bill No. 2320
 Senate Bill No. 2331
 Senate Bill No. 2351
 Senate Bill No. 2355
 Senate Bill No. 2383
 Senate Bill No. 2406
 Senate Bill No. 2412
 Senate Bill No. 2487
 Senate Bill No. 2500

Sincerely yours,
 William L. Guy
 Governor

Senator Wilhite 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.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1111

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2016
 Senate Bill No. 2019
 Senate Bill No. 2025
 Senate Bill No. 2026
 Senate Bill No. 2030
 Senate Bill No. 2067
 Senate Bill No. 2076
 Senate Bill No. 2110
 Senate Bill No. 2199
 Senate Bill No. 2203
 Senate Bill No. 2206
 Senate Bill No. 2208
 Senate Bill No. 2229
 Senate Bill No. 2269
 Senate Bill No. 2278
 Senate Bill No. 2283
 Senate Bill No. 2289
 Senate Bill No. 2290
 Senate Bill No. 2305
 Senate Bill No. 2310
 Senate Bill No. 2314
 Senate Bill No. 2332
 Senate Bill No. 2342
 Senate Bill No. 2352
 Senate Bill No. 2364
 Senate Bill No. 2378
 Senate Bill No. 2379
 Senate Bill No. 2395
 Senate Bill No. 2446
 Senate Bill No. 2452
 Senate Bill No. 2463
 Senate Bill No. 2486
 Senate Bill No. 2503

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2004

On which the House has not adopted the conference committee report and the Speaker has appointed a new conference committee:

Representatives:

Miedema
 L. Hausauer
 Anderson

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2016
 Senate Bill No. 2019
 Senate Bill No. 2025
 Senate Bill No. 2026
 Senate Bill No. 2030
 Senate Bill No. 2056
 Senate Bill No. 2067
 Senate Bill No. 2076
 Senate Bill No. 2110
 Senate Bill No. 2199
 Senate Bill No. 2203
 Senate Bill No. 2206

Senate Bill No. 2208
 Senate Bill No. 2229
 Senate Bill No. 2269
 Senate Bill No. 2278
 Senate Bill No. 2283
 Senate Bill No. 2287
 Senate Bill No. 2289
 Senate Bill No. 2290
 Senate Bill No. 2305
 Senate Bill No. 2310
 Senate Bill No. 2314
 Senate Bill No. 2332
 Senate Bill No. 2342
 Senate Bill No. 2352
 Senate Bill No. 2364
 Senate Bill No. 2378
 Senate Bill No. 2379
 Senate Bill No. 2395
 Senate Bill No. 2446
 Senate Bill No. 2452
 Senate Bill No. 2463
 Senate Bill No. 2486
 Senate Bill No. 2503

Were delivered to the Governor for his approval at the hour of 1:40 o'clock p.m., March 16, 1971.

**SENATOR STRINDEN Chairman
 MESSAGE FROM THE HOUSE**

House Chamber
 Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1342

House Bill No. 1364

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Litten requested a call of the Senate, which request was granted.

Senator Litten moved that the call of the Senate be dispensed with, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Senator Sorlie 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. 2004, which motion prevailed.

The President appointed as a Conference Committee on:

Senate Bill No. 2004

Senators:
 Schultz
 Strinden
 Erdman

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1005
 House Bill No. 1014
 House Bill No. 1018
 House Bill No. 1038
 House Bill No. 1042
 House Bill No. 1046
 House Bill No. 1047
 House Bill No. 1060
 House Bill No. 1064
 House Bill No. 1099

House Bill No. 1108
 House Bill No. 1109
 House Bill No. 1110
 House Bill No. 1121
 House Bill No. 1174
 House Bill No. 1183
 House Bill No. 1218
 House Bill No. 1219
 House Bill No. 1288
 House Bill No. 1289
 House Bill No. 1293
 House Bill No. 1307
 House Bill No. 1378
 House Bill No. 1386
 House Bill No. 1391
 House Bill No. 1397
 House Bill No. 1409
 House Bill No. 1410
 House Bill No. 1452
 House Bill No. 1478
 House Bill No. 1498
 House Bill No. 1522
 House Bill No. 1542
 House Bill No. 1553
 House Bill No. 1559

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1342
 House Bill No. 1364

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1005
 House Bill No. 1014
 House Bill No. 1018
 House Bill No. 1038
 House Bill No. 1042
 House Bill No. 1046
 House Bill No. 1047
 House Bill No. 1060
 House Bill No. 1064
 House Bill No. 1099
 House Bill No. 1108
 House Bill No. 1109
 House Bill No. 1110
 House Bill No. 1121
 House Bill No. 1174
 House Bill No. 1183
 House Bill No. 1218
 House Bill No. 1219
 House Bill No. 1288
 House Bill No. 1289
 House Bill No. 1293
 House Bill No. 1307
 House Bill No. 1378
 House Bill No. 1386
 House Bill No. 1391
 House Bill No. 1397
 House Bill No. 1409
 House Bill No. 1410

House Bill No. 1452
 House Bill No. 1478
 House Bill No. 1498
 House Bill No. 1522
 House Bill No. 1542
 House Bill No. 1553
 House Bill No. 1559
 Which the President has signed.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
 House Bill No. 1342
 House Bill No. 1364
 Which the President has signed.

LEO LEIDHOLM, Secretary
 Senate Chamber
 Bismarck, March 16, 1971

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:

Senate Bill No. 2004

Senators:
 Schultz
 Strinden
 Erdman

Very respectfully,
 LEO LEIDHOLM, Secretary

MOTION

Senator Melland moved that the reading of the amendments in the Conference Committee report on Senate Bill No. 2001 be dispensed with, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

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 2, line 22, of the engrossed bill, delete the figure "189,886.00" and insert in lieu thereof the figure "195,386.00"

On page 2, line 23 delete the figure "24,600.00" and insert in lieu thereof the figure "28,000.00"

On page 2, after line 23, add the following new line: "Costs of carrying out provisions of S.B. 2067 2,100.00"

On page 2, line 26 delete the figure "228,486.00" and insert in lieu thereof the figure "239,486.00"

On page 3, line 7 delete the figure "147,327.00" and insert in lieu thereof the figure "150,427.00"

On page 3, line 12 delete the figure "178,307.00" and insert in lieu thereof the figure "181,407.00"

On page 3, line 16 delete the figure "85,480.00" and insert in lieu thereof the figure "83,480.00"

On page 3, line 19 delete the figure "668,021.00" and insert in lieu thereof the figure "666,021.00"

On page 3, line 23 delete the figure "426,830.00" and insert in lieu thereof the figure "459,080.00"

On page 3, line 29 delete the figure "1,848,608.00" and insert in lieu thereof the figure "1,880,858.00"

On page 4, line 4 delete the figure "4,712,468.00" and insert in lieu thereof the figure "4,756,818.00"

On page 4, after line 12, add the following section:

"SECTION 5. ATTORNEY GENERAL.) There is hereby appropriated in addition to such sums otherwise appropriated to the Attorney General office, \$25,000.00 or such lesser amount as may be necessary to match up to \$75,000.00 in federal funds which are hereby appropriated for the crime bureau division of the Attorney General's Office to engage in detection and apprehension of persons illegally possessing or disposing of drugs. The appropriations contained within this section are for the biennium beginning July 1, 1971, and ending June 30, 1973."

And renumber the lines, pages and sections accordingly.

The purpose of the amendment: The Secretary of State budget was increased \$5,500.00 in salaries and wages to provide for a new attorney and for a superintendent of construction. \$3,100.00 was added to the State Treasurer budget in order to provide for additional help when needed. The Attorney General budget was decreased \$2,000.00 in order to transfer the licensing of the employment agency to the Labor Dept. budget. The Director of Institutions budget was increased \$32,250.00 in fees and services in order to purchase two new roll call machines in the legislature.

For the Senate:

Senator Melland
Senator Coughlin
Senator Jones

For the House:

Rep. Tweten
Rep. R. Hausauer
Rep. Linderman

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 2001 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. 2001. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gronhovd	Melland	Sorlie
Barth	Hernett	Morgan	Strinden
Berube	Holand	Mutch	Stroup
Chesrown	Jacobson	Nasset	Swedlund
Christensen	Jones	Nothing	Thane
Coughlin	Just	Page	Thoreson
Doherty	Kautzmann	Pyle	Unruh
Erdman	Larson, G.	Rait	Van Horn
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sanstead	

Those voting in the negative were:

Redlin Robinson Schultz

Absent and not voting:

Butler Larson, L.

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Litten moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:

House Bill No. 1306

House Bill No. 1368

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has reconsidered the action by which it did not concur in the Senate amendments to House Bill No. 1517, and subsequently the House has concurred in the Senate amendments.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2004 has had the same under consideration and recommends the House recedes from its amendments and recommends further that the Senate amendments be amended as follows:

On page 2, of the engrossed bill, line 6, delete the figure "249,575.00" and insert in lieu thereof the figure "261,575.00"

On page 2, line 10, delete the figure "297,075.00" and insert in lieu thereof the figure "309,075.00"

On page 2, after line 17, add the following lines:

"Less estimated income

50,000.00

332,254.00"

On page 2, line 20, delete the figure "291,881.00" and insert in lieu thereof the figure "300,000.00"

On page 2, line 21, delete the figure "105,400.00" and insert in lieu thereof the figure "125,400.00"

On page 2, line 23, delete the figure "3,800.00" and insert in lieu thereof the figure "6,000.00"

On page 2, line 24, delete the figure "421,881.00" and insert in lieu thereof the figure "452,200.00"

On page 2, line 26, delete the figure "385,173.00" and insert in lieu thereof the figure "415,492.00"

On page 2, line 29, delete the figure "42,636.00" and insert in lieu thereof the figure "47,707.00"

On page 2, line 30, delete the figure "35,195.00" and insert in lieu thereof the figure "41,270.00"

On page 2, line 31, delete the figure "4,000.00" and insert in lieu thereof the figure "6,850.00"

On page 2, after line 31, add the following line:
 "Equipment 750.00"

On page 2, line 33, delete the figure "121,831.00" and insert in lieu thereof the figure "136,577.00"

On page 3, line 6, delete the figure "1,854,151.00" and insert in lieu thereof the figure "1,861,216.00"

For the Senate:
 Senator Strinden
 Senator Schultz
 Senator Erdman

For the House:
 Rep. Miedema
 Rep. Anderson
 Rep. R. Hausauer

Senator Strinden moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the rules be suspended and that Senate Bill No. 2004 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. 2004. A Bill for an Act to appropriate money for the expenses of departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nothing	Stroup
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Those voting in the negative were:

Ringsak

Absent and not voting:

Butler Larson, L.

So the bill passed and the title was agreed to.

MOTION

Senator Lips moved that the reading of the amendments as contained in the Conference Committee report on House Bill No. 1306 be dispensed with, which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1306 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill 1306 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

for an Act to amend and reenact sections 54-04-01, 54-04-03, and 54-04-04 of the North Dakota Century Code, relating to the enrolling and engrossing of legislative measures and the employment of an enroller and engrosser; and to repeal section 54-04-02 of the North Dakota Century Code, relating to regulations governing enrolling and engrossing.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 54-04-01 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-04-01. (((BIDS FOR ENROLLING OR ENGROSSING BILLS — NOTICE.) The department of accounts and purchases, not less than sixty nor more than seventy-five days before the meeting of the legislative assembly in regular session, shall give notice by advertising for three successive weeks, in a newspaper at the seat of government, that sealed bids will be received for the engrossing and enrolling of all bills passed by each house of the legislative assembly.)))

ENROLLING AND ENGROSSING BILLS, ARRANGEMENT FOR — ADVERTISEMENTS.) The President of the Senate and the majority leaders of the House and Senate at the organizational meeting shall constitute a negotiating committee and shall make all necessary arrangements for the engrossing and enrolling of bills and resolutions passed by each house of the Legislative Assembly. The negotiating committee may negotiate with any person or persons and may enter into and execute contracts to perform the necessary engrossing and enrolling bills and resolutions. The President of the Senate shall advertise that, on the first day of the legislative organizational meeting in December, the committee will receive written proposals for engrossing and enrolling of bills and resolutions and invite persons who are interested to submit proposals. The advertisement shall be published in a newspaper at the seat of government at least once each week for two successive weeks commencing on the first Wednesday in October of the year preceding the regular session of the Legislative Assembly. The negotiating committee, however, shall not be limited to written proposals received. After examining and reviewing proposals submitted, it may award the contract to any person or persons on a negotiated basis.

SECTION 2. AMENDMENT.) Section 54-04-03 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-04-03. (((BID ACCOMPANIED BY CERTIFIED CHECK — BIDDER MUST BE RESIDENT.) No bids for the engrossing and enrolling of bills passed by either house of the legislative assembly shall be considered if from a person not a bona fide resident of the state, nor unless accompanied by a certified check in a sum to be named by the department of accounts and purchases. Such check shall be security that the successful bidder shall enter into a contract and give a bond with sureties to be approved by the department.))) **SURETY FOR PERFORMANCE — CONTRACT MUST BE WITH RESIDENT.)** The negotiating committee shall require a surety bond for the performance of the work in awarding the contract for enrolling and engrossing bills and resolutions of the Legislative Assembly. The amount of the surety bond shall be commensurate with the

amount of work to be performed and shall be set by the negotiating committee. Such contract may be awarded only to a bona fide resident of this state.

SECTION 3. AMENDMENT.) Section 54-04-04 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-04-04. (((OPENING OF BIDS — AWARDING CONTRACT.) Upon the day set in the advertisement for the opening of bids, which shall not be less than thirty days before the meeting of the legislative assembly, the bids shall be opened by the department of accounts and purchases. The department shall award the contract to the lowest responsible bidder and shall enter into a contract with him for the performance of the work, subject to the conditions set forth in this chapter. Nothing in this chapter shall prevent the awarding of separate contracts for the engrossing and enrolling, if deemed advantageous to the state.))) **CONTENTS OF CONTRACT FORM, STYLE, AND MECHANICS OF ENROLLING AND ENGROSSING.)** The Legislative Council shall determine the form and style of the engrossed and enrolled bills and resolutions and shall determine the mechanical or other methods by which the engrossing and enrolling is to be done. The negotiating committee shall determine the charges to be made, which shall be set forth in the contract. The negotiating committee may also determine the number of employees to be employed by the person with whom it has contracted or will contract to enroll and engross bills and resolutions. The negotiating committee may also require and provide in the contract for specific provisions which will expedite, improve and facilitate enrolling and engrossing services to the Legislative Assembly.

SECTION 4. REPEAL.) Section 54-04-02 of the North Dakota Century Code is hereby repealed.

For the Senate:
 Senator Ringsak
 Senator Thane
 Senator Page

For the House:
 Rep. Hentges
 Rep. Ganser
 Rep. Glaspey

Senator Ringsak moved that the report be adopted, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that House Bill No. 1306 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. 1306. A Bill for an Act to amend and reenact sections 54-04-01, 54-04-03, and 54-04-04 of the North Dakota Century Code, relating to the enrolling and engrossing of legislative measures and the employment of an enroller and engrosser; and to repeal section 54-04-02 of the North Dakota Century Code, relating to regulations governing enrolling and engrossing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Jones	Nasset	Sorlie
Chesrown	Just	Nothing	Strinden
Coughlin	Kautzmann	Page	Stroup
Doherty	Larson, G.	Pyle	Swedlund

Forkner	Lips	Redlin	Thane
Freed	Litten	Ringsak	Thoreson
Goldberg	Longmire	Robinson	Unruh
Hernett	Melland	Roen	Van Horn
Holand	Morgan	Sanstead	Wenstrom
Jacobson	Mutch	Schultz	Wilhite

Those voting in the negative were:
 Barth Christensen Gronhovd Rait
 Berube Erdman
 Absent and not voting:
 Butler Larson, L.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2009

Senate Bill No. 2122

Senate Bill No. 2003

Very respectfully,
 ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1368 has had the same under consideration and recommends that the House do accede with the Senate amendments and recommends that the Senate amendments be further amended as follows:

On page 1, line 17, delete the figure "48,000.00" and insert in lieu thereof the figure "25,000.00", as shown in the senate amendments as printed on page 1456, line 33, of the House Journal, and on page 1066, line 15, of the Senate Journal.

For the Senate:
 Senator Litten
 Senator Strinden
 Senator Swedlund

For the House:
 Rep. Jenkins
 Rep. L. Hausauer
 Rep. Anderson

Senator Litten moved that the report be adopted, which motion prevailed.

Senator Litten moved that the rules be suspended and that House Bill No. 1368 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. 1368. A Bill for an Act to cease operation of university of North Dakota-Ellendale branch as an institution of higher education and for its conversion to an alternative use, to authorize the state board of higher education to pay the revenue bonds of 1969 for the new men's dormitory and the revenue bonds for Hicks Hall and Crabtree Hall from the insurance proceeds in the fire replacement fund, and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:
 Anderson Jacobson Nasset Schultz

Berube	Jones	Nething	Sorlie
Chesrown	Just	Page	Strinden
Coughlin	Kautzmann	Pyle	Stroup
Doherty	Larson, G.	Ringsak	Swedlund
Freed	Lips	Robinson	Unruh
Goldberg	Litten	Roen	Van Horn
Hernett	Longmire	Sanstead	Wilhite
Holand	Melland		

Those voting in the negative were:

Barth	Forkner	Mutch	Thane
Christensen	Gronhovd	Rait	Thoreson
Erdman	Morgan	Redlin	Wenstrom

Absent and not voting:

Butler	Larson, L.
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2230

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2006

Senate Bill No. 2023

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

MOTION

Senator Holand moved that the Senate rescind the action whereby a Conference Committee was appointed on Senate Bill No. 2093, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 2093, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 2093 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. 2093. A Bill for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to legislative intent for foundation aid payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Page	Swedlund

Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler	Larson, L.	Sorlie
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So the bill passed and the title was agreed to.

ANNOUNCEMENT

Senator Wilhite announced that House Bills Nos. 1331 and 1177 were forced out of committee by the passage of the thirty-seventh day and that these measures were now before the Senate for action.

MOTION

Senator Wilhite moved that the rules be suspended and that House Bill No. 1331 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1331. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such monies.

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, 3.

Those voting in the affirmative were:

Anderson	Holand	Morgan	Sanstead
Chesrown	Jacobson	Mutch	Schultz
Christensen	Jones	Nasset	Strinden
Coughlin	Just	Nething	Swedlund
Doherty	Kautzmann	Page	Thane
Erdman	Larson, G.	Pyle	Thoreson
Forkner	Lips	Redlin	Unruh
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett			

Those voting in the negative were:

Barth	Berube	Rait	Stroup
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Absent and not voting:

Butler	Larson, L.	Sorlie
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So the bill passed and the title was agreed to.

MOTION

Senator Thoreson moved that the rules be suspended and that House Bill No. 1177 be placed on the sixth order for the purpose of amendments, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bill No. 1177 be dispensed with, which motion prevailed.

Senator Thoreson moved that House Bill No. 1177 be amended as follows:

On page 3, line 1, of the engrossed bill, after the word "upon" insert the words "**ninety-five percent of**"

On page 3, line 4, delete the words "**twelve-dollar**" and insert in lieu thereof the words "**seven-dollar**"

On page 3, line 7, insert triple parentheses before the word "was" and after the word "remitted" and after such triple parentheses insert the words **"equals ninety-five percent of such payment"**

On page 3, line 8, delete the words **"twelve-dollar"** and insert in lieu thereof the words **"seven-dollar"**

On page 3, line 10, insert triple parentheses before the word "was" and after the word "remitted" and after such triple parentheses insert **"equals ninety-five percent of such payment"**

Which motion lost.

Senator Lips moved that the reading of the amendments to House Bill No. 1177 about to be proposed by Senator Ringsak, be dispensed with, which motion prevailed.

Senator Ringsak moved that House Bill No. 1177 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

"for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement funds to counties and political subdivisions.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 57-58-01 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-58-01. DISTRIBUTION TO COUNTIES AND LOCAL SUBDIVISIONS.) 1. It is hereby provided that any political subdivision which has an existing bonded indebtedness for which a tax levy must be made in 1970 or any year thereafter, shall reduce its levy in each such year for current operating purposes by the amount which its tax levy on taxable property in that year for retirement of the bonded indebtedness is increased because of the exemption of personal property by subsection 25 of section 57-02-08. On or before **((March 15)) February 1, 1971**, the county auditor of each county shall certify to the state tax commissioner the total amount of taxes levied in the year 1968 for the state, county, cities, park boards, school districts, airport authorities, townships, and all other units of government having the authority to levy taxes, and levies voted by the people, new or present levies increased by legislative action of such county on those items of personal property exempt under the provisions of section 57-02-08, and, in addition, the total valuation of real estate and taxes levied on real estate for the year 1968. On or before **((May)) March 1, 1971**, and each year thereafter the state tax commissioner shall certify for payment to the state treasurer **and the department of accounts and purchases** an amount for payment by the state treasurer to each county equal to fifty percent of the amount determined to be due such county based upon the personal property taxes levied in the year 1968 for the political subdivisions herein mentioned on the items of personal property exempt from the personal property tax under the provisions of section 57-02-08, the per capita school tax under the provisions of section 57-15, 23, and the grain tax under the provisions of chapter 57-03, together with any adjustments to be made according to the manner hereinafter provided. The remaining fifty percent due each county shall be paid on or before **((June)) May 1, 1971**, and each year thereafter. Within **((sixty)) fifteen** days after the receipt of the revenue as provided by this section, the county treasurer shall allocate and remit to the county, cities, park boards, school districts, airport authorities, townships, and all other units of government having the authority to levy taxes that amount of revenue which is received from the state in the same ratio as he would have distributed the revenue from the personal property tax, ad-

justing such amount by any increase or decrease in real property taxes as levied by each taxing authority according to the formula hereinafter provided. Any amount that would be apportioned and credited to the retirement of a bonded indebtedness existing in 1970 for which a tax levy was made in 1970 and in any year thereafter, shall be credited to the general fund of the political subdivision. ((In the years after 1971, payments to the counties under this section shall be made based upon such payment for 1971 together with a growth factor which shall be based upon the dollar amount of increase or decrease in real property taxes levied within each county. For each four-dollar increase in real property taxation within a county, the state shall contribute an additional one dollar over that amount which was remitted in the base year. For each four-dollar decrease in real property taxation within a county, the state shall contribute one dollar less than that amount which was remitted in the base year.))

2. It is the intent of the legislative assembly to provide in the years after 1971 personal property tax replacement funds out of the state treasury for a county and the political subdivisions in it an annual amount that will be substantially the same as would have been levied in the county for the per capita school tax and grain tax and on locally assessed personal property in the county if the personal property tax repeal and revenue replacement act of 1969 had not been enacted, provided, however, that such annual amount shall not be less for any county and the political subdivisions in it, except under the conditions set out in subsection 3 of this section, than was distributed for that county and the political subdivisions in it in 1971.

The legislative assembly hereby finds that the amount of all ad valorem property taxes that would have been levied in 1970 and each year thereafter on locally assessed personal property in any county would have increased or decreased from the preceding year at approximately the average annual rate that it increased or decreased in that county during the ten year period of 1960 through 1969.

The legislative assembly further finds that the average annual rate of increase or decrease in all ad valorem taxes levied on locally assessed personal property in each county during the 1960-1969 period is as shown in the following schedule:

SCHEDULE

County	Average Percentage Rate of Increase or Decrease
Adams	2.61% Increase
Barnes	1.48% Increase
Benson	2.36% Increase
Billings	4.13% Increase
Bottineau	1.44% Increase
Bowman	1.95% Increase
Burke	2.21% Increase
Burleigh	4.58% Increase
Cass	2.14% Increase
Cavalier	2.13% Increase
Dickey	2.06% Increase
Divide	.38% Increase
Dunn	3.20% Increase
Eddy	2.88% Increase
Emmons	.91% Increase
Foster	4.53% Increase
Golden Valley	.47% Increase
Grand Forks	4.38% Increase
Grant	2.73% Increase

Griggs	3.08%	Increase
Hettinger	.71%	Increase
Kidder	3.78%	Increase
LaMoure	1.33%	Increase
Logan	2.72%	Increase
McHenry	3.02%	Increase
McIntosh	1.22%	Increase
McKenzie	.19%	Increase
McLean	1.21%	Increase
Mercer	5.48%	Increase
Morton	3.30%	Increase
Mountrail	1.52%	Increase
Nelson	1.41%	Increase
Oliver	8.14%	Increase
Pembina	.96%	Decrease
Pierce	2.49%	Increase
Ramsey	1.52%	Increase
Ransom	1.15%	Increase
Renville	1.13%	Decrease
Richland	3.04%	Increase
Rolette	2.58%	Increase
Sargent	2.66%	Increase
Sheridan	2.41%	Increase
Sioux	5.80%	Increase
Slope	4.19%	Increase
Stark	3.61%	Increase
Steele	.83%	Decrease
Stutsman	1.72%	Increase
Towner	2.64%	Increase
Traill	.60%	Increase
Walsh	.66%	Decrease
Ward	.71%	Increase
Wells	1.29%	Increase
Williams	.17%	Increase

It is hereby provided that the amount to be distributed out of the state treasury in 1972 for each county, and the political subdivisions in it, for which a percentage increase is shown in the preceding schedule shall be one hundred two and one-quarter percent of the sum of the following:

- a. The total amount paid out of the state treasury in 1971 to that county for per capita school taxes, grain taxes and ad valorem taxes on locally assessed personal property that were levied in that county by all political subdivisions in 1968, as adjusted, if necessary, pursuant to subsection 3 of this section; and
- b. An amount that is computed by multiplying the total amount specified in subdivision a of this subsection by three times the percentage increase shown in the above schedule for that county.

It is further provided that the amount to be distributed out of the state treasury in 1972 for each county, and the political subdivisions in it, for which a percentage decrease is shown in the preceding schedule shall be one hundred two and one-quarter percent of the amount distributed for that county and the political subdivisions in it in 1971 as adjusted, if necessary, pursuant to subsection 3 of this section.

The amount to be paid to a county in 1973 and in each year thereafter shall be computed in the same way as the amount paid to it in 1972 except that for any county for which a percentage increase is shown in the above schedule the percentage shown for that county shall be multiplied by four for the year 1973, by five for the year 1974, and so forth.

Upon receipt of a payment from the state treasurer, the county treasurer shall within fifteen days allocate and distribute it as fol-

lows: the amount received for replacement of the per capita school tax shall be credited to the county equalization fund for distribution as provided in section 15-40-02; the amount received for replacement of the grain tax and ad valorem personal property taxes shall be allocated and distributed to each political subdivision in the county, including the county, in the proportion that taxes levied on real estate in the county by each such political subdivision in the preceding year bears to the total taxes levied on real estate in the county by all political subdivisions in that year.

The annual amount allocated and distributed by the county treasurer to each political subdivision for replacement of grain taxes and ad valorem personal property taxes shall be allocated to the various funds of the political subdivision in the ratio that the real estate taxes levied by the political subdivision in the preceding year for each such fund bears to the total of all real estate taxes levied in the preceding year by the political subdivision for all funds, except that the amount of replacement revenue received by the political subdivision for retirement of a bonded indebtedness shall be credited to the general fund of the political subdivision.

3. On or before ((May)) March 1, 1971, and each year thereafter, the state tax commissioner shall certify to the state treasurer and the department of accounts and purchases the amount determined to be due to the state based upon the personal property taxes levied in the year 1968 for the North Dakota state medical center. In the years after 1971 the amount so certified shall be computed in accordance with the formula provided in this section for computing the amounts to be certified and paid to the counties. The state treasurer upon receiving the certification from the tax commission shall transfer from the general fund to the credit of the North Dakota state medical center the amount so certified."

And renumber the lines and pages accordingly.

Which motion prevailed.

MOTION

Senator Ringsak moved that rules be suspended and that House Bill No. 1177 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1177. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the dates and the formula for the distribution of personal property tax replacement moneys to political subdivisions, and declaring an emergency.

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, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Schultz
Barth	Holand	Mutch	Sorlie
Berube	Jacobson	Nasset	Strinden
Chesrown	Jones	Nething	Stroup
Christensen	Just	Pyle	Swedlund
Coughlin	Kautzmann	Rait	Thane
Doherty	Larson, G.	Redlin	Thoreson
Erdman	Lips	Ringsak	Unruh
Forkner	Litten	Robinson	Van Horn
Freed	Longmire	Roen	Wenstrom
Goldberg	Melland	Sanstead	Wilhite
Gronhovd			

Those voting in the negative were:

Page

Absent and not voting:

Butler Larson, L.

So the bill passed and the title was agreed to.

ELECTION OF PRESIDENT PRO TEM

Senator Ringsak moved that the name of Senator Mutch be placed in nomination for President Pro Tem on behalf of the Republican majority, and that the name of Senator Berube be placed in nomination for President Pro Tem on behalf of the Democrat minority, which motion prevailed.

The President explained that if you vote green you will be voting for Senator Berube, and if you vote red you will be voting for Senator Mutch.

The roll was called and Senator Mutch was declared elected as President Pro Tem for the Interim.

The President then recognized Senator Berube.

Senator Berube: "Mr. President: This is not the first time I have been nominated for election and I knew that I was going to lose before the vote was ever taken. I move that we cast a unanimous vote for Senator Mutch."

The question being on the motion of Senator Berube, which motion prevailed.

The President then recognized Senator Mutch.

Senator Mutch: "Thank you, Senator Berube. This is indeed a pleasure for me — I won one."

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2004

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1306

House Bill No. 1368

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1177

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1331

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to inform you that the Senate has rescinded its action in not concurring in the House amendments to Senate Bill No. 2093, and in appointing a Conference Committee, and the Senate has now concurred in the House amendments to Senate Bill No. 2093.

Very respectfully,
LEO LEIDHOLM, Secretary

FIRST READING OF SENATE RESOLUTION

The Committee on Delayed Bills introduced:

Senate Resolution No. 7. A Resolution commending Senator Butler and wishing him a speedy recovery.

Was read the first time.

Senator Ringsak moved that the rules be suspended, that Senate Resolution No. 7 be not printed as a bill, not referred to committee but printed in the Journal, which motion prevailed.

SENATE RESOLUTION No. 7

Introduced by Committee on Delayed Bills

1 A resolution commending Senator Butler and wishing him a
1a speedy
2 recovery.

3

4 WHEREAS, Senator Francis J. Butler has served the people
5 of the 21st legislative district in the North Dakota State
6 Senate since 1967; and

7 WHEREAS, his hard and diligent work during the sessions
8 and on interim committees has earned him the respect and
9 admiration of his colleagues and has been of great benefit to
10 the State of North Dakota; and

11 WHEREAS, an unfortunate illness has prevented Senator
12 Butler from attending many of the Senate sessions during this
13 Forty-second Legislative Assembly, thus depriving his colleagues
14 of his experience, expertise, and sage counsel;

15 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF
15a THE STATE

16 OF NORTH DAKOTA:

17 That it commends Senator Butler for his outstanding
18 service to North Dakota and its citizens and wishes him a good
19 and speedy recovery; and

20 BE IT FURTHER RESOLVED, that an enrolled copy of this
21 resolution be presented to Senator Butler by his fellow Senators
22 from the 21st Legislative District.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 7. A Resolution commending Senator Butler and wishing him a speedy recovery.

Was read the second time.

Senator Ringsak moved that Senate Resolution No. 7 be adopted, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4093. A Concurrent Resolution providing for additional compensation for certain Senate and House employees.

Was read the first time.

Senator Robinson moved that the rules be suspended, that Senate Concurrent Resolution No. 4093 be not printed as a bill, but printed in the Journal, not referred to committee but placed on second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4093

Introduced by Committee on Delayed Bills

1 A concurrent resolution providing for additional compensation
2 for certain Senate and House employees.

3

4 BE IT RESOLVED BY THE SENATE OF THE FORTY-SECOND

4a LEGISLATIVE

5 ASSEMBLY OF THE STATE OF NORTH DAKOTA, THE

5a HOUSE OF

6 REPRESENTATIVES CONCURRING THEREIN:

7 SECTION 1.) For additional services to the Forty-second

8 Legislative Assembly the following named employees shall be

9 paid for the additional number of days over and above that

10 for which they have been presently paid as set forth after

11 their name at the rates provided in Senate Concurrent

12 Resolution Number 4025:

13

SENATE

14 Leo Leidholm, secretary — 3 days

15 Dagny Olson, desk reporter — 3 days

16 Albert E. Bradley, sergeant-at-arms — 3 days

17 Arthur Herk, assistant secretary — 3 days

18 J. Vernon Asheim, bill clerk — 3 days

19 Cora Essington, chief stenographer and payroll clerk — 3 days

20 Lois J. Scherr, chief committee clerk — 3 days

21 Gladys Derrick, appropriations committee clerk — 3 days

22 Marjorie Trangsrud, committee clerk — 2 days

23 Edna Sand, committee clerk — 2 days

24 Donna Heisler, committee clerk — 2 days

1 Carolyn Sette, committee clerk — 2 days

2 Marlene Backman, committee clerk — 2 days

3 Roland Reich, calendar clerk — 2 days

4 Marie Skjod, enrolling and engrossing clerk — 3 days

5 Dormilee Diede, secretary to the president — 3 days

6 Gladys Van Vleet, secretary to majority floor leader — 3 days

7 Patricia Mitzel, secretary to minority floor leader — 3 days

8 Richard H. Jagd, deputy sergeant-at-arms — 3 days

9 Nick Frank, assistant sergeant-at-arms — 2 days

10 Ralph Scott, assistant sergeant-at-arms — 2 days

11 Emil Albrecht, assistant sergeant-at-arms — 2 days

12 Arthur Solberg, assistant sergeant-at-arms — 2 days

13 Evelyn Shoits, bill room clerk — 3 days

14 Patricia Ann Nelson, bill room clerk — 2 days

15 Janine Haug, stenographer — 3 days

16 Lorraine Moos, stenographer — 2 days

17 JoAnn Owens, stenographer — 2 days

18 Mary Alice Landgren, stenographer — 3 days

19 Joanne Hetland, typist — 1 day

20 Gertrude Berge, typist — 2 days

21 MacDonald Omafray, assistant enrolling and engrossing clerk —

22 3 days

23 Clara Clendenen, page — 2 days

24 Linda Kay Parkin, page — 3 days

25 Janice Tischmak, page — 3 days

26 Daline Meidinger, page — 2 days

27 Marguerite Stenehjem, chief telephone attendant — 3 days

28 Wanda Froelich, bill book clerk — 3 days

29 Jerry Nagel, bill book clerk — 2 days

30 Violetta LaGrave, bill book clerk — 3 days

31 John A. Gilje, bill book clerk — 2 days

32 Phyllis Connolly, information desk attendant — 2 days

33 Hazel Ludemann, journal room clerk — 2 days

34 Harold Kiesz, journal room clerk-typist — 2 days

35 Pius Reis, parking lot attendant — 3 days

1 Lorna Schauer, journal proofreader — 2 days

- 2 Elma Schauer, journal proofreader — 2 days
 3 HOUSE
 4 Roy Gilbreath, chief clerk — 2 days
 5 Barbara King, desk reporter — 2 days
 6 Cecil Crandell, sergeant-at-arms — 2 days
 7 E. A. Tough, assistant chief clerk — 2 days
 8 Delano Wawers, bill clerk — 2 days
 9 Florence Nemer, chief stenographer and payroll clerk — 2 days
 10 Lela Knudsen, chief committee clerk — 2 days
 11 James Bond, calendar clerk — 2 days
 12 Vonnie Wold, enrolling and engrossing clerk — 2 days
 13 Bernice Herner, enrolling and engrossing clerk — 2 days
 14 Clara Wendt, chief page — 2 days
 15 Dorothy Litchfield, secretary to speaker — 2 days
 16 Mavis Patchen, secretary to majority floor leader — 2 days
 17 Elsie Zimmerman, secretary to minority floor leader — 2 days
 18 Olger Sandven, deputy sergeant-at-arms — 2 days
 19 Harry Iszler, assistant sergeant-at-arms — 2 days
 20 J. J. Cummins, assistant sergeant-at-arms — 1 day
 21 Art Buchwitz, assistant sergeant-at-arms — 1 day
 22 Enola Eck, bill room clerk — 2 days
 23 Pearl Andre, bill room clerk — 1 day
 24 ElaNor Weber, stenographer — 2 days
 25 Andrea Perry, stenographer — 1 day
 26 Judy Hoffman, stenographer — 2 days
 27 Amelia Lorenz, stenographer — 2 days
 28 Janice Holle, stenographer — 1 day
 29 Maude Grambs, typist — 2 days
 30 Marjorie Cleveland, typist — 2 days
 31 Laurel Renner, appropriations committee clerk — 2 days
 32 Louise Ebert, committee clerk — 2 days
 33 LuGale Backlin, committee clerk — 2 days
 34 Helen Soma, committee clerk — 2 days
 35 Alice Zako, committee clerk — 2 days
 1 Deborah Ann Dietz, page — 2 days
 2 Janet Gilbert, page — 1 day
 3 Karen Thompson, page — 2 days
 4 Valorie Christianson, page — 2 days
 5 Kathleen Key, page — 1 day
 6 David Engel, page — 1 day
 7 Iola Langord, telephone attendant — 2 days
 8 Jennie Bommersbach, telephone attendant — 2 days
 9 Esther Davis, bill book clerk — 1 day
 10 Percy Ottmar, bill book clerk — 2 days
 11 Nick Chernos, bill book clerk — 1 day
 12 Alvira Froelich, bill book clerk — 2 days
 13 Eunice Anderson, information desk attendant — 2 days
 14 Fred Krause, chief in charge of journal room and bill room
 15 clerks — 2 days
 16 Alvin Manning, journal room clerk — 2 days
 17 Mike Burgad, journal room clerk — 1 day
 18 Olaf Grundstad, journal room clerk — 1 day
 19 Gertrude Learn, journal proofreader — 2 days
 20 Ruth Boyer, journal proofreader — 2 days
 21 Ferd Hetterle, parking lot attendant — 2 days

SECOND READING OF
 A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4093. A Concurrent Resolution providing for additional compensation for certain Senate and House employees.

Was read the second time.

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, 3.

Those voting in the affirmative were:

Anderson	Hernett	Morgan	Sanstead
Barth	Holand	Mutch	Schultz
Berube	Jacobson	Nasset	Sorlie
Chesrown	Jones	Nothing	Strinden
Christensen	Just	Page	Swedlund
Coughlin	Kautzmann	Pyle	Thane
Doherty	Larson, G.	Rait	Thoreson
Erdman	Lips	Redlin	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd			

Absent and not voting:

Butler Larson, L. Stroup

So the resolution was declared adopted.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2367 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Senate:

Senator Wilhite
Senator Strinden
Senator Nasset

For the House:

Rep. Wagner
Rep. Jenkins
Rep. Opedahl

Senator Wilhite moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2457 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Senate:

Senator Wilhite
Senator Doherty
Senator Thoreson

For the House:

Rep. Jenkins
Rep. L. Larson
Rep. Mertens

Senator Wilhite moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution No. 4093

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to transmit:
House Bill No. 1001
House Bill No. 1030

On which the House has adopted the conference committee report.
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1177

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Dornacker
Gackle
Wilkie

Very respectfully,
ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you the House has reconsidered the action by which it did not concur in the Senate amendments to House Bill No. 1554 and requesting the appointment of a conference committee. Subsequently the House has concurred in the Senate amendments to House Bill No. 1554.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Bill No. 2001

Senate Bill No. 2004

On which the House has adopted the conference committee report.

ROY GILBREATH, Chief Clerk

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has reconsidered the action by which the House did not concur in the Senate amendments to House Bill No. 1547 and requesting a conference committee be appointed. Subsequently House Bill No. 1547 was withdrawn.

ROY GILBREATH, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Thoreson 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. 1177, which motion prevailed.

The President appointed as a Conference Committee on:

House Bill No. 1001

Senators:
Anderson
Doherty
Unruh

Senator Litten moved that the absent Senators be excused, which motion prevailed.

Senator Wilhite moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTIETH DAY

Bismarck, March 16, 1971

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator Guy Larson, Bismarck.

"Our heavenly Father — as we enter our final day of this legislative session some of us lose — some of us win — and the competition and by play between men continues.

All the struggles of men to govern themselves need your calming hand, Oh God, lest those who win, glory in their own pride of accomplishment.

And those who lose sag in despair — and men are divided from men.

Make us kinder to each other, Oh God, that we may live together in peace. Give us forgiving hearts and send each of us on his way safely home to his loved ones.

May we in retrospect learn lessons from our service here that will make all of us better men.

Roll call: All Senators present except Senators Butler, L. 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 fifty-eighth day after recess and fifty-ninth day and recommends that the same be corrected as follows:

On page 1147, line 19, delete the words "CONSIDERATION OF AMENDMENTS"

On page 1154, line 40, correct spelling of word "amounts"

On page 1186, line 5 from the bottom, correct spelling of "INTER-AGENCY"

On page 1186, after line 18 insert the following:

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

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, Representatives: Olienyk, J. Peterson, B. Miller

Very respectfully,
ROY GILBREATH, Chief Clerk

On page 1187, line 8, delete the words "Bills Nos. 1011" and insert in lieu thereof "Bill No."

On page 1205, line 24, delete the word "Speaker" and insert in lieu thereof the word "President"

On page 1211, from the bottom of the page, delete lines 9, 10 and 11 and insert in lieu thereof the following:

"Senator Wilhite moved that the Senate do not concur in the House amendments to Senate Bill No. 2093, and that a Conference Committee be appointed, which motion prevailed."

On page 1212, delete lines 34, 35 and 36, and insert in lieu thereof the following:

"Senator Wilhite moved that the Senate do not concur in the House amendments to Senate Bill No. 2367, and that a Conference Committee be appointed, which motion prevailed."

On page 1212, in the last line, delete the numeral "11" and insert in lieu thereof the numeral "10"

On page 1226, line 38, correct spelling of the word "recommending"

On page 1233, after the word "to" insert the following:

"and the emergency clause carried."

And when so corrected recommends that the same be approved.

SENATOR SCHULTZ, Chairman

Senator Schultz moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2367

Senate Bill No. 2457

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 16, 1971

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. 1177

Senators:

Anderson

Doherty

Unruh

Very respectfully,
LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

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 the bill be further amended as follows:

On page 2, line 5, delete the word "operatint" and insert in lieu thereof the word "operating"

On page 2, line 28, after the word "plant" add the following: "and plant improvements"

On page 2, line 28, delete the figure "656,000.00" and insert in lieu thereof the figure "956,000.00"

On page 2, delete all of line 29

On page 6, line 30, after the word "buildings" add the following: "and land acquisition"

For the Senate:

Senator Robinson

Senator Strinden

Senator Swedlund

For the House:

Rep. Wagner

Rep. Kingsbury

Rep. Opedahl

Senator Strinden moved that the report be adopted.

Senator Redlin: "Mr. President. have some remarks to make and would like to have them printed in the journal. It was quite evident soon after the legislature convened that the mood of the legislature was to close the Ellendale institution. My efforts have since been diverted to making recommendations to you which I thought were in the best interest of the State of North Dakota.

"I proposed amendments the other day and this body adopted them. I believe your action was based on the fact that my amendments were reasonable and sound. I still insist that immediate closure of the Ellendale institution will create undue hardship on people involved and will result in considerable loss and depreciation to three million dollars of state property. I repeat again that if the Conference Committee report is accepted this legislature will not have acted in the

best interest for the State of North Dakota. Therefore, I urge you to vote against the committee report."

The question being on the motion of Senator Strinden, which motion prevailed.

Senator Robinson moved that the rules be suspended and that House Bill No. 1001 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. 1001. A Bill for an Act making an appropriation for the general operation, maintenance and plant improvements 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, in conference committee, the roll was called and there were ayes, 35; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Berube	Jacobson	Morgan	Sanstead
Chesrown	Jones	Mutch	Schultz
Christensen	Just	Nasset	Sorlie
Coughlin	Kautzmann	Nothing	Strinden
Erdman	Larson, G.	Page	Swedlund
Freed	Lips	Pyle	Thane
Goldberg	Litten	Ringsak	Thoreson
Hernett	Longmire	Robinson	Wilhite
Holand	Melland	Roen	

Those voting in the negative were:

Barth	Gronhovd	Redlin	Wenstrom
Forkner	Rait	Van Horn	

Absent and not voting:

Anderson	Doherty	Stroup	Unruh
Butler	Larson, L.		

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. 1030 has had the same under consideration and recommends that the Senate recede from its amendments, and that the engrossed bill be amended as follows:

On page 1, line 12, delete the figure "52,587,150.00" and insert in lieu thereof the figure "55,837,150.00"

On page 1, line 13, delete the figure "104,885.00" and insert in lieu thereof the figure "125,000.00"

On page 1, line 18, delete the figure "51,135,000.00" and insert in lieu thereof the figure "54,385,000.00"

On page 1, line 19, after the word "Law" delete the following: "85-926" and insert in lieu thereof the following: "91-230 Title VI-D"

On page 1, line 19, delete the figure "104,885.00" and insert in lieu thereof the figure "125,000.00"

On page 1, line 22, delete the figure "52,692,035.00" and insert in lieu thereof the figure "55,962,150.00"

On page 1, line 23, delete the figure "104,885.00" and insert in lieu thereof the figure "125,000.00"

On page 1, line 24, delete the figure "52,587,150.00" and insert in lieu thereof the figure "55,837,150.00"

On page 1, after line 24, add the following:
 "SECTION 2. SCHOOL LUNCH PROGRAM.) The department of public instruction is directed to seek an opinion from the United

States department of agriculture to the effect that moneys received by schools from the state of North Dakota's portion of the foundation program and expended to support school lunch programs will satisfy the state matching requirements as set forth in Public Law 91-248 of the Ninety-first Congress. If the department of agriculture does not render such an opinion, the state department of public instruction is authorized to request the state emergency commission to transfer, and the emergency commission shall transfer two hundred thousand dollars from the appropriation for the foundation program for the biennium ending June 30, 1973, or such lesser amount as may be necessary to match federal funds, to a line item in the same appropriation, from which the state department of public instruction is authorized to make necessary expenditures for the continuation of the school lunch program."

And renumber the pages and lines accordingly.

For the Senate:

Senator Schultz
Senator Coughlin
Senator Litten

For the House:

Rep. Olienyk
Rep. Tweten
Rep. B. Miller

Senator Schultz moved that the report be adopted, which motion prevailed.

Senator Litten moved that the rules be suspended and that House Bill No. 1030 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. 1030. A Bill for an Act making an appropriation to the department of public instruction for the purpose of defraying the expenses of public schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Barth	Holand	Mutch	Sanstead
Berube	Jacobson	Nasset	Schultz
Chesrown	Jones	Nething	Sorlie
Christensen	Just	Page	Strinden
Coughlin	Kautzmann	Pyle	Swedlund
Erdman	Larson, G.	Rait	Thane
Forkner	Lips	Redlin	Thoreson
Freed	Litten	Ringsak	Van Horn
Goldberg	Longmire	Robinson	Wenstrom
Gronhovd	Melland	Roen	Wilhite
Hernett	Morgan		

Absent and not voting:

Anderson	Doherty	Stroup	Unruh
Butler	Larson, L.		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4093

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1001
House Bill No. 1030
On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2367
Senate Bill No. 2457

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2045 has had the same under consideration and recommends that the House recede from its amendments and that engrossed Senate Bill No. 2045 be amended as follows:

On page 2, line 14 after the word "**All**" insert the words "**structures and**"

On page 2, line 16 after the word "**such**" insert the words "**structures and**"

On page 2, line 19 after the first word "**such**" insert the words "**structures and**"

On page 2, line 23 before the word "**buildings**" delete the word "**the**" and insert the words "**such structures or**"

On page 2, line 25 after the word "**such**" insert the words "**structures or**"

And renumber the pages and lines accordingly.

For the Senate:
Senator Thoreson
Senator Unruh
Senator Erdman

For the House:
Rep. Dornacker
Rep. Boustead
Rep. Backes

Senator Unruh moved that the report be adopted, which motion prevailed.

Senator Thoreson moved that the rules be suspended and that Senate Bill No. 2045 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. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation; and to repeal section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 34; nays, 5; absent and not voting, 9.

Those voting in the affirmative were:

Barth	Gronhovd	Melland	Schultz
Berube	Hernett	Nasset	Sorlie
Chesrown	Holand	Nething	Swedlund
Christensen	Jacobson	Page	Thoreson
Coughlin	Jones	Pyle	Van Horn
Erdman	Larson, G.	Rait	Wenstrom
Forkner	Lips	Robinson	Wilhite
Freed	Litten	Roen	
Goldberg	Longmire	Sanstead	

Those voting in the negative were:

Kautzmann	Redlin	Strinden	Thane
Morgan			

Absent and not voting:

Anderson	Just	Mutch	Stroup
Butler	Larson, L.	Ringsak	Unruh
Doherty			

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Majority of the Conference Committee to whom was referred Senate Bill No. 2509 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2509 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act directing the legislative council to prepare a redistricting plan for the legislative assembly and for legislative intent.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE INTENT.)

WHEREAS, recent decisions of the North Dakota supreme court, the United States supreme court, and the federal district court for the North Dakota district have clearly espoused the principle that representatives of the people elected to state legislatures must be elected on the "one man-one vote" principle so that as nearly as practicable, the vote of each elector is equal in weight to the vote of each other elector; and

WHEREAS, the forty-second legislative assembly has strived diligently to adopt a plan which would redistrict the state of North Dakota into legislative districts that would meet guidelines established by the courts, but has found the task to be impossible in the time available; and

WHEREAS, the forty-second legislative assembly is aware of the provisions of section 35 of the Constitution of this state which would require that in the event any legislative assembly shall fail to redistrict itself at the session following any federal decennial census, the same shall be performed by a board consisting of certain officials of the state and of the house of representatives; and

WHEREAS, this section has been declared unconstitutional by the federal district court for the North Dakota district in Paulson v. Meier, 232 Federal Supplement 183, and it appears that the North Dakota supreme court, in the recent case of Stockman v. Anderson has supported this ruling by finding that since the people voted on the amendments to section 35 of the North Dakota Constitution, among other sections, as a "package", the entire contents of this section were declared unconstitutional by the federal district court and are null and void and of no force and effect; and

WHEREAS, it is therefore clear to the forty-second legislative assembly that the portion of section 35 of the North Dakota Constitution requiring redistricting by a board consisting of officials of the state and of the house of representatives is rendered inoperative, ineffectual, and unconstitutional, and such board cannot be required or permitted to redistrict the state into legislative districts, nor is it the intent of the legislative assembly and the people of this state that the board perform such redistricting; and

WHEREAS, it is imperative that the state be redistricted into legislative districts meeting constitutional requirements set by the North Dakota supreme court, the United States supreme court, and the federal district court for the North Dakota district.

SECTION 2. REDISTRICTING PLAN TO BE PREPARED BY LEGISLATIVE COUNCIL.) The legislative council is hereby directed to study and develop a plan for redistricting the legislative districts of the state, such plan to be developed in accordance with the "one man - one vote" principle and to be free from obvious constitutional deficiencies. The plan shall be presented to the forty-third legislative assembly, together with such legislation as may be necessary to enact such plan into law, and in the event any court shall assume jurisdiction for the purpose of legislative redistricting and reapportionment, the legislative council shall make such plan available to such court."

And renumber the lines, sections, and pages accordingly.

For the Senate:
 Senator Hernet
 Senator Goldberg

For the House:
 Rep. Strinden
 Rep. Moore

Senator Hernet moved that the report of the Majority be adopted.

The Minority of the Conference Committee to whom was referred Senate Bill No. 2509 has had the same under consideration and recommends that the Senate accede to the House amendments.

For the Senate:
 Senator Just

For the House:
 Rep. Backes

Senator Just moved that the report of the minority be substituted for that of the majority, which motion

The question being on the motion of Senator Hernet, which motion prevailed.

Senator Hernet moved that the rules be suspended and that Senate Bill No. 2509 be deemed properly 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. 2509. A Bill for an Act directing the legislative council to prepare a redistricting plan for the legislative assembly and for legislative intent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 27; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Holand	Litten	Roen
Chesrown	Jacobson	Longmire	Strinden
Coughlin	Jones	Melland	Thane
Doherty	Just	Morgan	Thoreson

Freed	Kautzmann	Pyle	Unruh
Goldberg	Larson, G.	Redlin	Wenstrom
Hernett	Lips	Ringsak	

Those voting in the negative were:

Barth	Gronhovd	Rait	Sorlie
Berube	Mutch	Robinson	Swedlund
Christensen	Nasset	Sanstead	Van Horn
Erdman	Nething	Schultz	Wilhite
Forkner	Page		

Absent and not voting:

Butler	Larson, L.	Stroup
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So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2045

Senate Bill No. 2509

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Wilhite moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1492

Very respectfully,
ROY GILBREATH, Chief Clerk

MOTION

Senator Wilhite moved that the reading of the amendments to House Bill No. 1492, with the exception of Sections 7 and 14, be dispensed with, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1492 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1492 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for a surtax and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DESIGNATION OF BONDS.) Bonds to be issued under the provisions of this Act shall be known as state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series.

SECTION 2. AUTHORITY FOR ISSUING BONDS OF NORTH DAKOTA VIETNAM CONFLICT ADJUSTED COMPENSATION SERIES — PURPOSE OF ISSUE.) An issue of not to exceed

fifteen 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 the 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 Act 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. PREPARATION OF BONDS.) Bonds issued under this Act shall be executed by the governor and by the state treasurer under the great seal of the state of North Dakota and shall be attested by the secretary of state. The state auditor and secretary of state shall endorse and sign, on each bond issued, a certificate showing that such bond is issued pursuant to law and is within the state debt limit. The manner and form of execution shall be determined by the industrial commission. The issue of bonds under this Act shall be of serial maturities, and the industrial commission shall fix the maximum rate of interest they shall bear. The first installment of principal of bonds sold at any one time shall fall due not more than two years from the date of the bonds, and the last installment shall fall due not more than fifteen years after the date of first issue. Annual installments of principal shall be such that the increase thereof from year to year approximately shall equal the decrease from year to year of the amount of interest on unpaid bonds, so that the aggregate of principal and interest shall be approximately equal year by year. All bonds issued under this Act shall be in denominations of not more than ten thousand dollars each and shall be fully negotiable with semiannual interest coupons attached, except that the first interest payment shall be one year from and after the date of issuance of the bonds. Bonds issued under this Act from and after the year 1972 until the year 1981, inclusive, shall not be callable prior to maturity. Bonds issued under this Act from and after the year 1982 may be called prior to maturity, in inverse numerical order. All bonds issued under this Act shall contain a provision that interest thereon shall cease at maturity unless the holder thereof shall present the same for payment and payment is refused. The principal and interest of bonds issued under this Act shall be payable at the office of the state treasurer in Bismarck, North Dakota, or at the Bank of North Dakota, or at a bank or trust company in the city of Chicago or New York, as the industrial commission may determine.

SECTION 4. SALE AND DELIVERY OF BONDS BY INDUSTRIAL COMMISSION — DEPOSIT OF PROCEEDS.) The industrial commission shall act as agent of the state for the negotiation, sale, and delivery of all bonds issued under this Act. Such bonds shall be sold in whole or in part from time to time for cash at not less than par and accrued interest to the best advantage of the state. In offering such bonds for sale, the industrial commission shall reserve the right to reject any or all bids therefor. Purchasers and holders of such bonds may have ownership registered in the office of the state treasurer. All of the proceeds of such bonds shall be received by the industrial commission and by it placed in a separate fund in the state treasury in the custody of the state

treasurer to be used only for the purpose for which such bonds are issued.

SECTION 5. BONDS TAX EXEMPT.) All bonds issued under the provisions of this Act and interest thereon shall be exempt from all state, county, and municipal taxes.

SECTION 6. BONDS A GENERAL OBLIGATION OF STATE OF NORTH DAKOTA.) Upon receipt of payment therefor, the industrial commission shall deliver to each purchaser of bonds issued under this Act, the bonds purchased by him, and upon the delivery of such bonds the full faith and credit and unlimited taxing resources of the state of North Dakota shall stand pledged for the punctual payment of each and all of such bonds and the interest thereon to the lawful holder and owner thereof as the same become due and are presented for payment.

SECTION 7. SURTAX ON INCOME.) An additional tax, or surtax, is hereby imposed on the income of every individual, estate, trust, and corporation that is required to file an income tax return pursuant to the provisions of chapter 57-38. This surtax shall be placed on the state income tax return as a separate line item entitled "Vietnam bonus surtax", shall be paid annually by each such taxpayer, and shall be computed as follows:

1. For an individual, estate, or trust the tax shall be computed at the rate of one percent of the taxable income of such individual, estate, or trust as determined pursuant to the provisions of chapter 57-38, but shall not be less than two dollars and fifty cents nor more than twelve dollars and fifty cents.
2. For a corporation the tax shall be computed at the rate of one percent of the taxable income of the corporation as determined pursuant to the provisions of chapter 57-38, provided that the amount of tax shall not be less than ten dollars nor more than twenty-five dollars.

For purposes of administering the provisions of this section, the provisions of chapter 57-38, pertaining to the administration of income tax, including but not limited to the withholding of income taxes, the payment of income taxes and interest and penalties thereon, refunds, attachment of liens for failure to pay such taxes and interest and penalties thereon, and civil and criminal penalties for failure to comply with the provisions of chapter 57-38, shall govern the administration of the surtax levied in this section. All of the proceeds of this surtax, including penalties and interest thereon, collected and received by the tax commissioner shall be paid by him into the sinking fund established for the payment of bonds issued under this Act. When the director of the department of accounts and purchases shall determine, in consultation with the industrial commission, that sufficient funds are available in the sinking fund for the payment of Vietnam veterans' bonus bonds to retire all bonds outstanding with interest thereon, he shall certify the same to the tax commissioner, whereupon the surtax imposed by this section shall terminate and the last taxable year of each taxpayer that ends before such certification shall be the last taxable year for which the tax shall be imposed on and collected from such taxpayer.

The provisions of this section shall be effective for all taxable years beginning on or after January 1, 1972.

SECTION 8. SINKING FUND.) The sinking fund for the payment of bonds issued under this Act and interest thereon shall be established and maintained in the office of the state treasurer who shall be custodian of such fund and shall at all times maintain adequate records thereof. The state treasurer shall make reports of the condition of such sinking fund to the industrial commission on request. All taxes levied and all sums appropriated and transferred for the payment of bonds issued under this Act shall be

deposited in the sinking fund therefor and shall be disbursed by the state treasurer in payment of such bonds and interest thereon directly or through a paying agent to be designated by the industrial commission. On request of the industrial commission, the state treasurer shall supply any deficiency of such sinking fund out of any available monies of the state in his custody, provided that all monies so used shall be returned at the earliest practicable opportunity.

SECTION 9. TRANSFER OF BALANCE.) Upon the retirement of all bonds provided for in this Act, together with the interest thereon, any balance remaining in the sinking fund shall be transferred by the treasurer to the general fund.

SECTION 10. INVESTMENT OF SINKING FUND.) Monies in the sinking fund for bonds issued under this Act shall be deposited in the Bank of North Dakota. The Bank of North Dakota shall pay interest thereon as directed by the industrial commission, which interest shall be credited to the sinking fund and shall be used for the payment of the principal of the bonds or interest thereon.

SECTION 11. PROTECTION OF PURCHASER.) The purchaser of any bonds issued under this Act shall not be obliged to see to the application of the purchase price thereof but shall be protected fully in paying for such bonds by the receipt of the industrial commission or of its agent delivering such bonds as herein provided.

SECTION 12. LIMITATION OF ACTION.) No action shall be brought or maintained in any court in this state questioning the validity of any bonds issued under this Act, or of any tax levied under this Act, unless such action shall have been commenced within sixty days after the adoption of the resolution of the industrial commission awarding the sale of such bonds.

SECTION 13. TAXES IRREPEALABLE.) All taxes levied, appropriations, and transfers provided to pay bonds issued under the provisions of this Act and interest thereon shall not be repealed until such bonds and interest are fully paid.

SECTION 14. APPROPRIATION.) There is hereby appropriated out of any monies in the general fund in the state treasury, not otherwise appropriated, the sum of \$2 million for transfer upon order of the director of the department of accounts and purchases to the sinking fund for the payment of Vietnam veterans' bonus bonds during the biennium beginning July 1, 1971, and ending June 30, 1973.

SECTION 15. APPROPRIATION TO INDUSTRIAL COMMISSION.) There is hereby appropriated out of any monies in the Vietnam veterans' bonus adjusted compensation fund, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the industrial commission for administrative and legal expenses for the issuance of bonds authorized by this Act, for the biennium beginning July 1, 1971, and ending June 30, 1973.

SECTION 16. APPROPRIATION FOR BONDS.) There is hereby appropriated the funds required for the payment of interest and principal of all bonds issued and sold under this Act.

SECTION 17. 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.

For the Senate:

Senator Wilhite
Senator Doherty
Senator Thoreson

For the House:

Rep. Dornacker
Rep. K. Johnson
Rep. Weber

Senator Wilhite moved that the report be adopted, which motion lost.

Senator Wilhite moved that the Senate recess at the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has not adopted the Conference Committee Report on Senate Bill No. 2509, and reconsidered the action by which Senate Bill No. 2509 was passed, and subsequently failed to pass Senate Bill No. 2509.

ROY GILBREATH, Chief Clerk

MOTION

Senator Roen moved that the Senate reconsider the action by which the Senate failed to adopt the Conference Committee report on House Bill No. 1492, which motion prevailed.

The question being on the motion of Senator Wilhite that the Conference Committee report on House Bill No. 1492, be adopted, which motion prevailed.

Senator Strinden moved that the rules be suspended and that House Bill No. 1492 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. 1492. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for a surtax and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 32; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Goldberg	Larson, G.	Pyle
Barth	Gronhovd	Lips	Rait
Berube	Hernett	Litten	Redlin
Chesrown	Holand	Longmire	Roen
Christensen	Jacobson	Melland	Sanstead
Erdman	Jones	Nasset	Unruh
Forkner	Just	Nothing	Van Horn
Freed	Kautzmann	Page	Wenstrom

Those voting in the negative were:

Coughlin	Mutch	Schultz	Thane
Doherty	Ringsak	Strinden	Thoreson
Morgan	Robinson	Swedlund	Wilhite

Absent and not voting:

Butler	Larson, L.	Sorlie	Stroup
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So the bill passed and the title was agreed to and the emergency clause lost.

PERSONAL PRIVILEGE

Senator Morgan: "Mr. President, Members of the Senate:

"The people of North Dakota voted to have a bonus paid to the

Veterans of the Vietnam war and I would be the first Senator to vote to give them the bonus. When we started this 42nd Legislative Session it was my idea that we were not to raise taxes. Therefore, I am voting against the surtax, not against the Vietnam Veterans."

MOTION

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.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:
House Bill No. 1492
On which the Senate has adopted the conference committee report.
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:
House Bill No. 1177

Very respectfully,
ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1177 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 1177 be amended as follows:

On page 3, line 1 of the engrossed bill after the word "upon" and before the word "such" insert the words "**ninety-five percent of**"

On page 3, line 4 delete the words "**twelve-dollar**" and insert in lieu thereof the words "**seven-dollar**"

On page 3, line 7 place triple parentheses before the word "was" and place triple parentheses after the word "remitted" and insert in lieu thereof the words "**equal ninety-five percent of such payment**"

On page 3, line 8 delete the words "**twelve-dollar**" and insert in lieu thereof the words "**seven-dollar**"

On page 3, line 10 place triple parentheses before the word "was" and place triple parentheses after the word "remitted" and insert in lieu thereof the words "**equal ninety-five percent of such payment**"

And renumber the pages and lines accordingly.

For the Senate:
Senator Unruh
Senator Doherty
Senator Anderson

For the House:
Rep. Dornacker
Rep. Wilkie
Rep. Gackle

Senator Unruh moved that the report be adopted, which motion prevailed.

Senator Anderson moved that the rules be suspended and that House Bill No. 1177 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. 1177. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the

dates and the formula for the distribution of personal property tax replacement moneys to political subdivisions, and declaring an emergency.

Which has been read,

ROLL CALL

The question being on the final passage of the bill, as amended, in Conference Committee, the roll was called and there were ayes, 31; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Holand	Nasset	Strinden
Berube	Just	Nething	Swedlund
Christensen	Larson, G.	Page	Thane
Erdman	Lips	Pyle	Unruh
Forkner	Litten	Ringsak	Van Horn
Freed	Longmire	Robinson	Wenstrom
Goldberg	Melland	Roen	Wilhite
Gronhovd	Morgan	Sanstead	

Those voting in the negative were:

Barth	Hernett	Kautzmann	Redlin
Chesrown	Jacobson	Mutch	Schultz
Doherty	Jones	Rait	Thoreson

Absent and not voting:

Butler	Larson, L.	Sorlie	Stroup
Coughlin			

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1177

On which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 16, 1971

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2045

Very respectfully,

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEES

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2005
 Senate Bill No. 2006
 Senate Bill No. 2010
 Senate Bill No. 2023
 Senate Bill No. 2024
 Senate Bill No. 2027
 Senate Bill No. 2063
 Senate Bill No. 2181
 Senate Bill No. 2207
 Senate Bill No. 2218
 Senate Bill No. 2259
 Senate Bill No. 2306
 Senate Bill No. 2316
 Senate Bill No. 2348
 Senate Bill No. 2354
 Senate Bill No. 2363

Senate Bill No. 2375
Senate Bill No. 2389
Senate Bill No. 2437
Senate Bill No. 2460
Senate Bill No. 2464
Senate Bill No. 2481
Senate Bill No. 2502
Senate Bill No. 2512

And find the same correctly engrossed and enrolled.

Senator Strinden, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2001
Senate Bill No. 2002
Senate Bill No. 2003
Senate Bill No. 2004
Senate Bill No. 2007
Senate Bill No. 2009
Senate Bill No. 2011
Senate Bill No. 2012
Senate Bill No. 2013
Senate Bill No. 2014
Senate Bill No. 2021
Senate Bill No. 2022
Senate Bill No. 2033
Senate Bill No. 2034
Senate Bill No. 2042
Senate Bill No. 2045
Senate Bill No. 2093
Senate Bill No. 2100
Senate Bill No. 2122
Senate Bill No. 2139
Senate Bill No. 2151
Senate Bill No. 2154
Senate Bill No. 2156
Senate Bill No. 2178
Senate Bill No. 2180
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2211
Senate Bill No. 2230
Senate Bill No. 2276
Senate Bill No. 2282
Senate Bill No. 2302
Senate Bill No. 2304
Senate Bill No. 2307
Senate Bill No. 2309
Senate Bill No. 2381
Senate Bill No. 2398
Senate Bill No. 2408
Senate Bill No. 2439
Senate Bill No. 2456
Senate Bill No. 2458

And find the same correctly re-engrossed and enrolled.

Senator Strinden, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2029

Senate Bill No. 2031
Senate Bill No. 2036
Senate Bill No. 2061
Senate Bill No. 2091
Senate Bill No. 2126
Senate Bill No. 2153
Senate Bill No. 2155
Senate Bill No. 2157
Senate Bill No. 2217
Senate Bill No. 2234
Senate Bill No. 2262
Senate Bill No. 2264
Senate Bill No. 2279
Senate Bill No. 2299
Senate Bill No. 2319
Senate Bill No. 2333
Senate Bill No. 2334
Senate Bill No. 2343
Senate Bill No. 2346
Senate Bill No. 2347
Senate Bill No. 2362
Senate Bill No. 2370
Senate Bill No. 2387
Senate Bill No. 2391
Senate Bill No. 2404
Senate Bill No. 2413
Senate Bill No. 2426
Senate Bill No. 2448
Senate Bill No. 2449
Senate Bill No. 2461
Senate Bill No. 2494

And find the same correctly enrolled.

Senator Strinden, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4016
Senate Concurrent Resolution No. 4053
Senate Concurrent Resolution No. 4055

And find the same correctly engrossed and enrolled.

Senator Strinden, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4002
Senate Concurrent Resolution No. 4028
Senate Concurrent Resolution No. 4032
Senate Concurrent Resolution No. 4037
Senate Concurrent Resolution No. 4052
Senate Concurrent Resolution No. 4064
Senate Concurrent Resolution No. 4072
Senate Concurrent Resolution No. 4091

And find the same correctly re-engrossed and enrolled.

Senator Strinden, Chairman

Senator Stroup moved that the report be adopted, which motion prevailed.

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4007
Senate Concurrent Resolution No. 4013
Senate Concurrent Resolution No. 4015

Senate Concurrent Resolution No. 4019
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4033
 Senate Concurrent Resolution No. 4034
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4042
 Senate Concurrent Resolution No. 4043
 Senate Concurrent Resolution No. 4044
 Senate Concurrent Resolution No. 4047
 Senate Concurrent Resolution No. 4054
 Senate Concurrent Resolution No. 4056
 Senate Concurrent Resolution No. 4057
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4066
 Senate Concurrent Resolution No. 4071
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4075
 Senate Concurrent Resolution No. 4082
 Senate Concurrent Resolution No. 4083
 Senate Concurrent Resolution No. 4084
 Senate Concurrent Resolution No. 4085
 Senate Concurrent Resolution No. 4086
 Senate Concurrent Resolution No. 4087
 Senate Concurrent Resolution No. 4092
 Senate Concurrent Resolution No. 4093
 Senate Resolution No. 6
 Senate Resolution No. 7
 Senate Memorial Resolution No. 1
 and find the same correctly enrolled.

Senator Strinden, Chairman

Senator Strinden moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2001
 Senate Bill No. 2002
 Senate Bill No. 2003
 Senate Bill No. 2004
 Senate Bill No. 2005
 Senate Bill No. 2006
 Senate Bill No. 2007
 Senate Bill No. 2009
 Senate Bill No. 2010
 Senate Bill No. 2011
 Senate Bill No. 2012
 Senate Bill No. 2013
 Senate Bill No. 2014
 Senate Bill No. 2021
 Senate Bill No. 2022
 Senate Bill No. 2023
 Senate Bill No. 2024
 Senate Bill No. 2027
 Senate Bill No. 2029
 Senate Bill No. 2031
 Senate Bill No. 2033
 Senate Bill No. 2034
 Senate Bill No. 2036
 Senate Bill No. 2042
 Senate Bill No. 2045
 Senate Bill No. 2061

Senate Bill No. 2063
Senate Bill No. 2091
Senate Bill No. 2093
Senate Bill No. 2100
Senate Bill No. 2122
Senate Bill No. 2126
Senate Bill No. 2139
Senate Bill No. 2151
Senate Bill No. 2153
Senate Bill No. 2154
Senate Bill No. 2155
Senate Bill No. 2156
Senate Bill No. 2157
Senate Bill No. 2178
Senate Bill No. 2180
Senate Bill No. 2181
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2207
Senate Bill No. 2211
Senate Bill No. 2217
Senate Bill No. 2218
Senate Bill No. 2230
Senate Bill No. 2234
Senate Bill No. 2259
Senate Bill No. 2262
Senate Bill No. 2264
Senate Bill No. 2276
Senate Bill No. 2279
Senate Bill No. 2282
Senate Bill No. 2299
Senate Bill No. 2302
Senate Bill No. 2304
Senate Bill No. 2306
Senate Bill No. 2307
Senate Bill No. 2309
Senate Bill No. 2316
Senate Bill No. 2319
Senate Bill No. 2333
Senate Bill No. 2334
Senate Bill No. 2343
Senate Bill No. 2346
Senate Bill No. 2347
Senate Bill No. 2348
Senate Bill No. 2354
Senate Bill No. 2362
Senate Bill No. 2363
Senate Bill No. 2370
Senate Bill No. 2375
Senate Bill No. 2381
Senate Bill No. 2387
Senate Bill No. 2389
Senate Bill No. 2391
Senate Bill No. 2398
Senate Bill No. 2404
Senate Bill No. 2408
Senate Bill No. 2413
Senate Bill No. 2426
Senate Bill No. 2437
Senate Bill No. 2439
Senate Bill No. 2448
Senate Bill No. 2449
Senate Bill No. 2456
Senate Bill No. 2458

Senate Bill No. 2460
 Senate Bill No. 2461
 Senate Bill No. 2464
 Senate Bill No. 2481
 Senate Bill No. 2494
 Senate Bill No. 2502
 Senate Bill No. 2512

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 4002
 Senate Concurrent Resolution No. 4007
 Senate Concurrent Resolution No. 4013
 Senate Concurrent Resolution No. 4015
 Senate Concurrent Resolution No. 4016
 Senate Concurrent Resolution No. 4019
 Senate Concurrent Resolution No. 4020
 Senate Concurrent Resolution No. 4023
 Senate Concurrent Resolution No. 4027
 Senate Concurrent Resolution No. 4028
 Senate Concurrent Resolution No. 4029
 Senate Concurrent Resolution No. 4032
 Senate Concurrent Resolution No. 4033
 Senate Concurrent Resolution No. 4034
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4036
 Senate Concurrent Resolution No. 4037
 Senate Concurrent Resolution No. 4042
 Senate Concurrent Resolution No. 4043
 Senate Concurrent Resolution No. 4044
 Senate Concurrent Resolution No. 4047
 Senate Concurrent Resolution No. 4052
 Senate Concurrent Resolution No. 4053
 Senate Concurrent Resolution No. 4054
 Senate Concurrent Resolution No. 4055
 Senate Concurrent Resolution No. 4056
 Senate Concurrent Resolution No. 4057
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4066
 Senate Concurrent Resolution No. 4071
 Senate Concurrent Resolution No. 4072
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4075
 Senate Concurrent Resolution No. 4082
 Senate Concurrent Resolution No. 4083
 Senate Concurrent Resolution No. 4084
 Senate Concurrent Resolution No. 4085
 Senate Concurrent Resolution No. 4086
 Senate Concurrent Resolution No. 4087
 Senate Concurrent Resolution No. 4091
 Senate Concurrent Resolution No. 4092
 Senate Concurrent Resolution No. 4093
 Senate Resolution No. 6
 Senate Resolution No. 7
 Senate Memorial Resolution No. 1

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, N. D., March 16, 1971

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001
 Senate Bill No. 2002
 Senate Bill No. 2003

Senate Bill No. 2004
Senate Bill No. 2005
Senate Bill No. 2006
Senate Bill No. 2007
Senate Bill No. 2009
Senate Bill No. 2010
Senate Bill No. 2011
Senate Bill No. 2012
Senate Bill No. 2013
Senate Bill No. 2014
Senate Bill No. 2021
Senate Bill No. 2022
Senate Bill No. 2023
Senate Bill No. 2024
Senate Bill No. 2027
Senate Bill No. 2029
Senate Bill No. 2031
Senate Bill No. 2033
Senate Bill No. 2034
Senate Bill No. 2036
Senate Bill No. 2042
Senate Bill No. 2045
Senate Bill No. 2061
Senate Bill No. 2063
Senate Bill No. 2091
Senate Bill No. 2093
Senate Bill No. 2100
Senate Bill No. 2122
Senate Bill No. 2126
Senate Bill No. 2139
Senate Bill No. 2151
Senate Bill No. 2153
Senate Bill No. 2154
Senate Bill No. 2155
Senate Bill No. 2156
Senate Bill No. 2157
Senate Bill No. 2178
Senate Bill No. 2180
Senate Bill No. 2181
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2207
Senate Bill No. 2211
Senate Bill No. 2217
Senate Bill No. 2218
Senate Bill No. 2230
Senate Bill No. 2234
Senate Bill No. 2259
Senate Bill No. 2262
Senate Bill No. 2264
Senate Bill No. 2276
Senate Bill No. 2279
Senate Bill No. 2282
Senate Bill No. 2299
Senate Bill No. 2302
Senate Bill No. 2304
Senate Bill No. 2306
Senate Bill No. 2307
Senate Bill No. 2309
Senate Bill No. 2316
Senate Bill No. 2319
Senate Bill No. 2333
Senate Bill No. 2334
Senate Bill No. 2343

Senate Bill No. 2346
Senate Bill No. 2347
Senate Bill No. 2348
Senate Bill No. 2354
Senate Bill No. 2362
Senate Bill No. 2363
Senate Bill No. 2370
Senate Bill No. 2375
Senate Bill No. 2381
Senate Bill No. 2387
Senate Bill No. 2389
Senate Bill No. 2391
Senate Bill No. 2398
Senate Bill No. 2404
Senate Bill No. 2408
Senate Bill No. 2413
Senate Bill No. 2426
Senate Bill No. 2437
Senate Bill No. 2439
Senate Bill No. 2448
Senate Bill No. 2449
Senate Bill No. 2456
Senate Bill No. 2458
Senate Bill No. 2460
Senate Bill No. 2461
Senate Bill No. 2464
Senate Bill No. 2481
Senate Bill No. 2494
Senate Bill No. 2502
Senate Bill No. 2512

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber
Bismarck, N. D., March 16, 1971

Mr Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4002
Senate Concurrent Resolution No. 4007
Senate Concurrent Resolution No. 4013
Senate Concurrent Resolution No. 4015
Senate Concurrent Resolution No. 4016
Senate Concurrent Resolution No. 4019
Senate Concurrent Resolution No. 4020
Senate Concurrent Resolution No. 4023
Senate Concurrent Resolution No. 4027
Senate Concurrent Resolution No. 4028
Senate Concurrent Resolution No. 4029
Senate Concurrent Resolution No. 4032
Senate Concurrent Resolution No. 4033
Senate Concurrent Resolution No. 4034
Senate Concurrent Resolution No. 4035
Senate Concurrent Resolution No. 4036
Senate Concurrent Resolution No. 4037
Senate Concurrent Resolution No. 4042
Senate Concurrent Resolution No. 4043
Senate Concurrent Resolution No. 4044
Senate Concurrent Resolution No. 4047
Senate Concurrent Resolution No. 4052
Senate Concurrent Resolution No. 4053
Senate Concurrent Resolution No. 4054
Senate Concurrent Resolution No. 4055
Senate Concurrent Resolution No. 4056
Senate Concurrent Resolution No. 4057

Senate Concurrent Resolution No. 4064
Senate Concurrent Resolution No. 4065
Senate Concurrent Resolution No. 4066
Senate Concurrent Resolution No. 4071
Senate Concurrent Resolution No. 4072
Senate Concurrent Resolution No. 4074
Senate Concurrent Resolution No. 4075
Senate Concurrent Resolution No. 4082
Senate Concurrent Resolution No. 4083
Senate Concurrent Resolution No. 4084
Senate Concurrent Resolution No. 4085
Senate Concurrent Resolution No. 4086
Senate Concurrent Resolution No. 4087
Senate Concurrent Resolution No. 4091
Senate Concurrent Resolution No. 4092
Senate Concurrent Resolution No. 4093

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, N. D., March 16, 1971

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2001
Senate Bill No. 2002
Senate Bill No. 2003
Senate Bill No. 2004
Senate Bill No. 2005
Senate Bill No. 2006
Senate Bill No. 2007
Senate Bill No. 2009
Senate Bill No. 2010
Senate Bill No. 2011
Senate Bill No. 2012
Senate Bill No. 2013
Senate Bill No. 2014
Senate Bill No. 2021
Senate Bill No. 2022
Senate Bill No. 2023
Senate Bill No. 2024
Senate Bill No. 2027
Senate Bill No. 2029
Senate Bill No. 2031
Senate Bill No. 2033
Senate Bill No. 2034
Senate Bill No. 2036
Senate Bill No. 2042
Senate Bill No. 2045
Senate Bill No. 2061
Senate Bill No. 2063
Senate Bill No. 2091
Senate Bill No. 2093
Senate Bill No. 2100
Senate Bill No. 2122
Senate Bill No. 2126
Senate Bill No. 2139
Senate Bill No. 2151
Senate Bill No. 2153
Senate Bill No. 2154
Senate Bill No. 2155
Senate Bill No. 2156
Senate Bill No. 2157

Senate Bill No. 2178
Senate Bill No. 2180
Senate Bill No. 2181
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2207
Senate Bill No. 2211
Senate Bill No. 2217
Senate Bill No. 2218
Senate Bill No. 2230
Senate Bill No. 2234
Senate Bill No. 2259
Senate Bill No. 2262
Senate Bill No. 2264
Senate Bill No. 2276
Senate Bill No. 2279
Senate Bill No. 2282
Senate Bill No. 2299
Senate Bill No. 2302
Senate Bill No. 2304
Senate Bill No. 2306
Senate Bill No. 2307
Senate Bill No. 2309
Senate Bill No. 2316
Senate Bill No. 2319
Senate Bill No. 2333
Senate Bill No. 2334
Senate Bill No. 2343
Senate Bill No. 2346
Senate Bill No. 2347
Senate Bill No. 2348
Senate Bill No. 2354
Senate Bill No. 2362
Senate Bill No. 2363
Senate Bill No. 2370
Senate Bill No. 2375
Senate Bill No. 2381
Senate Bill No. 2387
Senate Bill No. 2389
Senate Bill No. 2391
Senate Bill No. 2398
Senate Bill No. 2404
Senate Bill No. 2408
Senate Bill No. 2413
Senate Bill No. 2426
Senate Bill No. 2437
Senate Bill No. 2439
Senate Bill No. 2448
Senate Bill No. 2449
Senate Bill No. 2456
Senate Bill No. 2458
Senate Bill No. 2460
Senate Bill No. 2461
Senate Bill No. 2464
Senate Bill No. 2481
Senate Bill No. 2494
Senate Bill No. 2502
Senate Bill No. 2512

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk
House Chamber
Bismarck, N. D., March 16, 1971

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 4002
Senate Concurrent Resolution No. 4007
Senate Concurrent Resolution No. 4013
Senate Concurrent Resolution No. 4015
Senate Concurrent Resolution No. 4016
Senate Concurrent Resolution No. 4019
Senate Concurrent Resolution No. 4020
Senate Concurrent Resolution No. 4023
Senate Concurrent Resolution No. 4027
Senate Concurrent Resolution No. 4028
Senate Concurrent Resolution No. 4029
Senate Concurrent Resolution No. 4032
Senate Concurrent Resolution No. 4033
Senate Concurrent Resolution No. 4034
Senate Concurrent Resolution No. 4035
Senate Concurrent Resolution No. 4036
Senate Concurrent Resolution No. 4037
Senate Concurrent Resolution No. 4042
Senate Concurrent Resolution No. 4043
Senate Concurrent Resolution No. 4044
Senate Concurrent Resolution No. 4047
Senate Concurrent Resolution No. 4047
Senate Concurrent Resolution No. 4052
Senate Concurrent Resolution No. 4053
Senate Concurrent Resolution No. 4054
Senate Concurrent Resolution No. 4055
Senate Concurrent Resolution No. 4056
Senate Concurrent Resolution No. 4057
Senate Concurrent Resolution No. 4057
Senate Concurrent Resolution No. 4064
Senate Concurrent Resolution No. 4065
Senate Concurrent Resolution No. 4066
Senate Concurrent Resolution No. 4071
Senate Concurrent Resolution No. 4072
Senate Concurrent Resolution No. 4074
Senate Concurrent Resolution No. 4075
Senate Concurrent Resolution No. 4082
Senate Concurrent Resolution No. 4083
Senate Concurrent Resolution No. 4084
Senate Concurrent Resolution No. 4085
Senate Concurrent Resolution No. 4086
Senate Concurrent Resolution No. 4087
Senate Concurrent Resolution No. 4091
Senate Concurrent Resolution No. 4092
Senate Concurrent Resolution No. 4093

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, N. D., March 16, 1971

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1001
House Bill No. 1002
House Bill No. 1004
House Bill No. 1007
House Bill No. 1009
House Bill No. 1010
House Bill No. 1011
House Bill No. 1013
House Bill No. 1015
House Bill No. 1016
House Bill No. 1017
House Bill No. 1020
House Bill No. 1021

House Bill No. 1022
House Bill No. 1023
House Bill No. 1024
House Bill No. 1025
House Bill No. 1026
House Bill No. 1027
House Bill No. 1029
House Bill No. 1030
House Bill No. 1033
House Bill No. 1034
House Bill No. 1035
House Bill No. 1036
House Bill No. 1043
House Bill No. 1048
House Bill No. 1053
House Bill No. 1057
House Bill No. 1059
House Bill No. 1063
House Bill No. 1065
House Bill No. 1068
House Bill No. 1070
House Bill No. 1077
House Bill No. 1085
House Bill No. 1089
House Bill No. 1101
House Bill No. 1102
House Bill No. 1104
House Bill No. 1111
House Bill No. 1116
House Bill No. 1119
House Bill No. 1132
House Bill No. 1133
House Bill No. 1140
House Bill No. 1161
House Bill No. 1164
House Bill No. 1172
House Bill No. 1177
House Bill No. 1185
House Bill No. 1186
House Bill No. 1188
House Bill No. 1193
House Bill No. 1203
House Bill No. 1205
House Bill No. 1208
House Bill No. 1224
House Bill No. 1229
House Bill No. 1246
House Bill No. 1247
House Bill No. 1254
House Bill No. 1259
House Bill No. 1260
House Bill No. 1261
House Bill No. 1269
House Bill No. 1271
House Bill No. 1276
House Bill No. 1291
House Bill No. 1306
House Bill No. 1311
House Bill No. 1315
House Bill No. 1319
House Bill No. 1321
House Bill No. 1322
House Bill No. 1324
House Bill No. 1325

House Bill No. 1326
House Bill No. 1331
House Bill No. 1333
House Bill No. 1337
House Bill No. 1343
House Bill No. 1352
House Bill No. 1360
House Bill No. 1361
House Bill No. 1363
House Bill No. 1368
House Bill No. 1374
House Bill No. 1382
House Bill No. 1389
House Bill No. 1392
House Bill No. 1394
House Bill No. 1399
House Bill No. 1401
House Bill No. 1418
House Bill No. 1428
House Bill No. 1433
House Bill No. 1434
House Bill No. 1436
House Bill No. 1438
House Bill No. 1440
House Bill No. 1446
House Bill No. 1455
House Bill No. 1456
House Bill No. 1460
House Bill No. 1469
House Bill No. 1473
House Bill No. 1484
House Bill No. 1487
House Bill No. 1492
House Bill No. 1503
House Bill No. 1514
House Bill No. 1517
House Bill No. 1518
House Bill No. 1525
House Bill No. 1531
House Bill No. 1533
House Bill No. 1534
House Bill No. 1537
House Bill No. 1538
House Bill No. 1539
House Bill No. 1545
House Bill No. 1548
House Bill No. 1549
House Bill No. 1550
House Bill No. 1554
House Bill No. 1555
House Bill No. 1558
House Bill No. 1560

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, N. D., March 16, 1971

Mr. President: I have the honor to transmit herewith the following:

House Concurrent Resolution No. 3001
House Concurrent Resolution No. 3002
House Concurrent Resolution No. 3013
House Concurrent Resolution No. 3015
House Concurrent Resolution No. 3018

House Concurrent Resolution No. 3019
House Concurrent Resolution No. 3020
House Concurrent Resolution No. 3021
House Concurrent Resolution No. 3022
House Concurrent Resolution No. 3023
House Concurrent Resolution No. 3025
House Concurrent Resolution No. 3026
House Concurrent Resolution No. 3027
House Concurrent Resolution No. 3028
House Concurrent Resolution No. 3031
House Concurrent Resolution No. 3035
House Concurrent Resolution No. 3036
House Concurrent Resolution No. 3038
House Concurrent Resolution No. 3040
House Concurrent Resolution No. 3042
House Concurrent Resolution No. 3044
House Concurrent Resolution No. 3045
House Concurrent Resolution No. 3046
House Concurrent Resolution No. 3047
House Concurrent Resolution No. 3050
House Concurrent Resolution No. 3051
House Concurrent Resolution No. 3052
House Concurrent Resolution No. 3053
House Concurrent Resolution No. 3055
House Concurrent Resolution No. 3058
House Concurrent Resolution No. 3063
House Concurrent Resolution No. 3064
House Concurrent Resolution No. 3066
House Concurrent Resolution No. 3069
House Concurrent Resolution No. 3073
House Concurrent Resolution No. 3076
House Concurrent Resolution No. 3077
House Concurrent Resolution No. 3080
House Concurrent Resolution No. 3081
House Concurrent Resolution No. 3083
House Concurrent Resolution No. 3086
House Concurrent Resolution No. 3087
House Concurrent Resolution No. 3088
House Concurrent Resolution No. 3089
House Concurrent Resolution No. 3090
House Concurrent Resolution No. 3091
House Concurrent Resolution No. 3092
House Concurrent Resolution No. 3093
House Concurrent Resolution No. 3094
House Concurrent Resolution No. 3095

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1001
House Bill No. 1002
House Bill No. 1004
House Bill No. 1007
House Bill No. 1009
House Bill No. 1010
House Bill No. 1011
House Bill No. 1013
House Bill No. 1015
House Bill No. 1016
House Bill No. 1017
House Bill No. 1020
House Bill No. 1021
House Bill No. 1022

House Bill No. 1023
House Bill No. 1024
House Bill No. 1025
House Bill No. 1026
House Bill No. 1027
House Bill No. 1029
House Bill No. 1030
House Bill No. 1033
House Bill No. 1034
House Bill No. 1035
House Bill No. 1036
House Bill No. 1043
House Bill No. 1048
House Bill No. 1053
House Bill No. 1057
House Bill No. 1059
House Bill No. 1063
House Bill No. 1065
House Bill No. 1068
House Bill No. 1070
House Bill No. 1077
House Bill No. 1085
House Bill No. 1089
House Bill No. 1101
House Bill No. 1102
House Bill No. 1104
House Bill No. 1111
House Bill No. 1116
House Bill No. 1119
House Bill No. 1132
House Bill No. 1133
House Bill No. 1140
House Bill No. 1161
House Bill No. 1164
House Bill No. 1172
House Bill No. 1177
House Bill No. 1185
House Bill No. 1186
House Bill No. 1188
House Bill No. 1193
House Bill No. 1203
House Bill No. 1205
House Bill No. 1208
House Bill No. 1224
House Bill No. 1229
House Bill No. 1246
House Bill No. 1247
House Bill No. 1254
House Bill No. 1259
House Bill No. 1260
House Bill No. 1261
House Bill No. 1269
House Bill No. 1271
House Bill No. 1276
House Bill No. 1291
House Bill No. 1306
House Bill No. 1311
House Bill No. 1315
House Bill No. 1319
House Bill No. 1321
House Bill No. 1322
House Bill No. 1324
House Bill No. 1325
House Bill No. 1326

House Bill No. 1331
House Bill No. 1333
House Bill No. 1337
House Bill No. 1343
House Bill No. 1352
House Bill No. 1360
House Bill No. 1361
House Bill No. 1363
House Bill No. 1368
House Bill No. 1374
House Bill No. 1382
House Bill No. 1389
House Bill No. 1392
House Bill No. 1394
House Bill No. 1399
House Bill No. 1401
House Bill No. 1418
House Bill No. 1428
House Bill No. 1433
House Bill No. 1434
House Bill No. 1436
House Bill No. 1438
House Bill No. 1440
House Bill No. 1446
House Bill No. 1455
House Bill No. 1456
House Bill No. 1460
House Bill No. 1469
House Bill No. 1473
House Bill No. 1484
House Bill No. 1487
House Bill No. 1492
House Bill No. 1503
House Bill No. 1514
House Bill No. 1517
House Bill No. 1518
House Bill No. 1525
House Bill No. 1531
House Bill No. 1533
House Bill No. 1534
House Bill No. 1537
House Bill No. 1538
House Bill No. 1539
House Bill No. 1545
House Bill No. 1548
House Bill No. 1549
House Bill No. 1550
House Bill No. 1554
House Bill No. 1555
House Bill No. 1558
House Bill No. 1560

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 3001
House Concurrent Resolution No. 3002
House Concurrent Resolution No. 3013
House Concurrent Resolution No. 3015
House Concurrent Resolution No. 3018
House Concurrent Resolution No. 3019
House Concurrent Resolution No. 3020
House Concurrent Resolution No. 3021
House Concurrent Resolution No. 3022
House Concurrent Resolution No. 3023

House Concurrent Resolution No. 3025
House Concurrent Resolution No. 3026
House Concurrent Resolution No. 3027
House Concurrent Resolution No. 3028
House Concurrent Resolution No. 3031
House Concurrent Resolution No. 3035
House Concurrent Resolution No. 3036
House Concurrent Resolution No. 3038
House Concurrent Resolution No. 3040
House Concurrent Resolution No. 3042
House Concurrent Resolution No. 3044
House Concurrent Resolution No. 3045
House Concurrent Resolution No. 3046
House Concurrent Resolution No. 3047
House Concurrent Resolution No. 3050
House Concurrent Resolution No. 3051
House Concurrent Resolution No. 3052
House Concurrent Resolution No. 3053
House Concurrent Resolution No. 3055
House Concurrent Resolution No. 3058
House Concurrent Resolution No. 3063
House Concurrent Resolution No. 3064
House Concurrent Resolution No. 3066
House Concurrent Resolution No. 3069
House Concurrent Resolution No. 3073
House Concurrent Resolution No. 3076
House Concurrent Resolution No. 3077
House Concurrent Resolution No. 3080
House Concurrent Resolution No. 3081
House Concurrent Resolution No. 3083
House Concurrent Resolution No. 3086
House Concurrent Resolution No. 3087
House Concurrent Resolution No. 3088
House Concurrent Resolution No. 1389
House Concurrent Resolution No. 3090
House Concurrent Resolution No. 3091
House Concurrent Resolution No. 3092
House Concurrent Resolution No. 3093
House Concurrent Resolution No. 3094
House Concurrent Resolution No. 3095

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, N. D., March 16, 1971

Mr. Speaker: I have the honor to return:

House Bill No. 1001
House Bill No. 1002
House Bill No. 1004
House Bill No. 1007
House Bill No. 1009
House Bill No. 1010
House Bill No. 1011
House Bill No. 1013
House Bill No. 1015
House Bill No. 1016
House Bill No. 1017
House Bill No. 1020
House Bill No. 1021
House Bill No. 1022
House Bill No. 1023
House Bill No. 1024
House Bill No. 1025
House Bill No. 1026

House Bill No. 1027
House Bill No. 1029
House Bill No. 1030
House Bill No. 1033
House Bill No. 1034
House Bill No. 1035
House Bill No. 1036
House Bill No. 1043
House Bill No. 1048
House Bill No 1053
House Bill No. 1057
House Bill No. 1059
House Bill No. 1063
House Bill No. 1065
House Bill No. 1068
House Bill No. 1070
House Bill No. 1077
House Bill No. 1085
House Bill No. 1089
House Bill No. 1101
House Bill No. 1102
House Bill No. 1104
House Bill No. 1111
House Bill No. 1116
House Bill No. 1119
House Bill No. 1132
House Bill No. 1133
House Bill No. 1140
House Bill No. 1161
House Bill No. 1164
House Bill No. 1172
House Bill No. 1177
House Bill No. 1185
House Bill No. 1186
House Bill No. 1188
House Bill No. 1193
House Bill No. 1203
House Bill No. 1205
House Bill No. 1208
House Bill No. 1224
House Bill No. 1229
House Bill No. 1246
House Bill No. 1247
House Bill No. 1254
House Bill No. 1259
House Bill No. 1260
House Bill No. 1261
House Bill No. 1269
House Bill No. 1271
House Bill No. 1276
House Bill No. 1291
House Bill No. 1306
House Bill No. 1311
House Bill No. 1315
House Bill No. 1319
House Bill No. 1321
House Bill No. 1322
House Bill No. 1324
House Bill No. 1325
House Bill No. 1326
House Bill No. 1331
House Bill No. 1333
House Bill No. 1337
House Bill No. 1343

House Bill No. 1352
House Bill No. 1360
House Bill No. 1361
House Bill No. 1363
House Bill No. 1368
House Bill No. 1374
House Bill No. 1382
House Bill No. 1389
House Bill No. 1392
House Bill No. 1394
House Bill No. 1399
House Bill No. 1401
House Bill No. 1418
House Bill No. 1428
House Bill No. 1433
House Bill No. 1434
House Bill No. 1436
House Bill No. 1438
House Bill No. 1440
House Bill No. 1446
House Bill No. 1455
House Bill No. 1456
House Bill No. 1460
House Bill No. 1469
House Bill No. 1473
House Bill No. 1484
House Bill No. 1487
House Bill No. 1492
House Bill No. 1503
House Bill No. 1514
House Bill No. 1517
House Bill No. 1518
House Bill No. 1525
House Bill No. 1531
House Bill No. 1533
House Bill No. 1534
House Bill No. 1537
House Bill No. 1538
House Bill No. 1539
House Bill No. 1545
House Bill No. 1548
House Bill No. 1549
House Bill No. 1550
House Bill No. 1554
House Bill No. 1555
House Bill No. 1558
House Bill No. 1560

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, N. D., March 16, 1971

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3001
House Concurrent Resolution No. 3002
House Concurrent Resolution No. 3013
House Concurrent Resolution No. 3015
House Concurrent Resolution No. 3018
House Concurrent Resolution No. 3019
House Concurrent Resolution No. 3020
House Concurrent Resolution No. 3021
House Concurrent Resolution No. 3022
House Concurrent Resolution No. 3023
House Concurrent Resolution No. 3025

House Concurrent Resolution No. 3026
 House Concurrent Resolution No. 3027
 House Concurrent Resolution No. 3028
 House Concurrent Resolution No. 3031
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3036
 House Concurrent Resolution No. 3038
 House Concurrent Resolution No. 3040
 House Concurrent Resolution No. 3042
 House Concurrent Resolution No. 3044
 House Concurrent Resolution No. 3045
 House Concurrent Resolution No. 3046
 House Concurrent Resolution No. 3047
 House Concurrent Resolution No. 3050
 House Concurrent Resolution No. 3051
 House Concurrent Resolution No. 3052
 House Concurrent Resolution No. 3053
 House Concurrent Resolution No. 3055
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3063
 House Concurrent Resolution No. 3064
 House Concurrent Resolution No. 3066
 House Concurrent Resolution No. 3069
 House Concurrent Resolution No. 3073
 House Concurrent Resolution No. 3076
 House Concurrent Resolution No. 3077
 House Concurrent Resolution No. 3080
 House Concurrent Resolution No. 3081
 House Concurrent Resolution No. 3083
 House Concurrent Resolution No. 3086
 House Concurrent Resolution No. 3087
 House Concurrent Resolution No. 3088
 House Concurrent Resolution No. 3089
 House Concurrent Resolution No. 3090
 House Concurrent Resolution No. 3091
 House Concurrent Resolution No. 3092
 House Concurrent Resolution No. 3093
 House Concurrent Resolution No. 3094
 House Concurrent Resolution No. 3095
 Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The committee on enrollment and engrossment respectfully reports that:

Senate Bill No. 2001
 Senate Bill No. 2002
 Senate Bill No. 2003
 Senate Bill No. 2004
 Senate Bill No. 2005
 Senate Bill No. 2006
 Senate Bill No. 2007
 Senate Bill No. 2009
 Senate Bill No. 2010
 Senate Bill No. 2011
 Senate Bill No. 2012
 Senate Bill No. 2013
 Senate Bill No. 2014
 Senate Bill No. 2021
 Senate Bill No. 2022
 Senate Bill No. 2023
 Senate Bill No. 2024
 Senate Bill No. 2027
 Senate Bill No. 2029
 Senate Bill No. 2031

Senate Bill No. 2033
Senate Bill No. 2034
Senate Bill No. 2036
Senate Bill No. 2042
Senate Bill No. 2045
Senate Bill No. 2061
Senate Bill No. 2063
Senate Bill No. 2091
Senate Bill No. 2093
Senate Bill No. 2100
Senate Bill No. 2122
Senate Bill No. 2126
Senate Bill No. 2139
Senate Bill No. 2151
Senate Bill No. 2153
Senate Bill No. 2154
Senate Bill No. 2155
Senate Bill No. 2156
Senate Bill No. 2157
Senate Bill No. 2178
Senate Bill No. 2180
Senate Bill No. 2181
Senate Bill No. 2192
Senate Bill No. 2194
Senate Bill No. 2204
Senate Bill No. 2207
Senate Bill No. 2211
Senate Bill No. 2217
Senate Bill No. 2218
Senate Bill No. 2230
Senate Bill No. 2234
Senate Bill No. 2259
Senate Bill No. 2262
Senate Bill No. 2264
Senate Bill No. 2276
Senate Bill No. 2279
Senate Bill No. 2282
Senate Bill No. 2299
Senate Bill No. 2302
Senate Bill No. 2304
Senate Bill No. 2306
Senate Bill No. 2307
Senate Bill No. 2309
Senate Bill No. 2316
Senate Bill No. 2319
Senate Bill No. 2333
Senate Bill No. 2334
Senate Bill No. 2343
Senate Bill No. 2346
Senate Bill No. 2347
Senate Bill No. 2348
Senate Bill No. 2354
Senate Bill No. 2362
Senate Bill No. 2363
Senate Bill No. 2370
Senate Bill No. 2375
Senate Bill No. 2381
Senate Bill No. 2387
Senate Bill No. 2389
Senate Bill No. 2391
Senate Bill No. 2398
Senate Bill No. 2404
Senate Bill No. 2408
Senate Bill No. 2413
Senate Bill No. 2426

Senate Bill No. 2437
Senate Bill No. 2439
Senate Bill No. 2448
Senate Bill No. 2449
Senate Bill No. 2456
Senate Bill No. 2458
Senate Bill No. 2460
Senate Bill No. 2461
Senate Bill No. 2464
Senate Bill No. 2481
Senate Bill No. 2494
Senate Bill No. 2502
Senate Bill No. 2512

Were delivered to the Governor for his approval.

REPORT OF PROCEDURAL COMMITTEE

The committee on enrollment and engrossment respectfully reports that:

Senate Concurrent Resolution No. 4002
Senate Concurrent Resolution No. 4007
Senate Concurrent Resolution No. 4013
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Senate Memorial Resolution No. 1

Were delivered to the Secretary of State.

MOTION

Senator Just moved that the absent Senators be excused, which motion prevailed.

1971 - 1973 INTERIM COMMITTEE APPOINTMENTS

The Lieutenant Governor announced the following 1971-1973 Interim Committee Appointments:

LEGISLATIVE COUNCIL —

Senator I. J. Wilhite
 Senator L. D. Christensen
 Senator Elton W. Ringsak
 Senator Robert M. Nasset
 Senator Howard A. Freed
 Senator Myron Just
 Senator Rait

LEGISLATIVE AUDIT AND FISCAL REVIEW

COMMITTEE —

Lt. Governor Richard F. Larsen, Chairman
 Senator Oscar J. Sorlie
 Senator Clarence G. Schultz
 Senator Francis Barth

CAPITOL GROUNDS PLANNING COMMISSION —

Senator Gail H. Hernet
 Senator Robert Chesrown
 Senator Phillip Berube

COMBINED LAW ENFORCEMENT COUNCIL —

Senator Robert L. Stroup

HERITAGE COMMISSION —

Senator Wilhite recommended that Senator Thoreson be appointed to the Heritage Commission.

Senator Litten moved that a unanimous ballot be cast for Senator Thoreson as a member of the Heritage Commission, which motion prevailed.

EDUCATION COMMISSION —

Senator Wilhite recommended that Senator Thane be appointed to the Education Commission of the States.

Senator Litten moved that a unanimous ballot be cast for Senator Thane as a member of the Education Commission of the States, which motion prevailed.

PRESENTATIONS

Senator Litten: "Mr. President. I rise on a point of personal privilege and request that you recognize certain Senators for the purpose of making presentations. I would first ask that you recognize Senator Roen."

Lt. Governor: "Senator Roen."

Senator Roen: "Mr. President. Gentlemen of the Senate. I am privileged to express the tremendous regard we all have for this gentleman to whom I am to make a presentation. I was indeed amazed to learn of some of his accomplishments, amazed to learn of his scholastic abilities, and his many achievements which were otherwise unknown to me. I am speaking particularly of Lieutenant Governor Larson. He has swung loud and hard in calling us to order. I am speaking specifically of the way he raps the gavel. There is no doubt about it, when he raps the gavel we come to order. The Senate has chosen today to recognize him in a very special way by a small presentation. Each of us have had some differences of opinion at times and you have handled this beautifully, and all the procedures of the Senate he has handled beautifully as well. He has performed admirably and we extend to

him our best wishes for the future. If the page will come forward and receive this gift and present the same to the Lieutenant Governor."

Lt. Governor: "Thank you, very much, Senator Roen. As a person who flunked out of third grade choir, I particularly appreciate this. I wish all the Senators well during the interim period."

Senator Litten: "Mr. President, I ask that you recognize Senator Strinden."

Senator Strinden: "Mr. President. Gentlemen of the Senate. It is an honor for me to say a few words to the gentleman who presides in the absence of the Lieutenant Governor. I noticed the other day when he was presiding, the overhead light was shining down on him, that he was a shining example of how the Senate should be run in the absence of the Lieutenant Governor. We have agreed and disagreed, and that is the way legislation should be. It is a pleasure for me to ask the page to deliver this little gift to Senator Evan Lips, President Pro Tem."

Senator Lips: "Mr. President. The only thing I need is Phil Matthews' wig, if I had the nerve to put it on. Mr. President, members of the Senate. I acknowledge this with pleasure. I consider it a real honor to be elected President Pro Tem of this body, and it is a pleasure to have met all of you gentlemen. I know we have disagreed on occasion, but don't think we would have very good legislation if that were not so. It was a pleasure to serve as President Pro Tem, and I will see you all two years from now."

Senator Litten: "Mr. President. I would like to have you now recognize Senator Van Horn."

Lt. Governor: "Senator Van Horn."

Senator Van Horn: "Mr. President. It is a privilege for me to have the honor at this time to make a few remarks. I have enjoyed meeting and working with the Senators and members of this Forty-Second Legislative Session. The majority has had the heavy responsibility of getting the workload distributed as equitably as seems possible in the sixty days allotted that we are mandated to work under. Senator Wilhite, the majority leader in this session has done a commendable job. At times it seems that there was just no way to get all the items taken care of. He was able to crowd a few more hours of work out of us and get the problems taken care of: It is a pleasure for me, on behalf of this Senate body to present this token of appreciation to you, Senator Wilhite, for your efforts as majority floor leader of this session."

Senator Wilhite: "Mr. President. Senator Van Horn, thank you very much for your kind words. It has been a real honor to serve as majority leader, and to serve the people of North Dakota. It has been a real experience. It has been different. As someone said — as you look over your shoulder how can you tell whether they are following you or whether they are chasing you. Again, I appreciate very much being majority leader. Thank you, very much."

Senator Litten: "Mr. President. I ask that you now recognize Senator Hernet." "

Lt. Governor: "Senator Hernet."

Senator Hernet: "It is with real pleasure that I accepted the offer to make a presentation to our friend and colleague, Minority Leader Lee Christensen. It is only a little over two years ago that we were all seriously concerned when we learned that Lee had been injured in an airplane accident while returning home from a legislative committee meeting in Bismarck. During the last legislative session we were pleased to know that he was recovering on schedule, but his participation was truly missed. It was with real pleasure that we welcomed him back to the Senate during this Session.

"In his position of Minority Floor Leader, Lee has served the

Senate, his Party, and the State well in the true English style as 'Leader of Her Majesty's Loyal Opposition.' He has been firm in his convictions, temperate of speech, and willing to compromise when compromise was indicated. He is a leader, legislator, and friend in every sense of the word.

"Lee, please accept this gift as a token of our respect and appreciation."

Senator Christensen: "Mr. President. Gentlemen of the Senate. "Service in the Legislative Assembly is a privilege few citizens of our state enjoy. Service as Minority Leader is an additional privilege which I have enjoyed. I wish to extend my thanks to members of the majority party and to their leadership for the many courtesies extended to the minority in this Legislative Assembly. Senator Rait (Assistant Minority Leader), Senator Lester Larson (Caucus Chairman), and Pat Mitzel (minority secretary) have been most helpful and are deserving of our thanks for their valuable help in this Legislative Assembly.

The Easter season is considered by many to be the season of Hope and I hope all of you have successful and productive years ahead."

Senator Litten: "Mr. President. I now ask that you recognize Senator Doherty."

Senator Doherty: "Mr. President, and Gentlemen of the Senate. It is a privilege for me, a junior Senator in this organization, to give recognition this afternoon to one of our senior members. He is one of our most industrious Senators, conscientious and a dedicated worker for the people back home. He works hard for the people of North Dakota. He is experienced, having served many years in a variety of capacities. He is one of the most punctual Senators. His car is here first in the morning, parked a little ways out of line so that the rest of us have difficulty getting lined up. I had a professor once who said that punctuality is a mark of the character of a man. This gentleman is a character in the Senate. As I say he is a concerned legislator. He is concerned about the people back home even though at times he does not care a "Kindred dam". So in recognition of his years of devotion to public service, I am proud to participate in this program this afternoon, and to give a little bit of advance recognition for continued service while he serves as President Pro Tem for the Interim. I am happy to ask the page to present to the cushion kid, he still holds the title of 'King of the Hill' Senator Morgan."

Senator Morgan: "Mr. President. Gentlemen of the Senate. This is indeed a surprise and I thank Senator Doherty for his kind remarks. I do get to the Senate sometimes before nine o'clock. I have appreciated serving North Dakota for eight sessions, and I have enjoyed working with each and everyone of you. Thank you very kindly."

Senator Litten: "Mr. President. I would like to have you recognize Senator Robinson."

Lt. Governor: "Senator Robinson."

Senator Robinson: "Mr. President. Gentlemen of the Senate. On behalf of the employees of the Forty-second Legislative Assembly, it is a real pleasure to be asked to make a presentation to the Secretary of the Senate, Leo Leidholm. He is the head ram rod of the employees of this session. He has done a good job. It is a real privilege for me to make this presentation. Leo is from my district. At home we call him 'Swede' for short. One day I was going to ask him to read a farm bill, but I was afraid that he would not be able to take that because of the long technical words. At this time I ask the page to deliver this gift to Mr. Leidholm on behalf of the Senate employees."

Mr. Leidholm: "Mr. President. Members of the Senate: I want to indeed thank you employees for this gift. Without the employees,

and the experienced desk force, my job would be just a lot tougher than it is, but we manage to get the job done. Art Herk has been here for a long time, and Dagny has been here for a long time, and they know what is going on. I want to thank you very much."

Senator Litten: "Mr. President, I would now like to have you recognize Senator Wilhite."

Senator Wilhite: "Mr. President. Members of the Senate. We are all aware of the popularity contests we've had this legislative session. If the polls had been taken here in this Senate body, there would have been only one name submitted.

"Not only the most outstanding, reliable, industrious, accurate, and knowledgeable but also the best looking.

"It gives me a great deal of personal pleasure to present our beloved Miss Dagny Olson with this small token of our esteem."

Miss Olson then responded and thanked the Senators for the commendations and gift.

Leo Leidholm, on behalf of the employees, then presented the members of the Employment Committee with gifts.

Senator Robinson: "Mr. President. As Chairman of the Employment Committee, the fellows that serve with me, I want to thank the employees for these tokens. I feel that this is completely unnecessary, but it is appreciated and we thank you."

MOTIONS

Senator Wilhite 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,

Senators:

Morgan
Thoreson
Swedlund

Senator Wilhite 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,

Senators:

Freed
Thane
Gronhovd

Senator Morgan 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 Freed 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 Wilhite moved that the Senate adjourn sine die, which motion prevailed and the Senate stood adjourned sine die.

LEO LEIDHOLM, Secretary

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Senate Bill No. 2001—(Committee on Appropriations)

Senate Bill No. 2001. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts or parts of Acts, insofar as the same shall relate to appropriations for the same matters or purposes provided for herein.

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Senate Bill No. 2002. A Bill for an Act to appropriate money for the expenses of the educational departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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Senate Bill No. 2004—(Committee on Appropriations)

Senate Bill No. 2004. A Bill for an Act to appropriate money for the expenses of departments of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriation shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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Senate Bill No. 2005. A Bill for an Act to appropriate money for the expenses of the judicial branch of government.

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Senate Bill No. 2006—(Committee on Appropriations)

Senate Bill No. 2006. A Bill for an Act to appropriate money for the expenses of the legislative branch of government, and declaring an emergency.

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Senate Bill No. 2007—(Committee on Appropriations)

Senate Bill No. 2007. A Bill for an Act to appropriate money for the expenses of the executive department of state government, and for the subdivisions thereof, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided herein.

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Senate Bill No. 2008—(Committee on Appropriations)

Senate Bill No. 2008. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the school for the blind at Grand Forks, North Dakota.

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Senate Bill No. 2009—(Committee on Appropriations)

Senate Bill No. 2009. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the school for the deaf at Devils Lake, North Dakota, and declaring an emergency.

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Senate Bill No. 2010—(Committee on Appropriations)

Senate Bill No. 2010. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the Grafton state school at Grafton, North Dakota.

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Senate Bill No. 2011. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the tuberculosis sanatorium at San Haven, North Dakota.

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Senate Bill No. 2012. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and special projects for the state hospital at Jamestown, North Dakota.

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Senate Bill No. 2013—(Committee on Appropriations)

Senate Bill No. 2013. A Bill for an Act making an appropriation for the maintenance and operation of the state industrial school at Mandan, North Dakota.

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 Reported back, amended, 327.
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Senate Bill No. 2014—(Committee on Appropriations)

Senate Bill No. 2014. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the state penitentiary and state farm.

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Senate Bill No. 2015. A Bill for an Act making an appropriation for paying the salaries and other expenses of the milk stabilization board.

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Senate Bill No. 2016. A Bill for an Act making an appropriation to pay for the education of children, who are deaf as well as blind, at any school or institution, outside the state of North Dakota, for which there are no facilities in the state.

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Senate Bill No. 2017—(Committee on Appropriations)

Senate Bill No. 2017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the state fire and tornado fund.

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Senate Bill No. 2018—(Committee on Appropriations)

Senate Bill No. 2018. A Bill for an Act making an appropriation for the purpose of operating and maintaining the state bonding fund.

Introduction, first reading, 37.
 Referred to Committee on Appropriations.
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Senate Bill No. 2019—(Committee on Appropriations)

Senate Bill No. 2019. A Bill for an Act making an appropriation to the state board of public school education for the administration and supervision of grants for vocational agriculture, vocational home economics, office and distributive education, trade and industrial education, manpower development and training, rural area redevelopment, work study, local directors, state advisory council for vocational education, special needs programs, disadvantaged persons program, handicapped persons program, cooperative education, exemplary, research and educational professional development.

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Senate Bill No. 2020—(Committee on Appropriations)

Senate Bill No. 2020. A Bill for an Act making an appropriation for salaries and expenses of the division of vocational rehabilitation for rehabilitating disabled persons.

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Senate Bill No. 2021—(Committee on Appropriations)

Senate Bill No. 2021. A Bill for an Act making an appropriation to the department of public instruction for the purpose of paying salaries and other expense of the director of surplus property, and declaring an emergency.

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Senate Bill No. 2022—(Committee on Appropriations)

Senate Bill No. 2022. A Bill for an Act making an appropriation for salaries and expenses of the division of supervised correspondence study.

Introduction, first reading, 38.
 Referred to Committee on Appropriations.
 Reported back, amended, 149, 150.
 Amendments adopted, 169.
 Engrossed, 181.
 Re-engrossed, 1225, 1286.
 Second reading, 194, 1225.
 Passed, 195, 1226.
 To House, 217.
 House amendments, 1036.
 Returned to Senate, amended, 1035.
 Conference Committee, 1059, 1085, 1197, 1203, 1216.
 Conference Committee report, 1197, 1225, 1234.
 Senate adopts, 1202, 1225, 1234.
 Senate does not concur, 1059.
 Returned to Senate, 1216.
 Transmitted to House, 1227.
 Enrolled, 1286.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1304.

RECORD OF SENATE BILLS IN THE SENATE

Senate Bill No. 2023—(Committee on Appropriations)

Senate Bill No. 2023. A Bill for an Act making an appropriation for the operation of the North Dakota state employees' retirement system.

Introduction, first reading, 38.
Referred to Committee on Appropriations.
Reported back, do pass, 253.
Engrossed, 1246, 1285.
Second reading, 270, 1246.
Passed, 270, 1246.
To House, 286.
House amendments, 1102.
Returned to Senate, amended, 1100.
Conference Committee, 1211, 1236.
Conference Committee report, 1245.
Senate adopts, 1246, 1260.
Senate does not concur, 1211.
Transmitted to House, 1247.
Returned to Senate, 1260.
Enrolled, 1285.
Signed by President, 1288.
Sent to House, 1291.
Received from House, 1293.
Message to Governor, 1304.

Senate Bill No. 2024—(Committee on Appropriations)

Senate Bill No. 2024. A Bill for an Act making an appropriation for salaries and expenses of the state seed department.

Introduction, first reading, 38.
Referred to Committee on Appropriations.
Reported back, do pass, 479.
Engrossed, 1111, 1285.
Second reading, 510, 1111.
Passed, 510, 1111.
To House, 539.
House amendments, 1036.
Returned to Senate, amended, 1035.
Conference Committee, 1059, 1085.
Conference Committee report, 1111.
Senate adopts, 1111, 1169.
Senate does not concur, 1059.
Transmitted to House, 1123.
Enrolled, 1285.
Signed by President, 1288.
Sent to House, 1291.
Received from House, 1293.
Message to Governor, 1304.

Senate Bill No. 2025—(Committee on Appropriations)

Senate Bill No. 2025. A Bill for an Act making an appropriation for paying salaries and other expenses of the state tax commissioner.

Introduction, first reading, 38.
Referred to Committee on Appropriations.
Reported back, do pass, 182.

Second reading, 208.
 Passed, 208.
 To House, 252.
 House amendments, 758.
 Returned to Senate, amended, 758.
 Conference Committee, 773, 821.
 Conference Committee Report, 883, 965.
 Conference Committee adopts, 883, 965.
 Senate does not concur, 773.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1244.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2026—(Committee on Appropriations)

Senate Bill No. 2026. A Bill for an Act making an appropriation for salaries and expenses of the state library commission.

Introduction, first reading, 38.
 Referred to Committee on Appropriations.
 Reported back, do pass, 183.
 Second reading, 209.
 Passed, 209.
 To House, 252.
 Returned to Senate, 781.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1244.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2027—(Committee on Appropriations)

Senate Bill No. 2027. A Bill for an Act making an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association and certain activities at the University of North Dakota.

Introduction, first reading, 38.
 Referred to Committee on Appropriations.
 Reported back, do pass, 73.
 Engrossed, 1285.
 Re-Engrossed, 1147.
 Second reading, 86, 1147.
 Passed, 86, 1147.
 To House, 100.
 House amendments, 1124.
 Returned to Senate, amended, 1123.
 Senate concurs, 1147.
 Enrolled, 1285.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1304.

Senate Bill No. 2028—(Committee on Appropriations)

Senate Bill No. 2028. A Bill for an Act making an appropriation for salaries and other expenses to the unsatisfied judgment fund for administering the provisions of Chapter 39-17 of the North Dakota Century Code.

Introduction, first reading, 38.
 Referred to Committee on Appropriations.
 Reported back, amended, 55.
 Amendments adopted, 63.
 Engrossed, 74.
 Second reading, 74.
 Passed, 74.
 To House, 89.
 Returned to Senate, 558.
 Enrolled, 801.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2029—(Committee on Appropriations)

Senate Bill No. 2029. A Bill for an Act making an appropriation for salaries and expenses for predatory animal control to the commissioner of agriculture.

Introduction, first reading, 38.
 Referred to Committee on Appropriations.
 Reported back, do pass, 279.
 Second reading, 295.
 Passed, 295.
 To House, 323.
 Returned to Senate, 1100.
 Enrolled, 1286.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1304.

Senate Bill No. 2030—(Committee on Appropriations)

Senate Bill No. 2030. A Bill for an Act making an appropriation to the state outdoor recreation agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

Introduction, first reading, 38.
 Referred to Committee on Appropriations.
 Reported back, do pass, 307.
 Engrossed, 965.
 Second reading, 337, 965.
 Passed, 337, 965.
 To House, 360.
 House amendments, 941.
 Returned to Senate, amended, 940.
 Conference Committee, 1197.
 Senate concurs, 965.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2031—(Committee on Appropriations)

Senate Bill No. 2031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the department of public instruction.

Introduction, first reading, 39.
 Referred to Committee on Appropriations.
 Reported back, do pass, 280.
 Second reading, 295.
 Passed, 295.
 To House, 323.
 Returned to Senate, 1085.
 Enrolled, 1287.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1304.

Senate Bill No. 2032—(Committee on Appropriations)

Senate Bill No. 2032. A Bill for an Act making an appropriation to the North Dakota trade commission in accordance with North Dakota Century Code 51-10.

Introduction, first reading, 39.
 Referred to Committee on Appropriations.
 Reported back, do pass, 280.
 Second reading, 295.
 Lost, 296.
 Clincher motion, 296.

Senate Bill No. 2033—(Committee on Appropriations)

Senate Bill No. 2033. A Bill for an Act making an appropriation for the expenses of the operation of the centralized data processing system.

Introduction, first reading, 39.
 Referred to Committee on Appropriations.
 Reported back, amended, 500.
 Amendments adopted, 521.
 Engrossed, 547, 1147.
 Re-engrossed, 1286.
 Second reading, 590, 1148.
 Passed, 591, 1148.
 To House, 637.
 House amendments, 1124, 1125.
 Returned to Senate, amended, 1123.
 Senate concurs, 1147.
 Enrolled, 1286.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2034—(Committee on Appropriations)

Senate Bill No. 2034. A Bill for an Act making an appropriation for the purpose of paying the salaries and other expenses of the upper great plains transportation institute.

Introduction, first reading, 39.
 Referred to Committee on Appropriations.
 Reported back, amended, 253.
 Amendments adopted, 265.
 Engrossed, 279.
 Re-engrossed, 1286.
 Second reading, 283.
 Passed, 283.
 To House, 300.

Returned to Senate, 1100.
 Enrolled, 1286.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2035—(Committee on Appropriations)

Senate Bill No. 2035. A Bill for an Act making an appropriation for the purposes of defraying the expenses of the maintenance and operation of the North Dakota national guard and the adjutant general.

Introduction, first reading, 39.
 Referred to Committee on Appropriations.
 Reported back, amended, 165.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 209.
 Passed, 209.
 To House, 252.
 Returned to Senate, 558.
 Enrolled, 801.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2036—(Committee on Appropriations)

Senate Bill No. 2036. A Bill for an Act making an appropriation to defray the expenses of the operation and maintenance of the North Dakota council on arts and humanities.

Introduction, first reading, 39.
 Referred to Committee on Appropriations.
 Reported back, do pass, 327.
 Second reading, 357.
 Passed, 357.
 To House, 387.
 Returned to Senate, 999.
 Enrolled, 1287.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2037—(Goldberg, L. Larson, Lowe, Melland, Robinson, Wenstrom, Wilhite)

Senate Bill No. 2037. A Bill for an Act to authorize the board of university and school lands to charge fees, and to repeal section 15-02-10 of the North Dakota Century Code.

Introduction, first reading, 39.
 Referred to Committee on Agriculture.
 Reported back, do pass, 62.
 Second reading, 74.
 Passed, 75.
 To House, 89.
 Returned to Senate, 251.
 Enrolled, 581.

Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 616.
 Approved by Governor, 719.

Senate Bill No. 2038—(Goldberg, L. Larson, Lowe, Melland, Wenstrom, Wilhite)

Senate Bill No. 2038. A Bill for an Act to amend and reenact sections 6-01-17 and 6-06-08 of the North Dakota Century Code, relating to fees for examination of banks and credit unions by the department of banking and financial institutions.

Introduction, first reading, 39.
 Referred to Committee on Business and Industry.
 Reported back, amended, 109.
 Amendments adopted, 129.
 Engrossed, 143.
 Second reading, 144.
 Passed, 144.
 To House, 161.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2039—(Goldberg, L. Larson, Lowe, Melland, Wenstrom, Wilhite)

Senate Bill No. 2039. A Bill for an Act to require all state agencies, departments, and institutions which charge fees for licensing, inspection, or regulation of private business activities or products to make reports.

Introduction, first reading, 39.
 Referred to Committee on Business and Industry.
 Reported back, amended, 94.
 Amendments adopted, 107.
 Engrossed, 121.
 Second reading, 129.
 Passed, 129.
 To House, 147.
 Returned to Senate, 332.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 616.
 Approved by Governor, 719.

Senate Bill No. 2040—(Goldberg, L. Larson, Lowe, Melland, Wenstrom, Wilhite)

Senate Bill No. 2040. A Bill for an Act to amend and reenact section 19-05-05, subsections 1 and 2 of section 19-05-07, subsection 1 of section 19-05-09, section 19-05-15, and subsection 1 of section 19-05-19 of the North Dakota Century Code, and to repeal section 19-05-06 of the North Dakota Century Code, relating to the discontinuance of the requirement for a license to sell oleo-margarine.

Introduction, first reading, 40.
 Referred to Committee on Business and Industry.
 Reported back, amended, 94-95.
 Amendments adopted, 107.
 Engrossed, 121.
 Second reading, 130.
 Passed, 130.
 To House, 147.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2041—(Goldberg, L. Larson, Lowe, Melland, Robinson, Wenstrom, Wilhite)

Senate Bill No. 2041. A Bill for an Act to amend and reenact sections 19-07-04, 19-07-05, 19-18-04, 19-20.1-06, 23-09-17, and 23-10-05 of the North Dakota Century Code, relating to fees charged by the state laboratories department for licenses issued and services provided, and providing a penalty.

Introduction, first reading, 40.
 Referred to Committee on Business and Industry.
 Reported back, do pass, 109.
 Second reading, 130.
 Passed, 130.
 To House, 147.
 Returned to Senate, failed to pass, 380.

Senate Bill No. 2042—(Coughlin, Stroup, Wenstrom)

Senate Bill No. 2042. A Bill for an Act to establish an office of higher education computer services under the control of the state board of higher education.

Introduction, first reading, 40.
 Referred to Committee on Appropriations.
 Reported back, 76.
 Amended, 346.
 Referred to Committee on Education, 76.
 Returned to Senate, re-referred to Committee on Appropriations, 121.
 Amendments adopted, 375.
 Engrossed, 389.
 Re-Engrossed, 1214, 1286.
 Second reading, 401, 1214.
 Passed, 401, 1215.
 To House, 422.
 House amendments, 1207, 1208.
 Returned to Senate, amended, 1207.
 Senate concurs, 1214.
 Enrolled, 1286.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2043—(Berube, Longmire, Nasset, Swedlund)

Senate Bill No. 2043. A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code, relating to the compensation of school board members.

Introduction, first reading, 40.
 Referred to Committee on Education.
 Reported back, amended, 83.
 Amendments adopted, 100.
 Engrossed, 109, 582.
 Re-engrossed, 399.
 Second reading, 114, 399.
 Passed, 115, 400.
 To House, 137.
 Return to Senate, amended, 345.
 Senate concurs, 399.
 Enrolled, 582.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 616.
 Approved by Governor, 719.

Senate Bill No. 2044—(Berube, Nasset, Longmire, Swedlund)

Senate Bill No. 2044. A Bill for an Act to amend and reenact section 15-29-01 of the North Dakota Century Code, relating to school board meetings.

Introduction, first reading, 40.
 Referred to Committee on Education.
 Reported back, do pass, 83.
 Second reading, 101.
 Passed, 101.
 To House, 119.
 Returned to Senate, 323.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 616.
 Approved by Governor, 719.

Senate Bill No. 2045—(Butler, Jacobson, Rait, Wilhite)

Senate Bill No. 2045. A Bill for an Act to create and enact section 57-02-05.1 of the North Dakota Century Code, relating to the definition of personal property; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of personal property from taxation; and to repeal section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property, and declaring an emergency.

Introduction, first reading, 40.
 Referred to Committee on Finance and Taxation.
 Reprinted, 286.
 Reported back, amended, 371.
 Amendments adopted, 395.
 Engrossed, 405.
 Re-Engrossed, 1276, 1286.
 Second reading, 449, 472, 486, 1276.
 Passed, 486, 1277.
 Emergency carried, 486.
 To House, 515.
 House amendments, 1154.
 Returned to Senate, amended, 1154.
 Conference Committee, 1148, 1206.

Conference Committee report, 1276.
 Senate adopts, 1276, 1285.
 Senate does not concur, 1148.
 Transmitted to House, 1279.
 Enrolled, 1286.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2046—(Butler, Rait, Wilhite)

Senate Bill No. 2046. A Bill for an Act to provide for the taxation of all property at market value, the public policy therein, the reduction of increases or excess levies, the listing of real property, and a levy for the state medical center; and to amend and reenact sections 2-06-15, 2-07-06.3, 4-02-26, 4-02-27, 4-02-27.1, 4-02-27.2, 4-02-32, 4-02-37, 4-08-15, 4-16-02, 4-31-05, 11-11-24, 11-11-46, 11-11-53, 11-28-06, 11-28-17, 15-18-03, 15-18-04.2, 15-18-05, 15-20-10.1, 15-34-09.1, 15-40-18, 15-42-09.1, 15-42-28, 15-47-21, 15-48-01, 15-48-04, 15-48-05, 15-59.1-02, 18-06-10, 18-07-01, 18-10-07, 18-10-14, 21-03-04, subsections 1, 5, and 6 of section 21-03-06, subsection 1 of section 23-14-11, section 23-18-01, subsection 10 of section 23-24-08, sections 23-24-09, 24-05-01, 25-12-02, 40-05-09.1, 40-38-02, 40-43-01, 40-45-01, 40-45-02, 40-46-02, 40-46-26, 40-48-07, 40-49-14, 40-55-08, 40-55-09, 40-57.2-04, 40-59-01, 57-01-08, 57-15-06, 57-15-06.3, 57-15-06.4, 57-15-08, subsection 4 of section 57-15-10, sections 57-15-10.1, 57-15-12, 57-15-14, subsection 2 of section 57-15-15, subsection 1 of section 57-15-16, sections 57-15-19.4, 57-15-20, 57-15-22, 57-15-24, 57-15-27.1, 57-15-28, 57-15-36, 57-15-37, 57-15-38, 57-15-42, 57-15-43, 57-15-44, 57-15-48, 57-15-49, 57-15-50, 57-15-51, 57-15-52, 57-15-53, 57-15-54, 57-15-55, 57-19-04, 57-47-04, 58-17-02, subsection 9 of section 61-16-11, sections 61-16-12, 61-21-09, subsection 9 of section 61-24-08 and section 61-24-09 of the North Dakota Century Code, providing for the reduction of mill levy limitations to one-fourth of their former amounts for the political subdivisions of this state, including counties; cities; civil townships; school districts; vector control districts; irrigation districts; water management districts; rural fire protection districts; county, city, and joint county park districts; and the Garrison diversion conservancy district; providing for the reduction in statutory limitations on the indebtedness of the political subdivisions of this state; and providing an effective date

Introduction, first reading, 40.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 254.

Senate Bill No. 2047—(Butler, Jacobson)

Senate Bill No. 2047. A Bill for an Act to create and enact section 57-51-02.1 of the North Dakota Century Code, to provide for an exemption from the gross production tax on oil produced by marginal and near marginal oil wells.

Introduction, first reading, 41.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 408.

Senate Bill No. 2048—(Butler, Jacobson, Rait, Wilhite)

Senate Bill No. 2048. A Bill for an Act providing for the creation of a special income tax study commission for the purpose of making a comprehensive study of the income tax laws of this state and to develop and to present to the forty-third legislative assembly recommendations for the improvement of such tax laws; making an appropriation; and declaring an emergency.

Introduction, first reading, 41.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 109.
 Reported back, indefinitely postponed, 328.
 Referred to Committee on Appropriations, 112.

Senate Bill No. 2049—(Butler, Jacobson, Rait, Wilhite)

Senate Bill No. 2049. A Bill for an Act to amend and reenact sections 57-35-06 and 57-35.1-02 of the North Dakota Century Code, relating to the taxation of banks, trust companies, and building and loan associations, and to repeal subsection 19 of section 57-39.2-04 of the North Dakota Century Code, to remove the exemption from the sales tax for banks.

Introduction, first reading, 41.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 109, 110.
 Amendments adopted, 129.
 Engrossed, 143.
 Re-engrossed, 157.
 Second reading, 145, 157.
 Amended from floor, 157.
 Passed, 157.
 To House, 179.
 Returned to Senate, 445.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 616.
 Approved by Governor, 719.

Senate Bill No. 2050—(Butler, Jacobson, Rait, Wilhite)

Senate Bill No. 2050. A Bill for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, to require notice by publication to competitors by potential project operators applying for tax exemptions.

Introduction, first reading, 41.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 84.
 Amendments adopted, 100.
 Engrossed, 109.
 Second reading, 115.
 Passed, 115.
 To House, 137.
 Returned to Senate, 539.
 Enrolled, 801.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2051—(Butler, Rait, Wilhite)

Senate Bill No. 2051. A Bill for an Act to create and enact section 40-57.1-06 of the North Dakota Century Code, to provide for reapplication for tax exemptions in those cases where the exempted property increases in value and in those cases where a project operator moves to a new location.

Introduction, first reading, 41.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 84.
 Second reading, 101.
 Passed, 101.
 To House, 119.
 Returned to Senate, 539.
 Enrolled, 801.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2052—(Butler, Jacobson, Rait, Wilhite)

Senate Bill No. 2052. A Bill for an Act to create and enact section 40-57.1-05 of the North Dakota Century Code, to provide that the state board of equalization shall have discretion in accepting reapplications for tax exemptions for new industries.

Introduction, first reading, 42.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 84.
 Second reading, 102.
 Passed, 102.
 To House, 119.
 Returned to Senate, 540.
 Enrolled, 801.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2053—(Butler, Jacobson, Wilhite)

Senate Bill No. 2053. A Bill for an Act to amend and reenact section 40-57-17 of the North Dakota Century Code, to provide that leaseholds granted by municipalities shall be classified as personal property for only five years.

Introduction, first reading, 42.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 84.
 Second reading, 102.
 Passed, 102.
 To House, 119.
 Returned to Senate, 540.
 Enrolled, 801.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2054—(Butler, Jacobson, Wilhite)

Senate Bill No. 2054. A Bill for an Act to amend and reenact sections 40-57.1-01, 40-57.1-02 and 40-57.1-03 of the North Dakota Century Code, to provide that expansions to existing industries shall be eligible for tax exemptions.

Introduction, first reading, 42.
 Referred to Committee on Finance and Taxation.

Reported back, do pass, 84.
 Reported back, amended, 328, 563, 564.
 Re-referred to Committee on Finance and Taxation, 102.
 Amendments adopted, 346, 589.
 Engrossed, 369.
 Re-engrossed, 599.
 Second reading, 102, 377, 401, 627, 656.
 Lost, 401, reconsidered, 423.
 Clincher motion, 683.
 Rereferred to Committee on Finance and Taxation, 423.

Senate Bill No. 2055—(Coughlin, Holand, Lips, Litten)

Senate Bill No. 2055. A Bill for an Act to provide for the creation of multicounty welfare districts from welfare boards that do not meet certain standards, providing a hearing for affected county boards, authorizing the promulgation of rules and regulations and enforcement of the same, providing for distribution of property.

Introduction, first reading, 42.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, indefinitely postponed, 328.

Senate Bill No. 2056—(Coughlin, Holand, Kautzmann, Lips, Litten, Sorlie, Strinden, Van Horn)

Senate Bill No. 2056. A Bill for an Act to permit the consolidation of county welfare boards into multicounty welfare districts, for determinations, for hearings, and for a plan.

Introduction, first reading, 42.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 409.
 Amendments adopted, 440.
 Engrossed, 459.
 Second reading, 472.
 Passed, 472.
 To House, 488.
 Returned to Senate, 811.
 Enrolled, 1095.
 Signed by President, 1109.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1250.

Senate Bill No. 2057—(Coughlin, Holand, Kautzmann, Lips, Litten, Sorlie, Strinden, Van Horn)

Senate Bill No. 2057. A Bill for an Act to require newly constructed or expanded health care facilities to be certified before receiving payments of public funds, defining the procedure for certification and the standards thereof, and providing for a public hearing.

Introduction, first reading, 42.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, indefinitely postponed, 603.

Senate Bill No. 2058—(Coughlin, Holand, Kautzmann, Lips, Litten, Van Horn)

Senate Bill No. 2058. A Bill for an Act to create and enact sections 50-06-03.1 and 50-06-05.1 of the North Dakota Century Code, relating to terms of office of the members of the public welfare board and the powers and duties of such board; to amend and reenact sections

50-06-02, 50-06-03, 50-06-04, 50-06-09, and 50-06-14 of the North Dakota Century Code, relating to the appointment of members of the public welfare board, qualifications for the executive director, and financing of public welfare programs; and to repeal section 50-06-06 of the North Dakota Century Code, relating to powers and duties of the public welfare board.

Introduction, first reading, 42.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 110.
 Referred to Committee on Appropriations.
 Amendments adopted, 129.
 Engrossed, 143.
 Second reading, 145.
 Passed, 145.
 To House, 161.
 Returned to Senate, 379.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 616.
 Approved by Governor, 719.

Senate Bill No. 2059—(Coughlin, Holand, Kautzmann, Lips, Litten, Sorlie, Van Horn)

Senate Bill No. 2059. A Bill for an Act to amend and reenact sections 50-01-07, 50-01-08, and 50-01-09 of the North Dakota Century Code, relating to the appointment of county welfare board members, their terms of office and compensation, and their duties, and providing for the time of appointment of board members.

Introduction, first reading, 43.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 110.
 Amendments adopted, 129.
 Engrossed, 143.
 Second reading, 145.
 Passed, 146.
 To House, 161.
 Returned to Senate, failed to pass, 864.

Senate Bill No. 2060—(Coughlin, Holand, Kautzmann, Lips, Litten, Van Horn)

Senate Bill No. 2060. A Bill for an Act to create and enact section 50-01-25 of the North Dakota Century Code; to amend and reenact section 50-01-01 of the North Dakota Century Code, concerning the transfer of property to become eligible for welfare aid and defining fraud in obtaining such aid; and providing a penalty.

Introduction, first reading, 43.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 95, 96, 165, 166.
 Rereferred to Committee on State and Federal Government, 130.
 Amendments lost, 107.
 Amended from floor, 107, and adopted, 107.
 Engrossed, 121.
 Re-engrossed, 201.
 Second reading, 213.
 Passed, 213.
 To House, 252.
 Returned to Senate, 811.
 Enrolled, 954.

Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2061—(Coughlin, Holand, Kautzmann, Lips, Litten, Van Horn)

Senate Bill No. 2061. A Bill for an Act to amend and reenact section 15-59.1-01 of the North Dakota Century Code, relating to the mandatory formation of county boards of special education.

Introduction, first Reading, 43.
 Referred to Committee on Education.
 Reported back, amended, 84, 524, 525.
 Referred to Committee on Education, 100.
 Amendments adopted, 100, 548.
 Engrossed, 561.
 Second Reading, 627.
 Passed, 627.
 Clincher motion, 634.
 To House, 640.
 Returned to Senate, 1100.
 Enrolled, 1287.
 Signed by President, 1288.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2062—(Holand, Lips, Litten, Van Horn)

Senate Bill No. 2062. A Bill for an Act to create and enact subsection 16 of section 50-06-06 of the North Dakota Century Code, and to amend and reenact sections 12-46-02, 12-46-03, 12-46-04, 12-46-05, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-10.1, 12-46-11, 12-46-12, 12-46-13, 12-46-16, 12-46-17, 12-46-18, 12-46-21, 12-46-22, 12-46-23, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-06, 12-52-07, 54-23-01, and 54-23-22 of the North Dakota Century Code, transferring control of the North Dakota industrial school to the public welfare board.

Introduction, first reading, 43.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 96.
 Second reading, 114, 119, 135.
 Lost, 135.

Senate Bill No. 2063—(Goldberg, G. Larson, Hernet, Redlin, Van Horn)

Senate Bill No. 2063. A Bill for an Act to amend and reenact sections 2-06-10, 15-55-02, 21-01-06, 21-02-02, 21-02-11, 21-03-08, 21-03-09, 21-03-25, subsection 4 of section 23-11-19, sections 23-11-22, 23-24-10, 24-08-07, 40-24-02, 40-24-19, 40-29-15, 40-31-09, 40-33-18, 40-34-03, subsection 1 of section 40-35-08, sections 40-35-09, 40-54-10, subsections 3 and 4 of section 40-58-10, subsection 2 of section 40-61-08, sections 55-08-08, 61-02-47, 61-02-48, 61-02-53, 61-08-07, 61-08-12, 61-08-20, 61-12-38, 61-16-13, 61-16-28, 61-16-32, 61-21-29, 61-21-50, and 61-21-53 of the North Dakota Century Code, to increase the interest rate ceilings on certain bonds, warrants, and certificates of indebtedness of state agencies and political subdivisions to eight percent on issues sold at private sale, to provide that such bond issues and certificates of indebtedness totaling more than one hundred

thousand dollars must be sold at public sale, to authorize interest on special assessments equal to that on bonds or warrants for which they are pledged, to provide that there shall not be any interest rate ceiling on issues sold at public sale, and to provide that the interest rate on bond issues shall be computed on the basis of average annual net interest cost.

Introduction, first reading, 43.
 Referred to Committee on Business and Industry.
 Reported back, do pass, 85.
 Engrossed, 1285.
 Second reading, 103, 1058.
 Passed, 103, 1058.
 To House, 119.
 House amendments, 941, 946.
 Returned to Senate, amended, 940.
 Conference Committee, 965, 1052.
 Conference Committee report, 1057.
 Senate adopts, 1058, 1169.
 Senate does not concur, 965.
 Transmitted to House, 1071.
 Enrolled, 1285.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2064—(Anderson, Ringsak, Roen, Swedlund, Thoreson)

Senate Bill No. 2064. 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, 44.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 165.

Senate Bill No. 2065—(Anderson, Freed, Ringsak, Roen, Swedlund, Thoreson)

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of state's attorney in a county of over 35,000 population be a full-time position, the employment of assistant state's attorneys, and restrictions on the powers of state's attorneys, and to create and enact a section to provide for an effective date thereof.

Introduction, first reading, 44.
 Referred to Committee on Judiciary.
 Reported back, amended, 96.
 Amendments adopted, 107.
 Engrossed, 121.
 Second reading, 131.
 Passed, 131.
 To House, 147.
 Returned to Senate, Indefinitely postponed, 804.

Senate Bill No. 2066—(Anderson, Freed, Ringsak, Roen, Thoreson)

Senate Bill No. 2066. A Bill for an Act to repeal section 16-20-10 of the North Dakota Century Code, relating to immunity from

prosecution for persons testifying to campaign contributions by corporations.

Introduction, first reading, 44.
 Referred to Committee on Judiciary.
 Reported back, amended, 85.
 Amendments adopted, 100.
 Engrossed, 109.
 Second reading, 115, 1089.
 Passed, 115, 1089 (over Governor's veto.)
 To House, 137, 1093.
 Returned to Senate, 743, failed to pass over Governor's veto, 1156.
 Reconsidered, 1089.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Vetoed by Governor, 1054, 1056.

Senate Bill No. 2067—(Longmire, Melland, Van Horn)

Senate Bill No. 2067. A Bill for an Act to create and enact sections 16-01-11.1 and 16-01-11.2 of the North Dakota Century Code; to amend and reenact section 16-01-11 of the North Dakota Century Code, relating to regulations governing initiative, referendum, and recall petitions, and the powers and duties of the secretary of state in regard thereto; providing an appropriation; and declaring an emergency.

Introduction, first reading, 44.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 390.
 Reported back, amended, 96.
 Rereferred to Committee on Appropriations, 96, 107.
 Amendments adopted, 107.
 Engrossed, 121.
 Second reading, 426.
 Passed, 426.
 Emergency carried, 426.
 To House, 444.
 Returned to Senate, 781.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2068—(Doherty, Longmire, Pyle, Schultz, Unruh)

Senate Bill No. 2068. A Bill for an Act to create and enact section 54-21-25 of the North Dakota Century Code, providing the authorization for the director of institutions to contract with other governmental agencies for the custody and treatment of persons lawfully committed to his control.

Introduction, first reading, 44.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 110, 111.
 Amendments adopted, 129.
 Engrossed, 143.
 Second reading, 146.
 Passed, 146.
 To House, 161.
 Returned to Senate, 323.
 Enrolled, 581.

Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2069—(Doherty, Longmire, Pyle, Unruh)

Senate Bill No. 2069. A Bill for an Act to create and enact chapter 29-30.1 of the North Dakota Century Code, relating to the interstate rendition of accused persons.

Introduction, First reading, 44.
 Referred to Committee on Judiciary.
 Reported back, do pass, 111.
 Second reading, 131.
 Passed, 131.
 To House, 147.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2070—(Doherty, Longmire, Pyle, Schultz, Unruh)

Senate Bill No. 2070. A Bill for an Act to create and enact sections 32-36-14.1, 32-36-14.2, 32-36-14.3, and 32-36-14.4 of the North Dakota Century Code, relating to blood testing to aid in the determination of the paternity of a child born out of wedlock; to provide for appointment and compensation of expert witnesses; and to provide for admission into evidence of the results of the tests.

Introduction, first reading, 44.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 111.

Senate Bill No. 2071—(Doherty, Longmire, Pyle, Unruh)

Senate Bill No. 2071. A Bill for an Act to create and enact section 19-21-04.1 of the North Dakota Century Code, and to amend and reenact sections 19-21-01, 19-21-02, and 19-21-05 of the North Dakota Century Code, relating to the labeling and regulation of mis-branded and banned hazardous substances, setting forth the powers and duties of the state laboratories department, and providing penalties.

Introduction, first reading, 45.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 62.
 Second reading, 75.
 Passed, 75.
 To House, 89.
 Returned to Senate, 251.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2072—(Doherty, Longmire, Pyle, Schultz, Unruh)

Senate Bill No. 2072. A Bill for an Act to amend and reenact subsections 1 and 2 of section 2-03-01, and sections 2-03-04, 2-03-05, 2-03-06, 2-03-08, 2-03-09, 2-03-10, and 2-03-14 of the North Dakota Century Code, relating to the lawfulness of flight over land and water, the method of operation of aircraft, and liability for damages caused by the operation of aircraft or in accidents involving aircraft; and providing a penalty.

Introduction, first reading, 45.
 Referred to Committee on Transportation.
 Reported back, amended, 124, 125, 328.
 Rereferred to Committee on Transportation, 158.
 Amendments adopted, 142, 346.
 Engrossed, 149.
 Re-engrossed, 369.
 Second reading, 158, 377.
 Passed, 378.
 To House, 399.
 Returned to Senate, 862.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1070.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2073—(Nothing)

Senate Bill No. 2073. A Bill for an Act to create and enact chapters 11-09.1 and 11-09.2 of the North Dakota Century Code, relating to a county-city consolidated form of government, providing for the administration and setting forth the powers and duties thereof, providing for the method of adopting the form of government, and providing for the dissolution of consolidated cities within the county; to amend and reenact section 11-05.1-05 of the North Dakota Century Code, relating to the duties of the county consolidation committee; and providing penalties.

Introduction, first reading, 45.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 125.

Senate Bill No. 2074—(Nothing)

Senate Bill No. 2074. A Bill for an Act making an appropriation to the legislative council to be used as a grant-in-aid to a county or counties which express a willingness to submit the question of consolidation of counties, or adoption of an alternative form of county government, or both, to the county residents and agree to implement a plan for improvement of the operation of their government, and providing for the administration of the grant-in-aid program by the legislative council.

Introduction, first reading, 45.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 125.

Senate Bill No. 2075—(Nothing)

Senate Bill No. 2075. A Bill for an Act to amend and reenact subsection 2 of section 11-13-02 and section 54-10-17 of the North Dakota Century Code, requiring the county auditor to prepare a monthly financial statement, and requiring the state auditor to prepare an annual consolidated financial statement for all counties.

Introduction, first reading, 45.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 141.

Senate Bill No. 2076—(Nothing)

Senate Bill No. 2076. A Bill for an Act to amend and reenact section 54-40-08 of the North Dakota Century Code, relating to joint or cooperative action by political subdivisions in carrying out functions or duties which may be assigned to one or more of them.

Introduction, first reading, 45.
 Referred to Committee on Education.
 Reported back, amended, 583, 584.
 Amendments adopted, 600.
 Engrossed, 639.
 Second reading, 657.
 Passed, 658.
 To House, 689.
 Returned to Senate, 939.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2077—(Lips, Morgan, Sanstead)

Senate Bill No. 2077. A Bill for an Act to amend and reenact sections 37-10-03, 37-10-03.1, 37-10-03.2, 37-10-03.3, 37-10-03.4, 37-10-04, and 37-10-06 of the North Dakota Century Code, relating to the administration of armories; and to repeal section 37-10-02 of the North Dakota Century Code, relating to the board of armory supervisors.

Introduction, first reading, 45.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 85.
 Second reading, 103.
 Passed, 104.
 To House, 119.
 Returned to Senate, 251.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2078—(Lips, Morgan, Sanstead)

Senate Bill No. 2078. A Bill for an Act to amend and reenact sections 53-01-02, 53-01-03, 53-01-07, 53-01-08, 53-01-09, 53-01-10, 53-01-11, 53-01-12, 53-01-14, 53-01-15, 53-01-16, and 53-01-19 of the North Dakota Century Code, relating to the state athletic commission and to provide that the secretary of state shall serve as state athletic commissioner; and to repeal sections 53-01-01, 53-01-04, 53-01-05, and 53-01-06 of the North Dakota Century Code, relating to the state athletic commission.

Introduction, first reading, 46.
 Referred to Committee on Agriculture.
 Reported back, do pass, 62.
 Second reading, 75.
 Passed, 76.
 To House, 89.
 Returned to Senate, 251.

Enrolled, 581.
Signed by President, 582.
Sent to House, 583.
Received from House, 616.
Message to Governor, 617.
Approved by Governor, 719.

Senate Bill No. 2079—(Lips, Morgan, Sanstead)

Senate Bill No. 2079. A Bill for an Act to repeal section 37-17-04 of the 1969 Supplement to the North Dakota Century Code, relating to the civil defense advisory council.

Introduction, first reading, 46.
Referred to Committee on State and Federal Government.
Reported back, do pass, 85.
Engrossed, 104.
Second reading, 104.
Amended from floor, 104.
Passed, 104.
To House, 119.
Returned to Senate, 251.
Enrolled, 581.
Signed by President, 582.
Sent to House, 583.
Received from House, 616.
Message to Governor, 617.
Approved by Governor, 719.

Senate Bill No. 2080—(Lips, Morgan, Sanstead)

Senate Bill No. 2080. A Bill for an Act to amend and reenact sections 50-10-01, 50-10-05, subsection 1 of section 50-10-06, and subsection 1 of section 50-10-09 of the North Dakota Century Code, and to repeal sections 50-10-02, 50-10-03, 50-10-04, and subsection 10 of section 50-10-06 of the North Dakota Century Code, to provide for the abrogation of the crippled children's commission and to transfer its functions to the public welfare board.

Introduction, first reading, 46.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 62.
Second reading, 76.
Passed, 76.
To House, 89.
Returned to Senate, 260.
Enrolled, 581.
Signed by President, 582.
Sent to House, 583.
Received from House, 616.
Message to Governor, 617.
Approved by Governor, 719.

Senate Bill No. 2081—(Lips, Morgan, Sanstead)

Senate Bill No. 2081. A Bill for an Act to amend and reenact sections 39-03-03 and 39-03-13 of the North Dakota Century Code, relating to the appointment of highway patrolmen and powers of the superintendent of the highway patrol; and to repeal section 39-03-14 of the North Dakota Century Code, relating to the state highway patrol hearing board.

Introduction, first reading, 46.
Reported back, do pass, 97.
Second reading, 116.

Passed, 116.
 To House, 137.
 Returned to Senate, 287.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2082—(Lips, Morgan, Sanstead)

Senate Bill No. 2082. A Bill for an Act to create and enact sections 24-02-03.1, 24-02-03.2, and 54-07-01.1 of the North Dakota Century Code, relating to the authority of the highway commissioner in matters of national defense and damages to public roads, and emergency powers of the governor; and to repeal chapter 24-13 of the North Dakota Century Code, relating to the highway traffic advisory committee.

Introduction, first reading, 46.
 Referred to Committee on Transportation.
 Reported back, do pass, 97.
 Second reading, 116.
 Passed, 116.
 To House, 137.
 Returned to Senate, 287.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2083—(Lips, Morgan, Sanstead)

Senate Bill No. 2083. A Bill for an Act to amend and reenact sections 15-52-10, 15-52-15, subsection 3 of section 15-52-16, sections 15-52-17, 15-52-18, 15-52-19, 15-52-20, 15-52-21, 15-52-22, 15-52-23, 15-52-24, 15-52-25, 15-52-26, and 15-52-28 of the North Dakota Century Code; and to repeal sections 15-52-11, 15-52-12, 15-52-13, and 15-52-14 of the North Dakota Century Code, to provide for the abrogation of the medical center loan fund board and for the transfer of the functions of such board to the university of North Dakota.

Introduction, first reading, 46.
 Referred to Committee on Education.
 Reported back, do pass, 97.
 Second reading, 117.
 Passed, 117.
 To House, 137.
 Returned to Senate, 300.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2084—(Lips, Morgan, Sanstead)

Senate Bill No. 2084. A Bill for an Act to repeal section 25-10-03 of the North Dakota Century Code, relating to the mental health coordinating committee.

Introduction, first reading, 47.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 73.
 Second reading, 86.
 Passed, 87.
 To House, 100.
 Returned to Senate, 260.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2085—(Lips, Morgan, Sanstead)

Senate Bill No. 2085. A Bill for an Act to repeal chapter 54-49 of the North Dakota Century Code, relating to the natural resources council.

Introduction, first reading, 47.
 Referred to Committee on Natural Resources.
 Reported back, indefinitely postponed, 73.

Senate Bill No. 2086—(Lips, Morgan, Sanstead)

Senate Bill No. 2086. A Bill for an Act to repeal section 55-08-02 of the North Dakota Century Code, relating to the state park advisory

Introduction, first reading, 47.
 Referred to Committee on Natural Resources.
 Reported back, indefinitely postponed, 173.
 Second reading, 87.
 Passed, 87.
 To House, 100.
 Returned to Senate, 251.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 618.
 Approved by Governor, 719.

Senate Bill No. 2087—(Lips, Morgan, Sanstead)

Senate Bill No. 2087. A Bill for an Act to provide that the state department of health shall be responsible for rabies control; and to repeal chapter 23-22 of the North Dakota Century Code, relating to the rabies control committee.

Introduction, first reading, 47.
 Referred to Committee on Social Welfare and Veterans Affairs.
 Reported back, amended, 125.
 Amendments adopted, 142.
 Engrossed, 149.
 Second Reading, 158.
 To House, 179.
 Returned to Senate, 379.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2088—(Lips, Morgan, Sanstead)

Senate Bill No. 2088. A Bill for an Act to create and enact subsection 12 of section 57-01-02 of the North Dakota Century Code; to amend and reenact sections 39-19-01 and 39-19-03 of the North Dakota Century Code; and to repeal section 39-19-02 of the North Dakota Century Code; relating to the reciprocity commission.

Introduction, first reading, 47.
 Referred to Committee on Transportation.
 Reported back, do pass, 97.
 Second reading, 117.
 Passed, 117.
 To House, 137.
 Returned to Senate, 287.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2089—(Lips, Morgan)

Senate Bill No. 2089. A Bill for an Act to establish an administrative committee on veterans' affairs and to provide for its powers and duties and organization thereof; to amend and reenact sections 37-01-25.1, 37-14-04, 37-14-05, 37-14-06, 37-14-07, 37-14-08, 37-14-09, 37-14-10, 37-14-11, 37-14-12, 37-14-18, 37-15-03, 37-15-07, 37-15-08, 37-15-10, 37-15-15, 37-15-16, 37-15-19, 37-15-21, and 37-18-07 of the North Dakota Century Code, relating to the veterans' aid fund, the veterans' aid commission, and the soldiers' home, and the administrative procedures thereof; and to repeal sections 37-14-01, 37-14-02, 37-14-03.1, 37-14-03.2, 37-14-03.4, 37-41-03.5, 37-14-13, 37-14-15, 37-14-17, 37-15-04, 37-15-05, 37-15-06, 37-15-09, 37-15-20, 37-18-02, 37-18-03, and 37-18-09 of the North Dakota Century Code, relating to the qualifications, compensation, and terms of members of the veterans' aid commission, appropriations to the veterans' aid fund, the postwar rehabilitation fund, meetings, compensation, powers and duties, oath and bond, approval of contracts, advertisement for bids by the trustees of the soldiers' home, qualifications and appointment of the veterans' service commissioner, and the advisory committee to the department of veterans' affairs.

Introduction, first reading, 47.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 500.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 591.
 Passed, 591.
 To House, 637.
 Returned to Senate, 862.
 Enrolled, 1095.
 Signed by President, 1109.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2090—(Lips, Morgan, Sanstead)

Senate Bill No. 2090. A Bill for an Act to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri-Fort Union Commission.

Introduction, first reading, 47.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 85.
 Rereferred to Committee on State and Federal Government, 104.
 Second reading, 104.

Senate Bill No. 2091—(Butler, Forkner, L. Larson, Rait)

Senate Bill No. 2091. A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to allocating highway tax distribution funds directly to cities and to establish a separate fund for the moneys received from the highway tax distribution fund.

Introduction, first reading, 48.
 Referred to Committee on Transportation.
 Amendments adopted, 107.
 Engrossed, 121.
 Second Reading 131.
 Passed, 132.
 To House, 147.
 Returned to Senate, 1129.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2092—(Butler, Forkner, Rait)

Senate Bill No. 2092. A Bill for an Act transferring the field enforcement functions of the weight control division of the state highway department, together with all field equipment and facilities used by the weight control division, to the state highway patrol, and to amend and reenact sections 24-01-13, 24-03-02, 39-03A-09, 39-04-40, and 39-12-07 of the North Dakota Century Code, relating to the authority of the state highway commissioner in regulating and controlling the weight of vehicles traveling upon the state highway system.

Introduction, first reading, 48.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 125.

Senate Bill No. 2093—(Holand, Nasset)

Senate Bill No. 2093. A Bill for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to legislative intent for foundation aid payments.

Introduction, first reading, 48.
 Referred to Committee on Education.
 Reported back, amended, 614, 615.
 Rereferred to Committee on Appropriations, 639.
 Amendments adopted, 639, 673.
 Engrossed, 672, 1260.
 Re-engrossed, 673, 1286.
 Passed, 673, 1261.
 Second reading 672 (amended from floor, 672, 673, 1260)
 Clincher motion, 676.
 To House, 689.
 House amendments, 1128.
 Returned to Senate, amended, 1123.
 Conference Committee, 1211, 1236.

Senate concurs, 1260.
 Senate does not concur, 1211.
 Recinds, 1260.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2094—(Holand, Nasset)

Senate Bill No. 2094. A Bill for an Act to provide an emergency five-mill general fund levy for high school districts.

Introduction, first reading, 48.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 615.

Senate Bill No. 2095—(Butler)

Senate Bill No. 2095. 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 certain sales to automobile body repair shops.

Introduction, first reading, 48.
 Referred to Committee on Finance and Taxation.
 Reported back, indefinitely postponed, 97.

Senate Bill No. 2096—(Freed)

Senate Bill No. 2096. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to the prorating of salaries of court reporters among the counties of the judicial districts on the basis of population.

Introduction, first reading, 48.
 Referred to Committee on Judiciary.
 Reported back, do pass, 56.
 Second reading, 64.
 Passed, 65.
 To House, 80.
 Returned to Senate, 251.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2097—(Hernett)

Senate Bill No. 2097. A Bill for an Act to provide for an automatic recount if a certain percentage of vote difference exists between candidates for the same congressional, state or legislative office.

Introduction, first reading, 48.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 97.
 Second reading, 117.
 Passed, 118.
 To House, 137.
 Indefinitely postponed, 450.

Senate Bill No. 2098—(Guy Larson)

Senate Bill No. 2098. A Bill for an Act to amend and reenact section 46-04-02 of the North Dakota Century Code, relating to distribution of North Dakota printed laws to state-supported junior colleges.

Introduction, first reading, 48.
 Referred to Committee on Education.
 Reported back, do pass, 85.
 Second reading, 104.
 Passed, 105.
 To House, 119.
 Returned to Senate, 300.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2099—(Longmire)

Senate Bill No. 2099. A Bill for an Act to create and enact subsection 8 of section 26-03A-03 of the North Dakota Century Code, and to amend and reenact sections 26-26-02, 26-26-07, 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 permissive coverage of mental disorders in accident and sickness insurance policies, and providing an effective date

Introduction, first reading, 49.
 Referred to Committee on Business and Industry.
 Reported back, indefinitely postponed, 85.

Senate Bill No. 2100—(Melland)

Senate Bill No. 2100. A Bill for an Act to authorize a levy by counties and cities for programs and activities for older persons, to provide elections for authorizing or removing the levy, and to require contracts with the governing bodies of such counties and cities.

Introduction, first reading, 49.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 73.
 Reported back, amended, 125.
 Amendments adopted, 143.
 Engrossed, 149.
 Re-engrossed, 1148, 1286.
 Second reading, 87, 159, 1148.
 Passed, 87, 159, 1149.
 Reconsidered and rereferred to Committee on Political Subdivisions, 99.
 To House, 179.
 House amendments, 1102.
 Returned to Senate, amended, 1100.
 Senate concurs, 1148.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2101—(Roen)

Senate Bill No. 2101. A Bill for an Act to amend and reenact section 15-28-09 of the North Dakota Century Code relating to school

district elections, and to repeal section 15-28-02 of the North Dakota Century Code, relating to rural representation on school boards.

Introduction, first reading, 49.
Referred to Committee on Education.
Reported back, indefinitely postponed, 390.

Senate Bill No. 2102—(Stroup)

Senate Bill No. 2102. A Bill for an Act to create and enact section 13-05-07.1 of the North Dakota Century Code, relating to prohibiting collection agencies from harassing or making unjustified and fraudulent claims.

Introduction, first reading, 49.
Referred to Committee on Business and Industry.
Reported back, indefinitely postponed, 150.

Senate Bill No. 2103—(Stroup)

Senate Bill No. 2103. A Bill for an Act to amend and reenact subsection 1 of section 13-03-03 and subsection 5 of section 51-13-02 of the North Dakota Century Code, relating to allowing the maximum rate of interest to be charged for small loans and on retail installment sales.

Introduction, first reading, 49.
Referred to Committee on Business and Industry.
Returned and withdrawn, 113.

Senate Bill No. 2104—(Stroup)

Senate Bill No. 2104. A Bill for an Act to amend and reenact subsections 4 and 5 of section 31-11-03 of the North Dakota Century Code, relating to disputable presumptions.

Introduction, first reading, 49.
Referred to Committee on Judiciary.
Reported back, do pass, 56.
Second reading, 65.
Passed, 65.
To House, 80.
Returned to Senate, 161.
Enrolled, 581.
Signed by President, 582.
Sent to House, 583.
Received from House, 616.
Message to Governor, 617.
Approved by Governor, 719.

Senate Bill No. 2105—(Stroup)

Senate Bill No. 2105. A Bill for an Act to amend and reenact section 39-17-07 of the North Dakota Century Code, relating to the limitation on amount collectible from the unsatisfied judgement fund.

Introduction, first reading, 49.
Referred to Committee on Judiciary.
Reported back, withdrawn, 65.

Senate Bill No. 2106—(Lips)

Senate Bill No. 2106. A Bill for an Act to create and enact section 57-15-24.1 of the North Dakota Century Code, authorizing a county levy of one-half mill for an alcoholism prevention program, and providing for elections to impose or remove the levy.

Introduction, first reading, 49.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 73.
 Reported back, amended, 125-126.
 Amendments adopted, 143.
 Engrossed, 109.
 Re-Engrossed, 149.
 Second reading, 87, 159.
 Lost, 88.
 Passed, 159.
 Reconsidered, 99.
 Referred to Committee on Political Subdivisions, 99.
 To House, 179.
 Returned to House, failed to pass, 812.
 Amended from floor, 99.

Senate Bill No. 2107—(Nasset)

Senate Bill No. 2107. A Bill for an Act to create and enact chapter 19-16.1 of the North Dakota Century Code relating to the sale and distribution of antifreeze, providing for the regulation thereof by the state laboratories department and providing a penalty; and to repeal chapter 19-16 of the North Dakota Century Code relating to the sale and distribution of antifreeze.

Introduction, first reading, 50.
 Referred to Committee on Business and Industry.
 Reported back, do pass, 98.
 Second reading, 118.
 Passed, 118.
 To House, 137.
 Returned to Senate, 445.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2108—(James L. Larson)

Senate Bill No. 2108. A Bill for an Act to provide for regulation and licensing of mobile home parks and travel trailer parking areas, providing a penalty, and to repeal chapter 23-10 of the North Dakota Century Code.

Introduction, first reading, 50.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 126.

Senate Bill No. 2109—(Forkner, Page, Ringsak)

Senate Bill No. 2109. A Bill for an Act to create and enact subdivision m of subsection 2 of section 39-04-18 of the North Dakota Century Code, and to amend subdivisions c and e of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to allowing out-of-state motor vehicles to retain their license plates until they expire, if the owners or operators of such vehicles are gainfully employed in this state.

Introduction, first reading, 50.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 98.

Senate Bill No. 2110—(Pyle)

Senate Bill No. 2110. A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, and 4-09-20 of the North Dakota Century Code, relating to the transfer of the state seed department.

Introduction, first reading, 50.
 Referred to Committee on Agriculture.
 Reported back, amended, 62.
 Amendments adopted, 74.
 Engrossed, 81.
 Second reading, 88, 870.
 Re-Engrossed, 870, 1234.
 Passed, 88, 870.
 To House, 100.
House amendments, 863.
 Returned to Senate, amended, 863.
 Senate concurs, 870.
 Enrolled, 1234.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2111—(Holland, Litten)

Senate Bill No. 2111. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the dates for distribution of personal property tax replacement moneys to counties; and declaring an emergency.

Introduction, first reading, 50.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 150.
 Amendments adopted, 169.
 Engrossed, 181.
 Second reading, 195.
 Passed, 195.
 Emergency carried, 195.
 To House, 217.
 Returned to Senate, ind. post, 1000.

Senate Bill No. 2112—(Jacobson)

Senate Bill No. 2112. A Bill for an Act to amend and reenact section 20-05-02 of the North Dakota Century Code, relating to changing the opening of big game season from noon on Friday to 10:00 A.M. on Saturday.

Introduction, first reading, 50.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 43.
 Engrossed, 105.
 Second reading, 88, 105.
 Amended from floor, 105.
 Passed, 105.
 To House, 119.
 Returned to Senate, indefinitely postponed, 252.

Senate Bill No. 2113—(Litten)

Senate Bill No. 2113. A Bill for an Act to amend and reenact sections 15-19-01, 15-19-02, 15-19-03, and 15-19-06 of the North Dakota Century Code, relating to the establishment of high school correspon-

dence courses, the administration of the division of independent study, the duties of superintendents of schools, and special operating funds.

Introduction, first reading, 50.
 Referred to Committee on Education.
 Reported back, do pass, 56.
 Second reading, 63.
 Passed, 63.
 Returned to Senate, 217.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2114—(Roen)

Senate Bill No. 2114. A Bill for an Act to provide for the reorganization and annexation of any school district in this state which is not operating a high school within its school district.

Introduction, first reading, 50.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 390.

Senate Bill No. 2115—(Roen)

Senate Bill No. 2115. A Bill for an Act to provide for a discount of sales and use taxes to be paid for retailers to compensate for costs of records, collection, reports, and remittance.

Introduction, first reading, 51.
 Referred to Committee on Finance and Taxation.
 Reported back, no recommendation, 549.
 Second reading, 627.
 Lost, 628.

Senate Bill No. 2116—(Stroup)

Senate Bill No. 2116. A Bill for an Act to amend and reenact section 28-05-08 of the North Dakota Century Code, relating to the cancellation of lis pendens by the entry of a final judgement.

Introduction, first reading, 51.
 Referred to Committee on Judiciary.
 Reported back, 105. Withdrawn, 105.

Senate Bill No. 2117—(Stroup)

Senate Bill No. 2117. 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 and to define "motor vehicle" for purposes of security interests.

Introduction, first reading, 51.
 Referred to Committee on Business and Industry.
 Reported back, amended, 166.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 213.
 Passed, 214.
 To House, 252.
 Returned to Senate, 758.
 Enrolled, 922.

Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2118—(Christensen, Litten)

Senate Bill No. 2118. A Bill for an Act to amend and reenact section 52-12-04 of the North Dakota Century Code, relating to clarifying whether teachers who have nine-month contracts are eligible for year-round health insurance.

Introduction, first reading, 51.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 280.

Senate Bill No. 2119—(Christensen, Litten, Sorlie)

Senate Bill No. 2119. A Bill for an Act to amend and reenact section 27-11-22 of the North Dakota Century Code, to exempt attorneys employed by the state of North Dakota from paying annual license fees.

Introduction, first reading, 51.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 98.

Senate Bill No. 2120—(Christensen, Litten)

Senate Bill No. 2120. A Bill for an Act to create and enact section 54-44-12; to amend and reenact sections 27-11-17, 27-11-23, 27-12-04, 27-12-06, 43-01-04, 43-04-07, subsections 6 and 8 of section 43-12-07, sections 43-13-07, 43-15-05, 43-19.1-09, 43-23-04, 43-26-05, and subsection 4 of section 43-27-04; and to repeal sections 43-02-07, 43-03-07, 43-04-08, subsection 2 of section 43-05-07, sections 43-06-06, 43-09-08, 43-10-09, 43-11-09, 43-15-11, 43-17-15, 43-18-07, 43-21-07, 43-25-15, 43-28-07, 43-32-15, and 43-34-06, all of the North Dakota Century Code, relating to the deposit and disbursement of the moneys received by all occupational and professional boards, associations, and commissions.

Introduction, first reading, 51.
 Referred to Committee on Business and Industry.
 Reported back, do pass, 111.
 Reported back, amended, 166.
 Re-referred to Committee on Industry, Business and Labor, 146.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 132, 146, 214.
 Passed, 214.
 To House, 252.
 Returned to Senate, 445.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2121—(Christensen, Litten, Sorlie)

Senate Bill No. 2121. A Bill for an Act to amend and reenact sections 48-02-02 and 48-02-03 of the North Dakota Century Code, relating to the prerequisite to building or repair of public buildings.

Introduction, first reading, 51.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 111.
 Engrossed, 498.
 Second reading, 132, 498.
 Passed, 132, 498.
 To House, 147.
 Returned to Senate, amended, 484.
 Senate concurs, 497.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2122—(Christensen, Litten)

Senate Bill No. 2122. A Bill for an act to create and enact sections 25-09-02.1, 25-09-02.2, 25-09-03.1, 25-09-04.1, and 25-09-11.1 of the North Dakota Century Code; to amend and reenact sections 25-09-02, 25-09-03, 25-09-04, 25-09-05, 25-09-06, subsection 2 of section 25-09-07, and section 25-09-08 of the North Dakota Century Code; and to repeal section 25-09-11 of the North Dakota Century Code, all relating to the expenses of care and treatment of patients at the Grafton state school and the state hospital.

Introduction, first reading, 51.
 Referred to Committee on Appropriations.
 Reported back, amended, 564, 565.
 Amendments adopted, 589.
 Engrossed, 599.
 Re-Engrossed, 1233, 1286.
 Second reading, 628, 656, 1233.
 Passed, 657, 1234.
 Clincher motion, 658.
 To House, 689.
 House amendments, 1154, 1155.
 Returned to Senate, amended, 1154.
 Conference Committee, 1149, 1205.
 Conference Committee Report, 1233.
 Senate adopts, 1233, 1259.
 Senate does not concur, 1149.
 Transmitted to House, 1234.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2123—(Christensen, Litten, Sorlie)

Senate Bill No. 2123. A Bill for an Act providing a declaration of legislative intent relating to the allowance of free meals, lodging, and food supplies to officers and employees of state charitable and penal institutions, and to repeal sections 12-46-08, 12-47-09, and 25-01-09 of the North Dakota Century Code.

Introduction, first reading, 52.
 Referred to Committee on Appropriations.
 Reported back, do pass, 254.
 Second reading, 270.
 Passed, 271.
 To House, 286.

Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2124—(Sanstead)

Senate Bill No. 2124. A Bill for an Act to amend and reenact section 16-21-01 of the North Dakota Century Code, to provide that precincts in which voting machines are used shall also make available to electors paper ballots in the event machines become inoperable for a reasonable length of time.

Introduction, first reading, 52.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 111.
 Amendments adopted, 129.
 Engrossed, 143.
 Second reading, 146.
 Passed, 147.
 To House, 161.
 Returned to Senate, indefinitely postponed, 594.

Senate Bill No. 2125—(Sanstead)

Senate Bill No. 2125. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to income qualifications of a head of a family under the homestead credit law.

Introduction, first reading, 52.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 98.
 Amendments adopted, 107.
 Engrossed, 121.
 Re-Engrossed, 133.
 Second reading, 132, 133, amended from floor, 132, 133.
 Passed, 133.
 To House, 147.
 Returned to Senate, indefinitely postponed, 423.

Senate Bill No. 2126—(Morgan)

Senate Bill No. 2126. A Bill for an Act to create and enact seven additional subsections to section 19-18-02, paragraph 8 of subdivision b of subsection 20 of section 19-18-02, and section 19-18-06.1 of the North Dakota Century Code, and to amend and reenact subsections 1, 2, and 11 of section 19-18-02, sections 19-18-03 and 19-18-04, subsection 2 of section 19-18-05, and section 19-18-11 of the North Dakota Century Code, relating to the regulation of the distribution, sale, and labeling of economic poisons, and cooperation with the federal government.

Introduction, first reading, 52.
 Referred to Committee on Agriculture.
 Reported back, do pass, 142.
 Second reading, 159, 160.
 Passed, 160.
 To House, 179.
 Returned to Senate, 811.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.

Received from House, 1293.
Message to Governor, 1305.

Senate Bill No. 2127—(Hernett)

Senate Bill No. 2127. A Bill for an Act to amend and reenact sections 15-01-02, 15-03-04, 15-03-15, and 15-03-18 of the North Dakota Century Code, relating to the investment of various permanent funds under the control of the board of university and school lands.

Introduction, first reading, 52.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 150.
Second reading, 176.
Passed, 176.
To House, 194.
Returned to Senate, 758.
Enrolled, 922.
Signed by President, 949.
Sent to House, 950.
Received from House, 961.
Message to Governor, 991.
Approved by Governor, 1010.

Senate Bill No. 2128—(Strinden)

Senate Bill No. 2128. A Bill for an Act to amend and reenact section 15-47-14 of the North Dakota Century Code, relating to attendance at education association meetings by superintendents, principals, and teachers.

Introduction, first reading, 52.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 525. Returned to Senate, 59.
Re-referred to Committee on Education, 59.
Amendments adopted, 548.
Engrossed, 561.
Second reading, 628.
Passed, 628.
Clincher motion, 634.
To House, 640.
Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2129—(Coughlin)

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 39-21-40 of the North Dakota Century Code, relating to the dates for using studded tires.

Introduction, first reading, 52.
Referred to Committee on Transportation.
Returned, 112, Withdrawn, 112.

Senate Bill No. 2130—(Guy Larson)

Senate Bill No. 2130. A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, as contained in section 23 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to tax levy limitations in school districts.

Introduction, first reading, 53.
Referred to Committee on Finance and Taxation.
Reported back, 89, amended, 603, 604.
Amendments adopted, 639.

Engrossed, 672.
Second reading, 667.
Passed, 667.
Clincher motion, 676.
To House, 689.
Returned to Senate, indefinitely postponed, 1102.

Senate Bill No. 2131—(Barth)

Senate Bill No. 2131. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to home-
stead credit for persons sixty-five years of age or older with a
limited income.

Introduction, first reading, 57.
Referred to Committee on Finance and Taxation.
Reported back, indefinitely postponed, 98.

Senate Bill No. 2132—(Barth)

Senate Bill No. 2132. A Bill for an Act to require compulsory
retirement of all full-time state employees at the age of sixty-five.

Introduction, first reading, 57.
Referred to Committee on State and Federal Government.
Reported back, indefinitely postponed, 111.

Senate Bill No. 2133—(Committee on Appropriations)

Senate Bill No. 2133. A Bill for an Act to amend and reenact section
25-07-02 of the North Dakota Century Code, relating to housing
for the superintendent of the school for the deaf.

Introduction, first reading, 57.
Referred to Committee on Appropriations.
Reported back, indefinitely postponed, 254.

Senate Bill No. 2134—(Committee on Appropriations)

Senate Bill No. 2134. A Bill for an Act to repeal section 4 of
chapter 45 of the 1969 Session Laws of the state of North Dakota,
relating to the state industrial school; and declaring an
emergency.

Introduction, first reading, 57.
Referred to Committee on State and Federal Government.
Reported back, do pass, 112.
Second reading, 133.
Passed, 133.
Emergency carried, 133.
To House, 147.
Returned to Senate, 558.
Enrolled, 802.
Signed by President, 812.
Sent to House, 813.
Received from House, 823.
Message to Governor, 827.
Approved by Governor, 921.

Senate Bill No. 2135—(Goldberg, Sanstead, Christensen)

Senate Bill No. 2135. A Bill for an Act to amend and reenact
section 54-24-09 of the North Dakota Century Code, relating to the
state library's distribution of certain publications.

Introduction, first reading, 57.
 Referred to Committee on Education.
 Reported back, amended, 85.
 Amendments adopted, 100.
 Engrossed, 109, 582.
 Re-Engrossed, 400.
 Second reading, 118, 400.
 Passed, 119, 400.
 To House, 137.
 Returned to Senate, amended, 345.
 Senate concurs, 400.
 Enrolled, 582.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2136—(Lowe)

Senate Bill No. 2136. A Bill for an Act making an appropriation for the educational commission of the states.

Introduction, first reading, 57.
 Referred to Committee on Education.
 Reported back, do pass, 98. No recommendation, 371.
 Re-referred to Committee on Appropriations, 98.
 Second reading, 447, 471.
 Lost 447, Reconsidered, 459.
 Lost, 471.

Senate Bill No. 2137—(Lowe)

Senate Bill No. 2137. A Bill for an Act to amend and reenact sections 12-21-07, 12-21-09, and 12-21-11 of the North Dakota Century Code, to provide that certain motion picture theater employees shall not be liable for showing or possessing obscene motion pictures if acting within the scope of their employment.

Introduction, first reading, 58.
 Referred to Committee on Judiciary.
 Reported back, do pass, 98.
 Second reading, 119.
 Passed, 119.
 To House, 137.
 Returned to Senate, 638.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2138—(Melland)

Senate Bill No. 2138. A Bill for an Act to amend and reenact section 16-04-17 of the North Dakota Century Code, to provide that precincts shall be arranged on voting machines according to the total votes cast in the previous general election for governor, and to provide for the placement of names on ballots and voting machines in races having more than three candidates.

Introduction, first reading, 58.
 Referred to Committee on Judiciary.
 Reported back, do pass, 112.

Second reading, 133-134.
Passed, 134.
To House, 147.
Returned to Senate, 743.
Enrolled, 922.
Signed by President, 949.
Sent to House, 950.
Received from House, 961.
Message to Governor, 964.
Approved by Governor, 1061.

Senate Bill No. 2139—(Melland)

Senate Bill No. 2139. A Bill for an Act to create and enact section 11-07-03.1 of the North Dakota Century Code, and to amend and reenact sections 11-07-03 and 11-11-02 of the North Dakota Century Code, to provide an additional method of redistricting counties and electing county commissioners.

Introduction, first reading, 58.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 142. Amended, 202, 203.
Amendments adopted, 225.
Engrossed, 251.
Re-Engrossed, 1286.
Second reading, 160, 161.
Passed, 261.
To House, 274.
Returned to Senate, 881.
Enrolled, 1286.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1293.
Message to Governor, 1305.

Senate Bill No. 2140—(Melland)

Senate Bill No. 2140. A Bill for an Act to amend and reenact section 40-21-07 of the North Dakota Century Code, relating to the number of signatures necessary on a nominating petition for a candidate for municipal office.

Introduction, first reading, 58.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 126.
Second reading, 144.
Passed, 144.
To House, 161.
Returned to Senate, 594.
Enrolled, 802.
Signed by President, 812.
Sent to House, 813.
Received from House, 823.
Message to Governor, 827.
Approved by Governor, 921.

Senate Bill No. 2141—(Melland)

Senate Bill No. 2141. A Bill for an Act acknowledging the rights and defining the limitations of legislative office, establishing a code of legislative conduct, and establishing a joint committee on legislative conduct.

Introduction, first reading, 58.
Referred to Committee on State and Federal Government.

Reported back, 166.
Re-referred to Committee on Judiciary, 195.
Engrossed, 378.
Second reading, 195, 378, 388. Amended from floor, 378.
Passed, 388.
To House, 422.
Returned to Senate, indefinitely postponed, 905.

Senate Bill No. 2142—(Longmire)

Senate Bill No. 2142. A Bill for an Act providing that special defenses not involving the merits of an action may be tried before, and separately from, other issues.

Introduction, first reading, 58.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 150.

Senate Bill No. 2143—(Morgan)

Senate Bill No. 2143. A Bill for an Act to amend and reenact subsection 6 of section 39-09-02 of the North Dakota Century Code, relating to the maximum speed limits for all vehicles on limited-access highways.

Introduction, first reading, 62.
Referred to Committee on Transportation.
Reported back, amended, 226, 227.
Amendments adopted, 259.
Engrossed, 263.
Re-Engrossed, 271.
Second reading, 271.
Lost, 272.

Senate Bill No. 2144—(Morgan)

Senate Bill No. 2144. A Bill for an Act to amend and reenact subsection 2 of section 39-06-07, subsections 1 and 3 of section 39-06-14, and section 39-06-18 of the North Dakota Century Code, requiring a color photograph and a thumbprint or fingerprint of the applicant to be attached to his motor vehicle operator's license.

Introduction, first reading, 62.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 500.

Senate Bill No. 2145—(Morgan)

Senate Bill No. 2145. A Bill for an Act to amend and reenact subsection 6 of section 20-01-01 of the North Dakota Century Code, relating to definitions of game birds to include mourning doves.

Introduction, first reading, 62.
Referred to Committee on Natural Resources.
Reported back, do pass, 142.
Second reading, 160.
Lost, 160.

Senate Bill No. 2146—(Morgan)

Senate Bill No. 2146. A Bill for an Act to amend and reenact section 18-09-02 of the North Dakota Century Code, relating to rulemaking power of the state fire marshal.

Introduction, first reading, 63.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 166.
 Engrossed, 387, 582.
 Second reading, 195, 387.
 Passed, 196, 388.
 To House, 217.
 Returned to Senate, amended, 345.
 Senate concurs, 387. Adopts, 387.
 Enrolled, 582.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2147—(Longmire)

Senate Bill No. 2147. A Bill for an Act to amend and reenact sections 14-05-17 and 14-06-06 of the North Dakota Century Code, relating to instituting divorce or separation actions in counties where there are family courts.

Introduction, first reading, 63.
 Referred to Committee on Judiciary.
 Reported back, do pass, 112.
 Second reading, 134.
 Passed, 134.
 To House, 147.
 Returned to Senate, indefinitely postponed, 323.

Senate Bill No. 2148—(Erdman)

Senate Bill No. 2148. A Bill for an Act to create and enact subsection 4 of section 54-52-02.1 of the North Dakota Century Code, relating to the authority for city, county, and school district employees to join the public employees' retirement system.

Introduction, first reading, 77.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 166.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 214.
 Passed, 215.
 To House, 252.
 Returned to Senate, 445.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2149—(Litten, Lips)

Senate Bill No. 2149. A Bill for an Act to amend and reenact subsection 23 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation as pertains to parking structures.

Introduction, first reading, 77.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 183.
 Second reading, 215.

Passed, 215.
 To House, 252.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2150—(Litten, Melland, Kautzmann, Unruh)

Senate Bill No. 2150. A Bill for an Act to amend and reenact sections 23-15-01, 23-15-02, 23-15-04, and 62-04-05 of the North Dakota Century Code, relating to fireworks.

Introduction, first reading, 77.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 167.
 Second reading, 196.
 Lost, 196.

Senate Bill No. 2151—(Lips, Wilhite)

Senate Bill No. 2151. A Bill for an Act to amend and reenact subsection 13 of section 26-08-11 of the North Dakota Century Code, relating to authorized investment of funds of insurance companies.

Introduction, first reading, 77.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 167.
 Amendments adopted, 186.
 Engrossed, 201.
 Re-Engrossed, 1286.
 Second reading, 215.
 Passed, 216.
 To House, 252.
 Returned to Senate, 1035.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2152—(Chesrown)

Senate Bill No. 2152. A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to an inquiry conducted by the state's attorney.

Introduction, first reading, 77.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 254.

Senate Bill No. 2153—(Lips, Wilhite)

Senate Bill No. 2153. A Bill for an Act to authorize domestic life insurance companies to invest in subsidiaries.

Introduction, first reading, 78.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 150.
 Amendments adopted, 169.
 Engrossed, 181.

Second reading, 196.
Passed, 197.
To House, 217.
Returned to Senate, 1035.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1293.
Message to Governor, 1305.

Senate Bill No. 2154—(Lips, Rait)

Senate Bill No. 2154. A Bill for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code, to provide for an annual assessment of real property.

Introduction, first reading, 78.
Referred to Committee on Finance and Taxation.
Reported back, amended, 183, 254, 255.
Re-referred to Committee on Finance and Taxation, 238.
Amendments adopted, 202, 265.
Engrossed, 225.
Re-Engrossed, 279, 963, 1286.
Second reading, 238, 283, 963.
Passed, 283, 963.
To House, 300.
House amendments, 593.
Returned to Senate, amended, 593.
Conference Committee, 600, 840.
Conference Committee report adopts, 963, 1001.
Returned to Senate, 1001.
Senate does not concur, 600.
Transmitted to House, 975.
Enrolled, 1286.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1293.
Message to Governor, 1305.

Senate Bill No. 2155—(Lips, Erdmann)

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 26-03-12 of the North Dakota Century Code, relating to the transfer of policies of life and health insurance.

Introduction, first reading, 78.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 151.
Second reading, 176.
Passed, 176.
To House, 194.
Returned to Senate, 1035.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1293.
Message to Governor, 1305.

Senate Bill No. 2156—(Lips, Wilhite)

Senate Bill No. 2156. A Bill for an Act to protect shareholders of North Dakota corporations by requiring public announcement and fair, full and effective disclosure to shareholders in regard to take-over bids and to declare an emergency.

Introduction, first reading, 78.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 151.
 Amendments adopted, 169.
 Engrossed, 181.
 Re-Engrossed, 197, 1286.
 Second reading, 197. Amended from floor, 197.
 Passed, 197.
 Emergency carried, 197.
 To House, 217.
 Returned to Senate, 1035.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2157—(Lips, Wilhite)

Senate Bill No. 2157. A Bill for an Act to amend and reenact subsection 3 of section 26-03-36 of the North Dakota Century Code, relating to provisions prohibited in a life insurance policy.

Introduction, first reading, 78.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 151.
 Second reading, 176.
 Passed, 176.
 To House, 194.
 Returned to Senate, 1035.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1293.
 Message to Governor, 1305.

Senate Bill No. 2158—(Lips, Litten)

Senate Bill No. 2158. A Bill for an Act to amend and reenact subsection 3 of section 28-01-18 of the North Dakota Century Code, relating to the limitation of malpractice actions.

Introduction, first reading, 78.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 167.

Senate Bill No. 2159—(Lips, Litten)

Senate Bill No. 2159. A Bill for an Act to amend and reenact Section 31-08-01 of the North Dakota Century Code, relating to the admissibility in evidence of business records.

Introduction, first reading, 78.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 167.

Senate Bill No. 2160—(Holand)

Senate Bill No. 2160. 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, as con-

tained in house bill no. 1045, as approved by the forty-second legislative assembly, relating to changing the county reorganization committee to a regional committee.

Introduction, first reading, 78.
 Referred to Committee on Education.
 Reported back, amended, 390, 565.
 Re-referred to Committee on Education, 487.
 Amendments adopted, 413, 589.
 Engrossed, 435.
 Re-Engrossed, 599.
 Second reading, 449, 472, 486, 650.
 Passed, 650.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, failed to pass, 1129.

Senate Bill No. 2161—(Chesrown, Nething, Holand, Freed, Longmire)

Senate Bill No. 2161. A Bill for an Act to amend and reenact section 40-18-18 of the North Dakota Century Code relating to the fees of jurors in municipal court and declaring an emergency.

Introduction, first reading, 81.
 Referred to Committee on Judiciary.
 Reported back, do pass, 151.
 Second reading, 177.
 Passed, 177.
 Emergency carried, 177.
 To House, 194.
 Returned to Senate, 540.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2162—(Committee on Appropriations)

Senate Bill No. 2162. A Bill for an Act to create a personnel division within the department of accounts and purchases and to provide for the classification of employment positions and the development of a compensation plan.

Introduction, first reading, 81.
 Referred to Committee on State and Federal Government.
 Reported back, indefinitely postponed, 565.

Senate Bill No. 2163—(Morgan, Nasset)

Senate Bill No. 2163. A Bill for an Act to amend and reenact section 4-30-29 of the 1969 Supplement to the North Dakota Century Code, relating to rules and regulations concerning grades of milk for Grade "A" and manufacturing purposes.

Introduction, first reading, 81.
 Referred to Committee on Agriculture.
 Reported back, do pass, 227. Indefinitely postponed, 307.
 Re-referred to Committee on Agriculture, 261.
 Second reading, 261.

Senate Bill No. 2164—(Morgan, Nasset)

Senate Bill No. 2164. A Bill for an Act to amend and reenact section 4-30-02 of the 1969 Supplement to the North Dakota Cen-

tury Code, relating to the license required for persons manufacturing, processing, distributing or dealing in milk or milk products, fees and terms of licensure.

Introduction, first reading, 81.
Referred to Committee on Agriculture.
Reported back, do pass, 227.
Second reading, 261.
Passed, 261.
To House, 274.
Returned to House, failed to pass, 812.

Senate Bill No. 2165—(Morgan, Nasset)

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of state's attorney in a county of over 35,000 population be a full-time position, the employment of assistant state's attorneys, and restrictions on the powers of state's attorneys, and to create and enact a section to provide for an effective date thereof.

Introduction, first reading, 82.
Referred to Committee on Agriculture.
Reported back, indefinitely postponed, 307.

Senate Bill No. 2166—(Nething, Holand, Unruh)

Senate Bill No. 2166. A Bill for an Act to amend and reenact sections 39-08-01 and 39-08-03 of the North Dakota Century Code extending certain crimes under the Motor Vehicle Code off highways.

Introduction, first reading, 82.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 151.

Senate Bill No. 2167—(Chesrown, Freed, Unruh)

Senate Bill No. 2167. A Bill for an Act to amend and reenact sections 14-05-19 of the North Dakota Century Code relating to transcription of testimony in default divorce cases.

Introduction, first reading, 82.
Referred to Committee on Judiciary.
Reported back, do pass, 151.
Second reading, 177.
Passed, 178.
To House, 194.
Returned to Senate, 404. Indefinitely postponed.

Senate Bill No. 2168—(Chesrown, Nething, Holand, Freed, Unruh)

Senate Bill No. 2168. A Bill for an Act to amend and reenact sections 28-20-34 and 28-26-13 of the North Dakota Century Code relating to interest on judgments and verdicts.

Introduction, first reading, 82.
Referred to Committee on Judiciary.
Reported back, amended, 151.
Amendments adopted, 169.
Engrossed, 181.
Second reading, 197.
Passed, 198.
To House, 217.
Returned to Senate, indefinitely postponed, 508.

Senate Bill No. 2169—(Freed)

Senate Bill No. 2169. A Bill for an Act to create and enact subsection 11 of section 43-15-10 of the North Dakota Century Code, relating to powers of the state board of pharmacy.

Introduction, first reading, 82.

Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 167.

Senate Bill No. 2170—(Longmire, Unruh)

Senate Bill No. 2170. A Bill for an Act to provide funds for the surplus property division of the state department of public instruction to obtain property declared surplus by the United States Government, making an appropriation and declaring an emergency.

Introduction, first reading, 82.

Referred to Committee on State and Federal Government.

Reported back, do pass, 152, 183.

Re-referred to Committee on Appropriations, 152.

Second reading, 216.

Passed, 216.

Emergency carried, 216.

To House, 252.

Returned to Senate, indefinitely postponed, 947.

Senate Bill No. 2171—(Sanstead, Kautzmann)

Senate Bill No. 2171. A Bill for an Act to amend and reenact sections 40-57.1-01 and 40-57.1-02 of the North Dakota Century Code, relating to property and income tax exemptions for new industries.

Introduction, first reading, 82.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 183.

Senate Bill No. 2172—(Freed, Nasset, Strinden)

Senate Bill No. 2172. A Bill for an Act to amend and reenact section 39-16.1-01, subsections 2 and 3 of section 39-16.1-04, and subsection 1 of section 39-16.1-09 of the North Dakota Century Code, relating to proof of financial responsibility and notification to the highway commissioner by insurance companies whenever they issue a policy of motor vehicle liability insurance.

Introduction, first reading, 92.

Referred to Committee on Industry, Business and Labor.

Returned, 112. Indefinitely postponed, 263.

Referred to Committee on Judiciary, 112.

Senate Bill No. 2173—(Lips)

Senate Bill No. 2173. A Bill for an Act to amend and reenact sections 23-17.1-01, 23-17.1-02, 23-17.1-03, 23-17.1-04, 23-17.1-05, 23-17.1-06, and 23-17.1-07 of the North Dakota Century Code, relating to the licensing of addiction hospitals and declaring an emergency.

Introduction, first reading, 92.

Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 203.

Second reading, 238.

Passed, 238.
Emergency carried, 238.
To House, 259.
Returned to Senate, 803.
Enrolled, 942.
Signed by President, 949.
Sent to House, 950
Received from House, 961.
Message to Governor, 964.
Approved by Governor, 1010.

Senate Bill No. 2174—(Goldberg, Nething, Longmire, Holand, Chesrown)

Senate Bill No. 2174. A Bill for an Act to provide a method of selection of jurors; and to repeal chapter 27-09 of the North Dakota Century Code.

Introduction, first reading, 92.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 280.

Senate Bill No. 2175—(Goldberg, Nething, Longmire, Holand, Chesrown)

Senate Bill No. 2175. A Bill for an Act to amend and reenact section 16-13-07 of the North Dakota Century Code, providing for a permanent pollbook to the clerk of the district court by the county auditor.

Introduction, first reading, 92.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 280.

Senate Bill No. 2176—(Melland, Berube, Nasset, Roen)

Senate Bill No. 2176. A Bill for an Act to amend and reenact subsection 6 of section 39-12-04 of the North Dakota Century Code, relating to width, height, and length limitations on vehicles — exceptions.

Introduction, first reading, 92.
Referred to Committee on Transportation.
Reported back, amended, 227.
Amendments adopted, 259.
Engrossed, 263.
Second reading, 272.
Passed, 272.
To House, 286.
Returned to Senate, 862.
Enrolled, 954.
Signed by President, 974.
Sent to House, 974.
Received from House, 1000.
Message to Governor, 1007.
Approved by Governor, 1061.

Senate Bill No. 2177—(Roen, Freed)

Senate Bill No. 2177. A Bill for an Act authorizing the State Historical Society of North Dakota to sell a tract of land in Billings County, North Dakota, and declaring an emergency.

Introduction, first reading, 92.
Referred to Committee on State and Federal Government.

Reported back, do pass, 167.
 Second reading, 198.
 Passed, 198.
 Emergency carried, 198.
 To House, 217.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2178—(Sanstead, Jones)

Senate Bill No. 2178. A Bill for an Act to amend and reenact sections 15-36-07 and 15-36-11 of the North Dakota Century Code, relating to citizenship requirements for teachers' certificates.

Introduction, first reading, 92.
 Referred to Committee on Education.
 Reported back, amended, 390.
 Amendments adopted, 413.
 Engrossed, 435, 1121.
 Re-Engrossed, 1286.
 Second reading, 449, 1121.
 Passed, 450, 1121.
 To House, 475.
 House amendments, 1087.
 Returned to Senate, amended, 1085.
 Senate concurs, 1121.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2179—(Lips, Van Horn, Kautzmann, Sanstead)

Senate Bill No. 2179. A Bill for an Act to establish a state personnel system based on merit; and providing an appropriation.

Introduction, first reading, 108.
 Referred to Committee on Industry, Business and Labor.
 Returned to Senate and re-referred to Committee on State and Federal Government, 121.
 Reported back, indefinitely postponed, 584.

Senate Bill No. 2180—(Morgan, Melland, Thoreson, Christensen)

Senate Bill No. 2180. A Bill for an Act to create and enact chapter 63-01.1 of the North Dakota Century Code, relating to the control and eradication of noxious weeds, the authority and duties of the commissioner of agriculture and the governing bodies of the political subdivisions in regard to noxious weed control, and creating the office of county weed control officer; to repeal subsection 71 of section 40-05-01 and chapters 63-01, 63-02, 63-03, and 63-04 of the North Dakota Century Code, relating to weed eradication and control; and providing penalties.

Introduction, first reading, 108.
 Referred to Committee on Agriculture.
 Reported back, amended, 391, 392, 435, 437, 584.
 Referred to Committee on Appropriations, 392. Appropriations, 437.

Amendments adopted, 413, 465, 600. Re-referred to Committee on Agriculture, 413.
 Amendments adopted. Re-referred to Committee on Appropriations, 465.
 Engrossed, 479.
 Re-Engrossed, 639, 1149, 1286.
 Second reading, 658, 1149.
 Reprinted, 683.
 Passed, 658, 1149.
 To House, 689.
 House amendments, 1125.
 Clincher motion, 658.
 Returned to Senate, amended, 1123.
 Senate concurs, 1149.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2181—(Ringsak, Morgan, Thoreson)

Senate Bill No. 2181. A Bill for an Act relating to the escheat of unclaimed accounts of the Postal Savings System held by the United States Treasury Department; providing an appropriation; and declaring an emergency.

Introduction, first reading, 108.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 167, 328.
 Re-referred to Committee on Appropriations, 167.
 Engrossed, 1011, 1285.
 Second reading, 357, 1011.
 Passed, 358, 1011.
 Emergency carried, 358.
 To House, 387.
 House amendments, 997.
 Returned to Senate, amended, 997.
 Senate concurs, 1011.
 Enrolled, 1285.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2182—(Ringsak, Forkner, Morgan, Redlin)

Senate Bill No. 2182. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of states attorney in a county of over 35,000 population be a full-time position, the employment of assistant states attorneys, the restrictions on the powers of states attorneys, increasing the salaries of county officials, and to create and enact a section to provide for an effective date thereof.

Introduction, first reading, 108.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 525.
 Amendments adopted, 548.
 Engrossed, 561.
 Second reading, 629.
 Passed, 629.
 Clincher motion, 634.

To House, 640.
Returned to Senate, failed to pass, 1155.

Senate Bill No. 2183—(G. Larson, Thoreson, Jacobson, Jones, Anderson)

Senate Bill No. 2183. A Bill for an Act establishing an advisory council on agriculture and agri-business, defining its powers and duties, and providing an appropriation.

Introduction, first reading, 108.
Referred to Committee on Agriculture.
Reported back, do pass, 227. Amended, 347, 437.
Re-referred to Committee on Appropriations, 227.
Referred to Committee on Appropriations, 360.
Amendments not adopted, 465.
Second reading, 487.
Passed, 487.
To House, 515.
Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2184—(Longmire, Christensen, Redlin, Robinson, Morgan)

Senate Bill No. 2184. A Bill for an Act to amend and reenact section 61-24-04 of the North Dakota Century Code, providing that the board of directors of the Garrison Diversion Conservancy District re-

Introduction, first reading, 108.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 203.
Engrossed, 643, 801.
Second reading, 238, 643.
Passed, 238, 643.
To House, 259.
House amendments, 632.
Returned to Senate, amended, 632.
Senate concurs, 643.
Enrolled, 801.
Signed by President, 812.
Sent to House, 813.
Received from House, 823.
Message to Governor, 827.
Approved by Governor, 921.

Senate Bill No. 2185—(Wilhite)

Senate Bill No. 2185. A Bill for an Act to amend chapter 57-55 of the 1969 Supplement to the North Dakota Century Code by creating and enacting thereto a new section to provide a discount for payment of taxes on mobile homes or trailer houses and their contents; and to amend and reenact section 57-55-11 of the 1969 Supplement to the North Dakota Century Code, relating to collection of taxes on mobile homes or trailer houses.

Introduction, first reading, 108.
Referred to Committee on Finance and Taxation.
Reported back, amended, 184.
Amendments adopted, 202.
Engrossed, 225.
Second reading, 239.
Passed, 239.
To House, 259.
Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2186—(Thane, Ringsak, Page, Morgan)

Senate Bill No. 2186. A Bill for an Act requiring the placing of warning signs on dead end roads and highways.

Introduction, first reading, 109.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 308.

Senate Bill No. 2187—(Litten, Sanstead, Wilhite, Christensen)

Senate Bill No. 2187. A Bill for an Act to provide for a preliminary meeting of the delegates to the constitutional convention and declaring an emergency.

Introduction, first reading, 109.
 Referred to Committee on Appropriations.
 Reported back, do pass, 126.
 Engrossed, 127.
 Second reading, 126. Amended from floor, 126, 127.
 Emergency carried, 127.
 To House, 137.
 Returned to Senate, 169 (not passed).
 House request return, 250.
 Returned to House, 250.
 Returned to Senate, failed to consider, 260.

Senate Bill No. 2188—(Litten, Unruh)

Senate Bill No. 2188. A Bill for an Act to require banking institutions and building and loan associations to pay interest on certain escrow accounts.

Introduction, first reading, 109.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 566, 567.
 Amendments laid on table, 589. Removed from table, 600.
 not adopted, 600.
 Second reading, 658, 678.
 Lost, 679.
 Clincher motion, 683.

Senate Bill No. 2189—(Longmire, Unruh, Lowe)

Senate Bill No. 2189. A Bill for an Act to amend and reenact section 15-59-04 of the North Dakota Century Code, relating to mandatory school district special education programs.

Introduction, first reading, 121.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 392.

Senate Bill No. 2190—(Morgan, Van Horn)

Senate Bill No. 2190. A Bill for an Act to amend and reenact section 20-08-02 of the North Dakota Century Code, providing that only deer with at least one antler may be taken during deer season.

Introduction, first reading, 122.
 Referred to Committee on Natural Resources.
 Reported back, indefinitely postponed, 203.

Senate Bill No. 2191—(Longmire, Chesrown, Lips, Strinden, Nething)

Senate Bill No. 2191. A Bill for an Act making an appropriation for the purpose of matching private funds and student fees for the construction of a winter sports building at the university of North Dakota, Grand Forks, North Dakota, as authorized by chapter 204 of the 1969 Session Laws of North Dakota.

Introduction, first reading, 122.
 Referred to Committee on Appropriations.
 Reported back, indefinitely postponed, 549.

Senate Bill No. 2192—(Lips, Sanstead, Christensen, Litten)

Senate Bill No. 2192. A Bill for an Act to amend and reenact sections 40-38-01, 40-38-02, and 40-38-03 of the North Dakota Century Code, and to repeal section 58-03-08 of the North Dakota Century Code, relating to public libraries.

Introduction, first reading, 122.
 Referred to Committee on Education.
 Reported back, amended, 584.
 Amendments adopted, 640.
 Engrossed, 672.
 Re-Engrossed, 667, 1150, 1286.
 Second reading, 667. Amended from floor, 667, 1150.
 Passed, 668, 1150.
 Clincher motion, 676.
 To House, 689.
 House amendments, 1125, 1126.
 Returned to Senate, amended, 1123.
 Senate concurs, 1149.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2193—(Erdman)

Senate Bill No. 2193. A Bill for an Act to create and enact a new subsection to section 11-17-01, section 11-17-11, a new subsection to section 27-07-25, and section 27-07-36.1, and to amend and reenact sections 11-17-10 and 27-07-36 of the North Dakota Century Code, relating to microfilming of records, documents, and papers by clerks of court.

Introduction, first reading, 122.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 255.

Senate Bill No. 2194—(Wenstrom, Christensen, Sanstead)

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 40-38-11 of the North Dakota Century Code, relating to the consolidation or merger of library services.

Introduction, first reading, 122.
 Referred to Committee on Education.
 Reported back, amended, 584, 585.
 Amendments adopted, 600.
 Engrossed, 639.
 Re-Engrossed, 1150, 1286.
 Second reading, 659, 1150.
 Clincher motion, 676.
 Passed, 659, 1150.
 To House, 689.

House amendments, 1126, 1127.
 Returned to Senate, amended, 1123.
 Senate concurs, 1150.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2195—(Goldberg)

Senate Bill No. 2195. A Bill for an Act to amend and reenact section 26-23-09 of the North Dakota Century Code, relating to limiting the state bonding fund to only surety or fidelity bonds.

Introduction, first reading, 122.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 184.
 Second reading, 216.
 Passed, 216.
 To House, 252.
 Returned to Senate, 445.
 Enrolled, 581.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Governor, 617.
 Approved by Governor, 719.

Senate Bill No. 2196—(Goldberg)

Senate Bill No. 2196. A Bill for an Act to amend and reenact sections 26-27-06, 26-27-07, 26-27.1-07, and 26-27.1-08 of the North Dakota Century Code, relating to the filing of annual statements by corporations and the costs of investigating the affairs of corporations, and declaring an emergency.

Introduction, first reading, 122.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 263.
 Amendments adopted, 279.
 Engrossed, 289.
 Second reading, 296.
 Passed, 297.
 Emergency carried, 297.
 To House, 323.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1061.

Senate Bill No. 2197—(Nasset, Pyle, Roen, Van Horn)

Senate Bill No. 2197. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, relating to annexation of territory when pupils attend in another state.

Introduction, first reading, 122.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 392.

Senate Bill No. 2198—(Nasset, Berube, Pyle, Redlin, Roen)

Senate Bill No. 2198. A Bill for an Act to amend and reenact section 15-53.1-07 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, relating to the contracting by a school board prior to the effective day of annexation.

Introduction, first reading, 123.
Referred to Committee on Education.
Reported back, do pass, 438.
Second reading, 472.
Passed, 472.
To House, 488.
Returned to Senate, 781.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1070.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2199—(Holand, Lips, Longmire, Sanstead)

Senate Bill No. 2199. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Introduction, first reading, 123.
Referred to Committee on Judiciary.
Reported back, do pass, 167.
Engrossed, 883.
Re-Engrossed, 1235.
Second reading, 198, 883.
Passed, 199, 884.
To House, 217.
Returned to Senate, amended, 422.
Conference Committee, 441, 450.
Conference Committee report, 883. Amended in committee, 965.
Conference Committee adopts, 883, 965.
Senate does not concur, 441.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1250.

Senate Bill No. 2200—(Redlin)

Senate Bill No. 2200. A Bill for an Act to amend and reenact sections 40-14-01, 40-14-02, 40-14-04, 40-15-01, 40-15-02, 40-15-05, and 40-18-03 of the North Dakota Century Code, relating to the offices of city treasurer and municipal judge and providing that they be appointive offices in all cities; and to repeal sections 40-15-03 and 40-17-14 of the North Dakota Century Code.

Introduction, first reading, 123.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 203.
Second reading, 239.
Passed, 240.
To House, 259.
Returned to Senate, indefinitely postponed, 804.

Senate Bill No. 2201—(Butler, Rait)

Senate Bill No. 2201. A Bill for an Act to repeal sections 57-54-16, 57-54-21, and 57-54-22 of the North Dakota Century Code, relating

to motor vehicle fuel tax deductions allowed wholesale and retail dealers for costs of collection and shrinkage.

Introduction, first reading, 123.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 438.

Senate Bill No. 2202—(Butler, Rait)

Senate Bill No. 2202. A Bill for an Act to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to purchasing of cigarette stamps at a discount.

Introduction, first reading, 123.

Referred to Committee on Finance and Taxation.

Reported back, amended, 438, 439.

Amendments adopted, 465.

Engrossed, 479.

Second reading, 488.

Lost, 489.

Senate Bill No. 2203—(Sanstead, Freed)

Senate Bill No. 2203. A Bill for an Act to amend and reenact section 11-15-09 of the North Dakota Century Code, relating to sheriff's allowances when plaintiff bids in property at sale.

Introduction, first reading, 137.

Referred to Committee on Judiciary.

Reported back, do pass, 184.

Second reading, 216.

Passed, 217.

To House, 252.

House amendments, 803.

Returned to Senate, amended, 803.

Conference Committee, 826, 863.

Conference Committee report, 934, 976.

Conference Committee adopts, 934, 976.

Senate does not concur, 826.

Transmitted to House, 951.

Enrolled, 1235.

Signed by President, 1244.

Sent to House, 1245.

Received from House, 1250.

Message to Governor, 1250.

Senate Bill No. 2204—(Holand)

Senate Bill No. 2204. A Bill for an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of students with physical handicaps and learning disabilities.

Introduction, first reading, 137.

Referred to Committee on Education.

Reported back, amended, 615, 676.

Re-referred to Committee on Appropriations, 640.

Amendments adopted, 640, 676.

Engrossed, 672, 1151.

Re-Engrossed, 676, 1286.

Second reading, 676, 1151.

Passed, 677, 1151.

Clincher motion, 683.

Reprinted, 683.

To House, 689.

House amendments, 1127, 1128.

Returned to Senate, amended, 1123.
 Senate concurs, 1151.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2205—(Committee on Education)

Senate Bill No. 2205. A Bill for an Act to amend and reenact section 4-19-01 of the North Dakota Century Code, relating to the state forester.

Introduction, first reading, 137.
 Referred to Committee on Education.
 Reported back, do pass, 280.
 Second reading, 297.
 Passed, 297.
 To House, 323.
 Returned to Senate, 781.
 Enrolled, 1052.
 Signed by President, 1070.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2206—(Kautzmann, Coughlin, Swedlund, Doherty, Berube, Freed)

Senate Bill No. 2206. A Bill for an Act to amend and reenact subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to payments to adoptive families for children with special needs.

Introduction, first reading, 138.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 500.
 Engrossed, 870.
 Re-Engrossed, 1235.
 Second reading, 534, 870.
 Passed, 534, 871.
 To House, 557.
 House amendments, 863.
 Returned to Senate, amended, 863.
 Senate concurs, 870.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1250.

Senate Bill No. 2207—(Unruh)

Senate Bill No. 2207. A Bill for an Act to amend and reenact section 57-23-08 of the North Dakota Century Code, relating to property tax abatements and to repeal section 57-23-10 of the North Dakota Century Code, relating to appeals from decision of the board of county commissioners abating, refunding or compromising property taxes.

Introduction, first reading, 138.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 255.

Engrossed, 1151, 1285.
Second reading, 272, 1151.
Passed, 272, 1152.
To House, 286.
House amendments, 1102.
Returned to Senate, amended, 1100.
Senate concurs, 1151.
Enrolled, 1285.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2208—(Erdmann)

Senate Bill No. 2208. A Bill for an Act to amend and reenact section 57-50-02 of the North Dakota Century Code, relating to the form of claim for refund of motor fuel tax.

Introduction, first reading, 138.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 255.
Second reading, 273.
Passed, 273.
To House, 286.
Returned to Senate, 940.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2209—(Kautzmann)

Senate Bill No. 2209. A Bill for an Act to authorize the North Dakota director of institutions to grant to northwestern bell telephone company an easement over certain tracts of state land.

Introduction, first reading, 138.
Referred to Committee on State and Federal Government.
Reported back, do pass, 184.
Second reading, 218.
Passed, 218.
To House, 252.
Returned to Senate, 540.
Enrolled, 802.
Signed by President, 812.
Sent to House, 813.
Received from House, 823.
Message to Governor, 827.
Approved by Governor, 921.

Senate Bill No. 2210—(Thoreson, Morgan, Thane)

Senate Bill No. 2210. A Bill for an Act to create and enact sections 4-09-10.1, 4-09-10.2, and 4-09-10.3 of the North Dakota Century Code, providing for a certified seed grading board.

Introduction, first reading, 138.
Referred to Committee on Agriculture.
Reported back, indefinitely postponed, 308.

Senate Bill No. 2211—(Holand)

Senate Bill No. 2211. A Bill for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Introduction, first reading, 138.
 Referred to Committee on Education.
 Reported back, amended, 392, 393.
 Amendments adopted, 413.
 Engrossed, 435.
 Re-Engrossed, 966, 1286.
 Second reading, 451, 966.
 Passed, 451, 966.
 To House, 475.
 House amendments, 946, 947.
 Returned to Senate, amended, 940.
 Senate concurs, 966.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2212—(Thoreson, Butler)

Senate Bill No. 2212. A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 of the North Dakota Century Code, relating to the definition of a "retail sale" for sales tax purposes.

Introduction, first reading, 138.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 255.
 Second reading, 273.
 Passed, 273.
 To House, 286.
 Returned to Senate, 781.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1070.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2213—(Nasset, Jacobson, Freed)

Senate Bill No. 2213. A Bill for an Act to amend and reenact subsection 2 of section 40-51.2-07 of the North Dakota Century Code, relating to annexation of territory to cities and protests thereto.

Introduction, first reading, 138.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 184.
 Engrossed, 498.
 Second reading, 218, 498.
 To House, 252.
 Returned to Senate, amended, 484.
 Senate concurs, 498.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 827.
 Approved by Governor, 921.

Senate Bill No. 2214—(Nasset, Jacobson, Freed)

Senate Bill No. 2214. A Bill for an Act to amend and reenact section 40-23-22 of the North Dakota Century Code, relating to payment of special assessments on state property.

Introduction, first reading, 139.
Referred to Committee on State and Federal Government.
Reported back, amended, 184.
Amendments adopted, 202.
Engrossed, 225.
Second reading, 240.
To House, 259.
Returned to Senate, indefinitely postponed, 540.

Senate Bill No. 2215—(Chesrown, Nething, Freed)

Senate Bill No. 2215. 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.

Introduction, first reading, 139.
Referred to Committee on Judiciary.
Reported back, do pass, 567. Amended, 328.
Re-referred to Committee on Judiciary, 402.
Amendments adopted, 346.
Engrossed, 369.
Second reading, 378, 401, 629, 657, 681.
Passed, 681.
Clincher motion, 683.
To House, 689.
Returned to Senate, indefinitely postponed, 1000.

Senate Bill No. 2216—(Chesrown, Holand, Nething)

Senate Bill No. 2216. A Bill for an Act to amend and reenact section 16-20-08 of the North Dakota Century Code, relating to the influencing of legislation by a corporation.

Introduction, first reading, 139.
Referred to Committee on Judiciary.
Reported back, do pass, 185.
Second reading, 219.
Passed, 219.
To House, 252.
Returned to Senate, indefinitely postponed, 508.

Senate Bill No. 2217—(Committee on Appropriations)

Senate Bill No. 2217. A Bill for an Act to create and provide for the creation of a state land maintenance fund, and to amend and reenact sections 15-01-05, 15-03-02 and 15-03-03 of the North Dakota Century Code, relating to the payment of salaries and expenses of the office of commissioner of university and school lands from such fund, and declaring an emergency.

Introduction, first reading, 139.
Referred to Committee on Appropriations.
Reported back, amended, 308.
Amendments adopted, 325.
Engrossed, 345.
Re-Engrossed, 358.
Second reading, 358. Amended from floor, 358.

Passed, 358.
Emergency carried, 358.
To House, 387.
Returned to Senate, 1129.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2218—(Van Horn, Redlin, Jacobson)

Senate Bill No. 2218. A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to the fee charged for furnishing an abstract of a driver's record or accident report, and providing that a copy of each abstract requested also be sent to the driver.

Introduction, first reading, 152.
Referred to Committee on Judiciary.
Engrossed, 1012, 1285.
Second reading, 273, 1012.
Passed, 274, 1012.
To House, 286.
House amendments, 998.
Returned to Senate, amended, 997.
Senate concurs, 1012.
Enrolled, 1285.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2219—(Stroup, Freed)

Senate Bill No. 2219. A Bill for an Act to amend and reenact section 28-05-08 of the North Dakota Century Code, relating to the cancellation of lis pendens by the entry of a final judgment.

Introduction, first reading, 152.
Referred to Committee on Judiciary.
Reported back, do pass, 255.
Second reading, 274.
Passed, 275.
To House, 286.
Returned to Senate, 781.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1070.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2220—(Swedlund, Sorlie)

Senate Bill No. 2220. A Bill for an Act to amend and reenact section 54-23.1-07 of the North Dakota Century Code, providing for increased fees to counties for law enforcement system.

Introduction, first reading, 153.
Referred to Committee on State and Federal Government.
Reported back, do pass, 255.
Second reading, 275.
Passed, 275.
To House, 286.

Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2221—(Lowe)

Senate Bill No. 2221. A Bill for an Act to require certain persons to report the names of blind persons to the school for the blind and the names of deaf persons to the school for the deaf.

Introduction, first reading, 153.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 500, 501.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 592.
 Passed, 592.
 To House, 637.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2222—(Sanstead, Pyle, Unruh, Doherty, Litten)

Senate Bill No. 2222. A Bill for an Act making an appropriation to the public welfare board to provide assistance for handicapped persons while attending licensed sheltered workshops.

Introduction, first reading, 153.
 Referred to Committee on Appropriations.
 Reported back, indefinitely postponed, 501.

Senate Bill No. 2223—(Longmire, Freed, Chesrown)

Senate Bill No. 2223. A Bill for an Act to create and enact section 31-01-07.1 of the North Dakota Century Code relating to the release of medical records on patient approval.

Introduction, first reading, 153.
 Referred to Committee on Judiciary.
 Reported back, amended, 280.
 Amendments adopted, 293.
 Engrossed, 307.
 Second reading, 316.
 Passed, 317.
 To House, 335.
 Returned to Senate, indefinitely postponed, 781.

Senate Bill No. 2224—(Chesrown)

Senate Bill No. 2224. A Bill for an Act to amend and reenact section 35-22-01 of the North Dakota Century Code, to authorize foreclosure of state-owned real estate mortgages by advertisement and to permit short-term redemption from such foreclosures.

Introduction, first reading, 153.
 Referred to Committee on State and Federal Government.
 Reported back, indefinitely postponed, 264.

Senate Bill No. 2225—(Chesrown, Nething, Freed)

Senate Bill No. 2225. A Bill for an Act to repeal Chapter 39-15 of the North Dakota Century Code relating to the guest law.

Introduction, first reading, 153.
 Referred to Committee on Judiciary.
 Reported back, do pass, 328, 567.
 Re-referred to Committee on Judiciary, 396.
 Second reading, 359, 629, 657, 681.
 Lost, 359. Reconsidered, 396. Passed, 682.
 Clincher motion, 683.
 To House, 689.
 Returned to Senate, indefinitely postponed, 1000.

Senate Bill No. 2226—(Sanstead, Chesrown)

Senate Bill No. 2226. A Bill for an Act to amend and reenact section 12-59-02 of the North Dakota Century Code, relating to meetings, quorum and compensation of the parole board.

Introduction, first reading, 153.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 308.
 Amendments adopted, 325.
 Engrossed, 345.
 Second reading, 360.
 Passed, 360.
 To House, 387.
 Returned to Senate, 540.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2227—(Doherty, Goldberg, Robinson)

Senate Bill No. 2227. A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, requiring contracts for miscellaneous types of printing to be let to printing shops.

Introduction, first reading, 153.
 Referred to Committee on Industry, Business and Labor.
 Reported back, placed on calendar, 604.
 Second reading, 659, 678.
 Lost, 678.
 Clincher motion, 683.

Senate Bill No. 2228—(Hernett, Sanstead)

Senate Bill No. 2228. A Bill for an Act to create and enact subdivisions h and i of subsection 11 of section 52-01-01, subdivisions f, g, h, i, j, k of subsection 13 of section 52-01-01, paragraphs (10) and (11) of subdivision i of subsection 15 of section 52-01-01, subsections 28, 29, and 30 of section 52-01-11, section 52-04-18, section 52-04-19, section 52-04-20, and subsection 11 of section 52-06-02 of the North Dakota Century Code, relating to unemployment compensation definitions and benefits, and to amend and reenact subsection 4 of section 52-01-01, subdivisions a, b, c, e, f, g of subsection 11 of section 52-01-01, subdivision a of subsection 13 of section 52-01-01, subdivision a of subsection 15 of section 52-01-01, paragraphs (1) and (5) of subdivision i of subsection 15 of section 52-01-01, section 52-04-07, subdivi-

sion a of subsection 3 of section 52-06-01 and subsection 6 of section 52-06-02 of the North Dakota Century Code, subdivision e of subsection 13 of section 52-01-01 and section 52-05-03 of the 1969 Supplement to the North Dakota Century Code, relating to unemployment compensation definitions, accounts, coverage and benefits, and to repeal subdivision c of subsection 15 of section 52-01-01 and subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation definitions.

Introduction, first reading, 153.
Referred to Committee on Industry, Business and Labor.
Reported back, amended, 264.
Amendments adopted, 279.
Engrossed, 289.
Second reading, 298.
Passed, 298.
To House, 323.
Returned to Senate, 758.
Enrolled, 1095.
Signed by President, 1109.
Sent to House, 1110.
Received from House, 1169.
Message to Governor, 1219.
Approved by Governor, 1249.

Senate Bill No. 2229—(Holand)

Senate Bill No. 2229. A Bill for an Act to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to scholarships awarded by the state highway department.

Introduction, first reading, 154.
Referred to Committee on Education.
Reported back, do pass, 281.
Second reading, 301, 305.
Passed, 305.
To House, 323.
Returned to Senate, 781.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2230—(Freed, Nething, Ringsak, Sanstead)

Senate Bill No. 2230. A Bill for an Act to create and enact Chapter 29-10.1 of the North Dakota Century Code, relating to the Grand Jury, its termination, powers, duties, functions, and activities; providing for criminal contempt of court; and to repeal Chapter 29-10, Sections 29-09-08, 29-09-09, 29-09-10, 29-09-11, Subdivisions c, d, and g of Subsection 2 of Section 29-14-04 of the North Dakota Century Code.

Introduction, first reading, 154.
Referred to Committee on Judiciary.
Reported back, amended, 290.
Amendments adopted, 311.
Engrossed, 325.
Re-Engrossed, 1238, 1286.
Second reading, 337, 1238.
Passed, 337, 1238.
To House, 359.
House amendments, 782.
Returned to Senate, amended, 782.

Conference Committee, 798, 839.
 Conference Committee report, 1237.
 Senate adopts, 1238, 1260.
 Senate does not concur, 798.
 Returned to Senate, 1260.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2231—(Hernett, Sanstead)

Senate Bill No. 2231. A Bill for an Act to create and enact chapter 52-07.1 of the North Dakota Century Code to provide a program for the payment of extended unemployment compensation benefits to workers who during periods of high unemployment in the State, or in the nation, have exhausted their rights to regular benefits under the North Dakota Unemployment Compensation Law, or under Federal law as administered by the North Dakota employment security bureau; to provide conditions of entitlement to extended benefits; to provide for the administration and carrying out of the program; and to provide an effective date.

Introduction, first reading, 154.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 281.
 Second reading, 298.
 Passed, 299.
 To House, 323.
 Returned to Senate, 758.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1070.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2232—(Sanstead, Christensen, Doherty, Lips)

Senate Bill No. 2232. A Bill for an Act to authorize the state department of accounts and purchases to withhold funds due a political subdivision if the subdivision is delinquent in repaying overpayments made under federal natural disaster laws.

Introduction, first reading, 154.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 264.
 Second reading, 284.
 Passed, 284.
 To House, 300.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2233—(L. Larson, Barth, Berube)

Senate Bill No. 2233. A Bill for an Act to repeal section 34-01-14 of the North Dakota Century Code, relating to conditions of work with relation to union membership.

Introduction, first reading, 154.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 347.

Senate Bill No. 2234—(Morgan, Nasset)

Senate Bill No. 2234. A Bill for an Act to amend and reenact section 4-30-47 of the 1969 Supplement to the North Dakota Century Code, relating to official butterfat tests, other tests and the fees therefor.

Introduction, first reading, 155.
Referred to Committee on Agriculture.
Reported back, do pass, 227, 459.
Re-referred to Committee on Appropriations, 262.
Second reading, 262, 489.
Passed, 489.
To House, 515.
Returned to Senate, 999.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2235—(Wenstrom)

Senate Bill No. 2235. A Bill for an Act to amend and reenact section 9-10-06 of the North Dakota Century Code relating to responsibility for wrongful acts.

Introduction, first reading, 155.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 264.

Senate Bill No. 2236—(Just, Berube, Longmire, Redlin)

Senate Bill No. 2236. A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to construction of bridges by board of county commissioners, and rebuilding or repairing bridges.

Introduction, first reading, 155.
Referred to Committee on Transportation.
Reported back, amended, 501.
Amendments adopted, 522.
Engrossed, 547.
Second reading, 592.
Passed, 592.
To House, 637.
Returned to Senate, indefinitely postponed, 947.

Senate Bill No. 2237—(Rait, Erdman)

Senate Bill No. 2237. A Bill for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, relating to prohibiting insurance companies from denying an insured the right to employ a medical, osteopathic, or chiropractic doctor, or enter a hospital of his choice.

Introduction, first reading, 155.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, indefinitely postponed, 501.

Senate Bill No. 2238—(Longmire)

Senate Bill No. 2238. A Bill for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to clarification as to young men christian associations and young women christian associations being institutions of public charity and thereby exempt from taxation.

Introduction, first reading, 155.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 255.
 Second reading, 275.
 Passed, 276.
 To House, 286.
 Returned to Senate, indefinitely postponed, 864.

Senate Bill No. 2239—(Doherty, Thoreson, Jones)

Senate Bill No. 2239. A Bill for an Act to create and enact section 2-05-15.1 of the North Dakota Century Code, relating to bonding requirements of certain air transportation entities.

Introduction, first reading, 170.
 Referred to Committee on Transportation.
 Reported back, do pass, 290.
 Second reading, 317.
 Passed, 317.
 To House, 335.
 Returned to Senate, 863.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2240—(Sanstead, Coughlin)

Senate Bill No. 2240. A Bill for an Act to amend and reenact section 11-15-08 of the North Dakota Century Code, relating to sheriff's commissions.

Introduction, first reading, 171.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 290.
 Second reading, 317.
 Passed, 318.
 To House, 335.
 Returned to Senate, indefinitely postponed, 812.

Senate Bill No. 2241—(Freed, Unruh, Sanstead)

Senate Bill No. 2241. A Bill for an Act to amend and reenact subsection 21 of section 11-15-07 of the North Dakota Century Code, relating to sheriffs' fees.

Introduction, first reading, 171.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 290.
 Second reading, 318.
 Passed, 318.
 To House, 335.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1010.

Senate Bill No. 2242—(Anderson, Lips, Sanstead, Goldberg, Coughlin)

Senate Bill No. 2242. A Bill for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to the employment of persons under twenty-one years of age in restaurants where alcoholic beverages are sold.

Introduction, first reading, 171.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 502.
 Second reading, 534.
 Passed, 534.
 To House, 557.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2243—(Just, Anderson)

Senate Bill No. 2243. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claims for refund of motor fuel tax.

Introduction, first reading, 171.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 371, 372.
 Amendments adopted, 395.
 Engrossed, 405.
 Second reading, 426.
 Passed, 427.
 To House, 444.
 Returned to Senate, indefinitely postponed, 804.

Senate Bill No. 2244—(Chesrown, Melland, L. Larson, Van Horn)

Senate Bill No. 2244. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code, relating to the apportionment and distribution of the proceeds of a cooperative.

Introduction, first reading, 171.
 Referred to Committee on Industry, Business and Labor.
 Reported back, no recommendation, 329.
 Second reading, 361, 424.
 Lost, 425.

Senate Bill No. 2245—(Jones, Page)

Senate Bill No. 2245. A Bill for an Act to amend and reenact sections 25-07-02 and 25-07-06 of the North Dakota Century Code, relating to the instruction at the school for the deaf; and to repeal section 25-07-03 of the North Dakota Century Code, relating to the duties of the matron at the school for the deaf.

Introduction, first reading, 171.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 255.
 Second reading, 276.
 Passed, 276.
 To House, 286.

Returned to Senate, 781.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1070.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2246—(Lips, Sanstead)

Senate Bill No. 2246. A Bill for an Act to amend and reenact section 57-15-12 of the North Dakota Century Code, relating to an additional tax levy without an election not to exceed one mill to be used solely for matching bureau of outdoor recreation funds.

Introduction, first reading, 171.
Referred to Committee on Natural Resources.
Reported back, indefinitely postponed, 308.

Senate Bill No. 2247—(Goldberg, Butler)

Senate Bill No. 2247. 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, relating to sales and use tax exemptions for certain food products.

Introduction, first reading, 171.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 372. Indefinitely postponed, 605.
Re-referred to Committee on Finance and Taxation, 402.

Senate Bill No. 2248—(Goldberg, Litten)

Senate Bill No. 2248. A Bill for an Act to create and enact section 15-55-05.1 of the North Dakota Century Code, relating to the issuance of interim warrants for revenue producing projects at the state institutions of higher learning, and declaring an emergency.

Introduction, first reading, 171.
Referred to Committee on State and Federal Government.
Reported back, amended, 348, 349, 409.
Re-referred to Committee on State and Federal Government, 387.
Amendments adopted, 376, 440. Reconsidered, 387.
Engrossed, 459, 773, 1052.
Second reading, 473, 774.
Passed, 473, 774.
Emergency carried, 774.
To House, 488.
House amendments, 758.
Returned to Senate, amended, 758.
Senate concurs, 773.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1070.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2249—(Chesrown, Freed, Holand)

Senate Bill No. 2249. A Bill for an Act to amend and reenact sections 27-11-22 and 27-12-02 of the 1969 Supplement to the North Dakota Century Code, relating to annual licenses to practice law and membership of the state bar association.

Introduction, first reading, 172.
 Referred to Committee on Judiciary.
 Reported back, do pass, 372.
 Second reading, 402.
 Passed, 402.
 To House, 422.
 Returned to Senate, 781.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2250—(Chesrown, Holand)

Senate Bill No. 2250. A Bill for an Act to amend and reenact section 27-05-17 of the North Dakota Century Code, relating to general provisions concerning court terms, and to repeal subsection 4 of section 28-04-07 of the 1969 Supplement to the North Dakota Century Code, relating to change of venue.

Introduction, first reading, 172.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 372.

Senate Bill No: 2251—(Chesrown, Freed, Holand)

Senate Bill No. 2251. A Bill for an Act to define vacancies in the district court and the method of filling such vacancies, provide for removal or censure of district court judges, and to amend and reenact sections 16-05-02, 16-08-02, and subsection 2 of section 44-02-02 of the North Dakota Century Code.

Introduction, first reading, 172.
 Referred to Committee on Judiciary.
 Reported back, do pass, 372.
 Second reading, 402.
 Passed, 402.
 To House, 422.
 Returned to Senate, indefinitely postponed, 864.

Senate Bill No. 2252—(Chesrown, Freed, Holand)

Senate Bill No. 2252. A Bill for an Act to amend and reenact section 28-18-09 of the North Dakota Century Code, and to repeal section 28-27-32 of the North Dakota Century Code, relating to appeals to the North Dakota supreme court.

Introduction, first reading, 172.
 Referred to Committee on Judiciary.
 Reported back, do pass, 372.
 Second reading, 425.
 Passed, 425.
 To House, 444.
 Returned to Senate, 903.
 Enrolled, 1095.
 Signed by President, 1109.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2253—(Chesrown, Freed, Holand)

Senate Bill No. 2253. A Bill for an Act to amend and reenact section 27-05-03.2 of the North Dakota Century Code, relating to retirement compensation of supreme and district court judges.

Introduction, first reading, 172.
 Referred to Committee on Judiciary.
 Reported back, do pass, 549.
 Second reading, 629.
 Passed, 630.
 Clincher motion, 634.
 To House, 640.
 Returned to Senate, indefinitely postponed, 757.

Senate Bill No. 2254—(Strinden)

Senate Bill No. 2254. A Bill for an Act to amend and reenact sections 35-13-02, 35-13-03, and 35-13-04 of the North Dakota Century Code, relating to the priority of a repairman's lien and the time in which it must be filed.

Introduction, first reading, 172.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 329.
 Second reading, 361.
 Passed, 361.
 To House, 387.
 Returned to Senate, 781.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2255—(Barth, Robinson)

Senate Bill No. 2255. A Bill for an Act to amend and reenact section 57-20-07 of the North Dakota Century Code, to provide for giving notice of amount of real estate taxes dues.

Introduction, first reading, 172.
 Referred to Committee on Finance and Taxation.
 Returned to Senate and re-referred to Committee on Social Welfare and Veterans' Affairs, 360.
 Reported back, indefinitely postponed, 329.

Senate Bill No. 2256—(Stroup)

Senate Bill No. 2256. A Bill for an Act to amend and reenact section 6-03-28 of the North Dakota Century Code, relating to value and transfer of shares and shareholder's obligation.

Introduction, first reading, 172.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 264.
 Second reading, 284.
 Passed, 284.
 To House, 300.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2257—(Jacobson)

Senate Bill No. 2257. 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.

Introduction, first reading, 173.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 264.
 Second reading, 284.
 Passed, 285.
 To House, 300.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2258—(L. Larson)

Senate Bill No. 2258. A Bill for an Act to amend and reenact sections 65-04-04 and 65-07-03 of the 1969 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, 173.
 Referred to Committee on Industry, Business and Labor.
 Reported back, indefinitely postponed, 264.

Senate Bill No. 2259—(Kautzmann, Melland)

Senate Bill No. 2259. A Bill for an Act to amend and reenact sections 40-46-02 and 40-46-26 of the North Dakota Century Code, relating to tax levies for city employees' pension funds and to pay city's share of federal social security plans for employees.

Introduction, first reading, 173.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 290.
 Engrossed, 1112, 1285.
 Second reading, 318, 1112.
 Passed, 319, 1112.
 To House, 335.
 House amendments, 998.
 Returned to Senate, amended, 997.
 Conference Committee, 1012, 1050.
 Conference Committee report, 1111. Adopts, 1112, 1169.
 Senate does not concur, 1012.
 Transmitted to House, 1123.
 Enrolled, 1285.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2260—(Nothing, Unruh)

Senate Bill No. 2260. A Bill for an Act to amend and reenact subsection 1 of section 57-37-04 of the North Dakota Century Code, relating to the gross estates of decedents for estate tax purposes.

Introduction, first reading, 173.
 Referred to Committee on Judiciary.
 Reported back, do pass, 281.
 Second reading, 301.
 Passed, 301.
 To House, 323.
 Returned to Senate, indefinitely postponed, 882.

Senate Bill No. 2261—(Lips, Stroup)

Senate Bill No. 2261. A Bill for an Act to create and enact Chapter 40-35.1 of the North Dakota Century Code, authorizing the issuance of Reserve Revenue Bonds, and prescribing procedures with respect thereto and the security for payment thereof.

Introduction, first reading, 173.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 308.
 Second reading, 338.
 Passed, 338.
 To House, 359.
 Returned to Senate, indefinitely postponed, 812.

Senate Bill No. 2262—(Longmire, Unruh)

Senate Bill No. 2262. A Bill for an Act to provide for the issuing of revenue bonds for the construction of a rehabilitation hospital at the university of North Dakota, and appropriating the moneys for such construction.

Introduction, first reading, 173.
 Referred to Committee on Education.
 Reported back, do pass, 281, 372.
 Re-referred to Committee on Appropriations, 281.
 Second reading, 403.
 Passed, 403.
 To House, 422.
 Returned to Senate, 1129.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2263—(Longmire, Unruh)

Senate Bill No. 2263. A Bill for an Act to provide for pre-school day services for the purpose of improving training and socialization of mentally deficient children, and providing an appropriation.

Introduction, first reading, 173.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 409, 410. Indefinitely postponed, 585.
 Re-referred to Committee on Appropriations, 410, 440.
 Amendments adopted, 440.
 Engrossed, 459.

Senate Bill No. 2264—(Longmire, Unruh)

Senate Bill No. 2264. A Bill for an Act to amend and reenact sections 2 and 4 of chapter 204 of the 1969 Session Laws of North Dakota, relating to buildings and facilities at the university of North Dakota, Grand Forks, North Dakota, and providing an appropriation.

Introduction, first reading, 173.
 Referred to Committee on Appropriations.
 Reported back, do pass, 502.
 Second reading, 535.
 Passed, 536.
 To House, 557.
 Returned to Senate, 1129.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2265—(Longmire)

Senate Bill No. 2265. A Bill for an Act to amend and reenact section 29-02-04 of the North Dakota Century Code, relating to the prevention of public offenses by officers of justice; and to repeal sections 29-02-06, 29-02-07, 29-02-08, 29-02-09, 29-02-10, 29-02-11, 29-02-12, 29-02-13, 29-02-14, 29-02-15, 29-02-16, 29-02-17, 29-02-18, 29-02-19, 29-02-20, 29-02-21, and 29-02-22 of the North Dakota Century Code, relating to the peace bond procedure following complaint that a person is threatening bodily harm or harm to property.

Introduction, first reading, 174.
 Referred to Committee on Judiciary.
 Reported back, amended, 372.
 Amendments adopted, 395.
 Engrossed, 405.
 Second reading, 427.
 Passed, 427.
 To House, 444.
 Returned to Senate, indefinitely postponed, 864.

Senate Bill No. 2266—(Goldberg)

Senate Bill No. 2266. A Bill for an Act to repeal chapter 6-09.1 of the North Dakota Century Code, relating to the advisory board to the bank of North Dakota.

Introduction, first reading, 174.
 Referred to Committee on Industry, Business and Labor.
 Reported back, indefinitely postponed, 585.

Senate Bill No. 2267—(Goldberg, Nasset, Robinson, Jacobson)

Senate Bill No. 2267. A Bill for an Act to amend and reenact subsection 11 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions of certain feed sales.

Introduction, first reading, 174.
 Referred to Committee on Agriculture.
 Reported back, do pass, 393.
 Second reading, 427.
 Passed, 428.
 To House, 444.
 Returned to Senate, 863.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2268—(Robinson, Ringsak)

Senate Bill No. 2268. A Bill for an Act to provide a name for the law enforcement training center and to provide for the supervision of the center.

Introduction, first reading, 186.
Referred to Committee on State and Federal Government.
Reported back, amended, 290, 291.
Amendments adopted, 325.
Engrossed, 345.
Second Reading, 361.
Passed, 362.
To House, 387.
Returned to Senate, indefinitely postponed, 743.

Senate Bill No. 2269—(Wilhite, Christensen)

Senate Bill No. 2269. A Bill for an Act to amend and reenact section 38-08-09.7 of the North Dakota Century Code, relating to the liability for expenses in unitized oil and gas fields.

Introduction, first reading, 186.
Referred to Committee on Natural Resources.
Reported back, do pass, 308.
Engrossed, 933.
Re-Engrossed, 1235.
Second reading, 338, 933.
Passed, 339, 933.
To House, 359.
House amendments, 782.
Returned to Senate, amended, 782.
Conference Committee, 798, 840.
Conference Committee report, 932, 976. Adopts, 933, 976.
Senate does not concur, 798.
Transmitted to House, 951.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2270—(Chesrown)

Senate Bill No. 2270. A Bill for an Act to amend and reenact section 10-23-01 of the North Dakota Century Code, relating to allowing the destruction of the annual reports of corporations after they have been on file for six years.

Introduction, first reading, 187.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 329.
Second reading, 362.
Passed, 362.
To House, 387.
Returned to Senate, 781.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1071.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2271—(Anderson, Coughlin, Sanstead)

Senate Bill No. 2271. A Bill for an Act to amend and reenact section 40-45-06 of the North Dakota Century Code, relating to the investment of surplus funds of the policemen's pension fund.

Introduction, first reading, 187.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 291.
 Second reading, 319.
 Passed, 319.
 To House, 335.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2272—(Anderson, Coughlin, Sanstead)

Senate Bill No. 2272. A Bill for an Act to amend and reenact section 40-45-09 of the North Dakota Century Code, relating to policemen's pensions and who may be retired.

Introduction, first reading, 187.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 410.
 Second reading, 451.
 Passed, 451.
 To House, 475.
 Returned to Senate, 863.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2273—(Butler, Coughlin, Nothing)

Senate Bill No. 2273. A Bill for an Act prohibiting the use and furnishing of trading stamps or other similar devices and schemes or substitutes therefor, with the sale of goods, wares, and merchandise; and to repeal chapter 51-06, relating to trading stamps and devices; and providing a penalty.

Introduction, first reading, 187.
 Referred to Committee on Finance and Taxation.
 Reported back indefinitely postponed, 549.

Senate Bill No. 2274—(Thane, Pyle, Ringsak)

Senate Bill No. 2274. A Bill for an Act to amend and reenact sections 27-07-20, 27-07-23, 27-07-24, subsection 1 of section 27-07-25, and section 27-08-12 of the North Dakota Century Code, relating to the appointment, powers, duties, and compensation of deputy county judges of county courts and county courts with increased jurisdiction.

Introduction, first reading, 187.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 349.

Senate Bill No. 2275—(Litten)

Senate Bill No. 2275. A Bill for an Act to create a state trust to hold unpaid guaranteed student loans belonging to the state of North Dakota; to authorize preparation, sale, and issuance of special coupon bonds of the state of North Dakota against such United States

government guaranteed student loans so held; and to make such bonds eligible for investment of the funds of banks, savings and loan associations, and public trust funds of this state, and making an appropriation.

Introduction, first reading, 187.
 Referred to Committee on Appropriations.
 Reported back, do pass, 393.
 Second reading, 428.
 Passed, 428.
 To House, 444.
 Returned to Senate, 638.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2276—(Ringsak, Morgan)

Senate Bill No. 2276. A Bill for an Act to provide an appropriation for the construction of a food service building at the Grafton state school.

Introduction, first reading, 188.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 256. Amended, 605.
 Re-referred to Committee on Appropriations, 256.
 Amendments adopted, 640.
 Engrossed, 672, 1152.
 Re-Engrossed, 1286.
 Second reading, 668, 1152.
 Clincher motion, 676.
 Passed, 668, 1152.
 To House, 689.
 House amendments, 1128.
 Returned to Senate, amended, 1123.
 Senate concurs, 1152.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2277—(Ringsak)

Senate Bill No. 2277. A Bill for an Act to provide that no person shall be placed in legal jeopardy for acts of self-defense or to protect his property or in aid of another.

Introduction, first reading, 188.
 Referred to Committee on Judiciary.
 Reported back, amended, 349.
 Amendments adopted, 376.
 Engrossed, 389.
 Re-Engrossed, 403.
 Second reading, 403. Amended from floor.
 Passed, 404.
 To House, 422.
 Returned to Senate, indefinitely postponed, 864.

Senate Bill No. 2278—(Wenstrom, Jones, Ringsak, Sanstead, Van Horn)

Senate Bill No. 2278. A Bill for an Act to accept on behalf of the state of North Dakota the conditions, purposes, and terms of Public Law 89-665 of the Eighty-ninth Congress, an Act to establish a program for the preservation of additional historic properties throughout the nation, and to designate the state historical society to act on behalf of North Dakota, and to provide an appropriation.

Introduction, first reading, 188.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 256.
 Engrossed, 1012.
 Re-Engrossed, 1235.
 Second reading, 276, 1012.
 Passed, 276, 1013.
 To House, 286.
 House amendments, 998.
 Returned to Senate, amended, 997.
 Senate concurs, 1012.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2279—(Kautzmann, Nething, Chesrown, Unruh, Barth)

Senate Bill No. 2279. A Bill for an Act to amend and reenact subsection 7 of section 25-03-11 of the North Dakota Century Code, relating to judicial procedures in hospitals upon order of mental health board.

Introduction, first reading, 188.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 526.
 Amendments adopted, 548.
 Engrossed, 561.
 Second reading, 630.
 Passed, 630.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, 940.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2280—(Longmire, Hernet, Goldberg)

Senate Bill No. 2280. 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, and declaring an emergency.

Introduction, first reading, 188.
 Referred to Committee on State and Federal Government.
 Reported back, no recommendation, 329.
 Second reading, 359, 451.
 Passed, 452.
 Emergency carried, 452.
 To House, 475.
 Returned to Senate, indefinitely postponed, 1000.

Senate Bill No. 2281—(Christensen)

Senate Bill No. 2281. A Bill for an Act to amend and reenact section 61-16-46 of the North Dakota Century Code, relating to the cost of constructing and maintaining openings for drains constructed by districts through railroads and highways.

Introduction, first reading, 189.
 Referred to Committee on Agriculture.
 Reported back, do pass, 410.
 Second reading, 452, 473.
 Passed, 473.
 To House, 488.
 Returned to Senate, indefinitely postponed, 1102.

Senate Bill No. 2282—(Doherty, Morgan)

Senate Bill No. 2282. A Bill for an Act to amend and reenact subsections 3 and 6 of section 54-52-01 and section 54-52-02 of the North Dakota Century Code, relating to definitions and formulation of plans under the state employees' retirement system, and to provide a legislative intent relating to prior service benefits for District Health Unit qualified employees.

Introduction, first reading, 189.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 349.
 Amendments adopted, 376.
 Engrossed, 389.
 Re-Engrossed, 992, 1286.
 Second reading, 415, 992.
 Passed, 415, 992.
 To House, 444.
 House amendments, 947.
 Returned to Senate, amended, 940.
 Senate concurs, 992.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2283—(Unruh)

Senate Bill No. 2283. A Bill for an Act creating a regional medical education board.

Introduction, first reading, 189.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 264. Amended, 585.
 Re-referred to Committee on Appropriations, 264.
 Amendments adopted, 600.
 Engrossed, 639.
 Second reading, 660.
 Passed, 660.
 Clincher motion, 676.
 To House, 689.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2284—(Litten, Longmire)

Senate Bill No. 2284. A Bill for an Act to amend and reenact subsection 1 of section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Introduction, first reading, 189.
Referred to Committee on Education.
Reported back, amended, 393.
Amendments adopted, 413.
Engrossed, 435.
Second reading, 452.
Passed, 452.
To House, 475.
Returned to Senate, 803.
Enrolled, 922.
Signed by President, 949.
Sent to House, 950.
Received from House, 961.
Message to Governor, 964.
Approved by Governor, 1061.

Senate Bill No. 2285—(Wenstrom)

Senate Bill No. 2285. A Bill for an Act to amend and reenact section 15-39-14, subsection 4 of section 15-39-27, subsections 1 and 5 of section 15-39-28, and section 15-39-42, and to repeal section 15-39-28.1 of the North Dakota Century Code, relating to teachers' insurance and retirement fund assessments and annuities.

Introduction, first reading, 189.
Referred to Committee on Education.
Reported back, do pass, 585.
Second reading, 652, 653.
Passed, 653.
Clincher motion, 658.
To House, 689.
Returned to Senate, indefinitely postponed, 1103.

Senate Bill No. 2286—(Freed)

Senate Bill No. 2286. A Bill for an Act to amend and reenact section 40-51.2-04 of the North Dakota Century Code, relating to excluding and disconnecting land within a city's limits.

Introduction, first reading, 189.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 502.
Second reading, 536.
Passed, 536.
To House, 557.
Returned to Senate, 863.
Enrolled, 1095.
Signed by President, 1109.
Sent to House, 1110.
Received from House, 1169.
Message to Governor, 1219.

Senate Bill No. 2287—(Litten)

Senate Bill No. 2287. A Bill for an Act to amend and reenact section 14-03-13 of the North Dakota Century Code, to provide that the standard serological test for syphilis required for filing of application for marriage license may be performed by any laboratory approved by the state health officer.

Introduction, first reading, 189.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 502.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 592.
 Passed, 592.
 To House, 637.
 Returned to Senate, 863.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1251.

Senate Bill No. 2288—(Chesrown)

Senate Bill No. 2288. A Bill for an Act to provide that every county shall have at least one deputy sheriff or office deputy sheriff.

Introduction, first reading, 189.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 291.
 Second reading, 319.
 Passed, 319.
 To House, 335.
 Returned to Senate, failed to pass, 1037.

Senate Bill No. 2289—(Chesrown)

Senate Bill No. 2289. A Bill for an Act relating to the mandatory disposition of detainees for criminal charges pending against persons imprisoned in this state and constituting the Uniform Mandatory Disposition of Detainers Act.

Introduction, first reading, 190.
 Referred to Committee on Judiciary.
 Reported back, do pass, 373.
 Second reading, 416.
 Passed, 416.
 To House, 444.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2290—(Chesrown, Longmire)

Senate Bill No. 2290. A Bill for an Act to amend and reenact section 40-08-07 of the North Dakota Century Code, relating to compensation of aldermen in council cities.

Introduction, first reading, 190.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 308, 309, 349, 350.
 Re-referred to Committee on Political Subdivisions, 325.
 Amendments adopted, 376.
 Engrossed, 389.
 Second reading, 416.
 Passed, 416.
 To House, 444.
 Returned to Senate, 940.
 Enrolled, 1235.

Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2291—(Rait, Lips)

Senate Bill No. 2291. A Bill for an Act to amend and reenact section 57-02-34 of the North Dakota Century Code to change the time for the assessor to make the assessment.

Introduction, first reading, 190.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 309.
 Second reading, 339.
 Passed, 339.
 To House, 359.
 Returned to Senate, 594.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2292—(Lips)

Senate Bill No. 2292. A Bill for an Act to amend and reenact sections 54-38-01, 54-38-02, 54-38-05, 54-38-06, 54-38-07 and 54-38-09 relating to the creation of a division of alcoholism and drug abuse within the State Department of Health and repealing sections 54-38-03, 54-38-04 and 54-38-08 of the North Dakota Century Code, relating to the state commission on alcoholism.

Introduction, first reading, 190.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 393.
 Second reading, 428.
 Passed, 428.
 To House, 444.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2293—(Kautzmann)

Senate Bill No. 2293. A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of 40-51.2-07 and section 40-51.2-16 of the North Dakota Century Code, relating to effective date of an annexation.

Introduction, first reading, 190.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 309.
 Second reading, 339.
 Passed, 339.
 To House, 360.
 Returned to Senate, 632.
 Enrolled, 802.
 Signed by President, 812.

Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 922.

Senate Bill No. 2294—(Freed)

Senate Bill No. 2294. A Bill for an Act to create and enact subsection 22 of section 57-39.2-04 and subsection 10 of section 57-40.2-04 of the North Dakota Century Code, relating to exemption from sales and use tax.

Introduction, first reading, 190.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 329.
 Second reading, 362.
 Passed, 362.
 To House, 387.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2295—(Unruh)

Senate Bill No. 2295. A Bill for an Act to amend and reenact sections 27-08-21, 29-28-02, 29-28-07, 40-18-11 and 40-18-19 of the North Dakota Century Code, relating to judicial procedure, judicial records, and providing for appeals from the municipal court in ordinance violation cases.

Introduction, first reading, 190.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 460.

Senate Bill No. 2296—(Doherty, Butler)

Senate Bill No. 2296. A Bill for an Act to amend and reenact section 40-23-10 of the North Dakota Century Code, relating to special assessment hearing notices.

Introduction, first reading, 190.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 329.
 Second reading, 362.
 Passed, 363.
 To House, 387.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 949.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2297—(Barth, Just)

Senate Bill No. 2297. A Bill for an Act to amend and reenact section 57-24-02, and to repeal section 57-24-06 of the North Dakota Century Code, relating to the posting of delinquent real estate taxes.

Introduction, first reading, 190.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 329.
Engrossed, 826, 953.
Second reading, 363, 826, 839.
Passed, 363, 826, 839.
To House, 387.
House amendments, 803.
Returned to Senate, amended, 803.
Senate concurs, 826.
Reconsidered, 839.
Enrolled, 953.
Signed by President, 974.
Sent to House, 974.
Received from House, 1000.
Message to Governor, 1007.
Approved by Governor, 1061.

Senate Bill No. 2298—(Redlin)

Senate Bill No. 2298. A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to the issuance of hunting, trapping and fishing licenses and the fee to be received by the county auditor for such services.

Introduction, first reading, 191.
Referred to Committee on Natural Resources.
Reported back, indefinitely postponed, 393.

Senate Bill No. 2299—(Stroup, Pyle)

Senate Bill No. 2299. A Bill for an Act to amend and reenact subsection 2 of section 51-14-01 of the North Dakota Century Code, relating to definition of retail seller or seller.

Introduction, first reading, 191.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 329.
Second reading, 363.
Passed, 364.
To House, 387.
Returned to Senate, 1153.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2300—(Sanstead, Just, Page)

Senate Bill No. 2300. A Bill for an Act to create and enact a new subsection to section 15-40.1-08 of the North Dakota Century Code as contained in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to payments for kindergarten pupils.

Introduction, first reading, 191.
Referred to Committee on Education.
Reported back, indefinitely postponed, 439.

Senate Bill No. 2301—(Chesrown)

Senate Bill No. 2301. A Bill for an Act to amend and reenact section 49-03-02 of the North Dakota Century Code, relating to

notice and hearings in certain utility franchise proceedings, and declaring an emergency.

Introduction, first reading, 191.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 350.
 Second reading, 378.
 Passed, 379.
 Emergency carried, 379.
 To House, 399.
 Returned to Senate, 903.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.
 Approved by Governor, 1249.

Senate Bill No. 2302—(Freed)

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsection 4 of section 29-29-21 of the North Dakota Century Code relating to the temporary questioning and searching of persons in public places suspected of possessing narcotic and other drugs.

Introduction, first reading, 191.
 Referred to Committee on Judiciary.
 Reported back, amended, 480.
 Amendments adopted, 497.
 Engrossed, 521.
 Re-Engrossed, 966, 1286.
 Second reading, 536, 966.
 Passed, 537, 967.
 To House, 557.
 House amendments, 947.
 Returned to Senate, amended, 940.
 Senate concurs, 966.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2303—(Freed)

Senate Bill No. 2303. A Bill for an Act to create and enact section 12-60-13.1 of the North Dakota Century Code, relating to the furnishing of crime statistics by certain city and county officials to the superintendent of the state bureau of criminal identification and apprehension.

Introduction, first reading, 191.
 Referred to Committee on Judiciary.
 Reported back, do pass, 460.
 Second reading, 489.
 Passed, 489.
 To House, 515.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2304—(Sanstead, Chesrown)

Senate Bill No. 2304. A Bill for an Act to amend and reenact subsections 1, 2, 3 and 4 of section 44-08-04 and subsection 1 of section 54-06-09 of the North Dakota Century Code, relating to travel expenses.

Introduction, first reading, 191.
 Referred to Committee on Appropriations.
 Reported back, amended, 350.
 Amendments adopted, 376.
 Engrossed, 389, 871.
 Re-Engrossed, 417, 1029, 1286.
 Second reading, 416, 871, 1029. Amended from floor, 417.
 Passed, 417, 871, 1030.
 Emergency carried, 871.
 To House, 444.
 House amendments, 863.
 Returned to Senate, amended, 863.
 Conference Committee, 936, 953.
 Conference Committee report, 1029.
 Senate concurs, 871. Adopts, 1029, 1169.
 Senate does not concur, 935.
 Transmitted to House, 1037.
 Reconsidered, 935.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2305—(Chesrown)

Senate Bill No. 2305. A Bill for an Act providing for the adoption of an interstate agreement on detainers and for the implementation thereof.

Introduction, first reading, 191.
 Referred to Committee on Judiciary.
 Reported back, do pass, 480.
 Second reading, 510.
 Passed, 511.
 To House, 539.
 Returned to Senate, 782.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2306—(Sanstead)

Senate Bill No. 2306. A Bill for an Act to amend and reenact subsection 7 of section 21-03-06 and sections 21-03-07, 21-03-09, 21-03-15, 21-03-18, 21-03-19, and 21-03-28 of the North Dakota Century Code, relating to municipal bonds, and modifying procedures with respect thereto.

Introduction, first reading, 192.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 526.
 Engrossed, 1200, 1285.
 Second reading, 593, 1200.
 Passed, 593, 1200.
 To House, 637.

House amendments, 1087, 1088.
 Returned to Senate, amended, 1085.
 Conference Committee, 1122, 1157.
 Conference Committee report, 1199. Adopts, 1200, 1218.
 Senate does not concur, 1122.
 Transmitted to House, 1203.
 Enrolled, 1285.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2307—(Longmire, Melland, Kautzmann, Lips, Litten)

Senate Bill No. 2307. A Bill for an Act requiring a certificate of need for construction or expansion of hospitals and related medical facilities including services, defining the procedure for certification of need and the requirements thereof, providing for a public hearing, prohibiting licensing, and authorizing injunctions.

Introduction, first reading, 192.
 Referred to Committee on State and Federal Government.
 Returned to Senate, 213. Re-referred to Committee on Social Welfare and Veterans' Affairs, 213.
 Reported back, amended, 611, 612.
 Amendments adopted, 640.
 Engrossed, 672.
 Re-Engrossed, 1122, 1286.
 Second reading, 668, 1122.
 Passed, 669, 1122.
 Clincher motion, 676.
 To House, 689.
 House amendments, 1088.
 Returned to Senate, amended, 1085.
 Senate concurs, 1122.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2308—(Freed)

Senate Bill No. 2308. A Bill for an Act to create and enact subsection 10 of section 12-60-07 of the North Dakota Century Code relating to investigation powers of state bureau of criminal identification and apprehension with respect to state owned property.

Introduction, first reading, 192.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 480.

Senate Bill No. 2309—(Sanstead, Coughlin)

Senate Bill No. 2309. 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 exemption of textbooks from sales tax.

Introduction, first reading, 192.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 330.
 Engrossed, 1152.
 Re-Engrossed, 1286.
 Second reading, 364, 1152.
 Passed, 364, 1153.
 To House, 387.

House amendments, 1128.
Returned to Senate, amended, 1123.
Senate concurs, 1152.
Enrolled, 1286.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2310—(Sanstead)

Senate Bill No. 2310. A Bill for an Act to amend and reenact section 52-01-04 of the 1969 Supplement to the North Dakota Century Code, sections 52-01-07, 52-02-15, 52-02-16, and 52-04-08 of the North Dakota Century Code, relating to penalty for disclosure of information or use of list of names obtained from the North Dakota employment security bureau, a short title for chapters 52-01 through 52-07.1, reciprocal arrangements for unemployment compensation, acquisition of real property for the use and benefit of the North Dakota employment security bureau, and succession to predecessors rights, accounts, contributions, benefit experience and ratings under the North Dakota Unemployment Compensation Law.

Introduction, first reading, 192.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 350.
Second reading, 380.
Passed, 380.
To House, 399.
Returned to Senate, 940.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2311—(Freed)

Senate Bill No. 2311. A Bill for an Act to create and enact subsection 4 of section 29-29-02 of the North Dakota Century Code, relating to grounds for the issuance of a search warrant.

Introduction, first reading, 192.
Referred to Committee on Judiciary.
Reported back, do pass, 480.
Second reading, 511.
Passed, 511.
To House, 539.
Returned to Senate, 782.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1071.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2312—(Ringsak, Anderson, Freed)

Senate Bill No. 2312. A Bill for an Act to provide for notice of claim and limitation of recovery for damages arising from illegal sale of alcoholic beverages.

Introduction, first reading, 192.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 480.

Senate Bill No. 2313—(Anderson, Sanstead)

Senate Bill No. 2313. A Bill for an Act to amend and reenact section 40-20-05 of the North Dakota Century Code, relating to the powers of a chief of police.

Introduction, first reading, 193.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 291.
Second reading, 319.
Passed, 320.
To House, 335.
Returned to Senate, 811.
Enrolled, 954.
Signed by President, 974.
Sent to House, 974.
Received from House, 1000.
Message to Governor, 1007.
Approved by Governor, 1061.

Senate Bill No. 2314—(Anderson, Sanstead)

Senate Bill No. 2314. A Bill for an Act to amend and reenact subsection 1 of section 40-45-13 of the North Dakota Century Code, relating to payments of police pension benefits to police widows or widowers.

Introduction, first reading, 193.
Referred to Committee on Political Subdivisions.
Reported back, amended, 309, 350.
Re-referred to Committee on Political Subdivisions, 325.
Amendments adopted, 376.
Engrossed, 389.
Re-Engrossed, 417.
Second reading, 417.
Amended from floor, 417.
Passed, 417.
To House, 414.
Returned to Senate, 940.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2315—(Litten)

Senate Bill No. 2315. A Bill for an Act to repeal section 8 of chapter 397 of the 1967 Session Laws of North Dakota, prohibiting the funding of the council on the arts and humanities from the state's general fund.

Introduction, first reading, 193.
Referred to Committee on State and Federal Government.
Reported back, do pass, 281.
Second reading, 301.
Passed, 302.
To House, 323.
Returned to Senate, 811.
Enrolled, 954.
Signed by President, 974.
Sent to House, 974.
Received from House, 1000.
Message to Governor, 1007.
Approved by Governor, 1061.

Senate Bill No. 2316—(Litten)

Senate Bill No. 2316. A Bill for an Act to create and enact subsection 5 of section 34-06-06 and to amend and reenact subsection 4 of section 34-06-06 of the North Dakota Century Code, relating to females holding management positions, and to the hours of employment of female workers during emergency periods.

Introduction, first reading, 193.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 480.
 Engrossed, 1175, 1285.
 Second reading, 511, 1175.
 Passed, 511, 1175.
 To House, 539.
 House amendments, 1155.
 Returned to Senate, amended, 1154.
 Senate concurs, 1175.
 Enrolled, 1285.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2317—(Committee on Appropriations)

Senate Bill No. 2317. 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, 193.
 Referred to Committee on Appropriations.
 Reported back, do pass, 291.
 Second reading, 320, 339, 358.
 Passed, 359.
 To House, 387.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2318—(Sorlie, Lips)

Senate Bill No. 2318. A Bill for an Act authorizing the removal or sale of a public building when it is obsolete or a fire hazard or is otherwise unsafe and is of no future use to the state where it is located, and setting out the procedures to be followed.

Introduction, first reading, 193.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 264.
 Re-Engrossed, 601.
 Second reading, 285, 601.
 Passed, 285, 601.
 To House, 300.
 House amendments, 594.
 Returned to Senate, amended, 593.
 Senate concurs, 600.
 Enrolled, 894.
 Signed by President, 895.
 Sent to House, 895.
 Received from House, 916.

Message to Governor, 917.
Approved by Governor, 980.

Senate Bill No. 2319—(Committee on Appropriations)

Senate Bill No. 2319. A Bill for an Act to transfer certain moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of this state.

Introduction, first reading, 193.
Referred to Committee on Appropriations.
Reported back, do pass, 291.
Second reading, 320.
Passed, 320.
To House, 335.
Returned to Senate, 999.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2320—(Ringsak, Page)

Senate Bill No. 2320. A Bill for an Act to provide a method of random selection of jurors, prescribing the qualifications, duties and compensation of jurors, and constituting the Uniform Jury Selection and Service Act; and to repeal chapter 27-09 of the North Dakota Century Code.

Introduction, first reading, 193.
Referred to Committee on Judiciary.
Reported back, amended, 291, 292.
Amendments adopted, 311.
Engrossed, 325.
Second reading, 340.
Passed, 340.
To House, 360.
Returned to Senate, 758.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1071.
Received from House, 1084.
Message to Governor, 1094.
Approved by Governor, 1249.

Senate Bill No. 2321—(Thoreson)

Senate Bill No. 2321. A Bill for an Act to amend and reenact section 1 of chapter 157 of the 1967 Session Laws of North Dakota, relating to the transfer of funds to the college building fund.

Introduction, first reading, 193.
Referred to Committee on Education.
Reported back, indefinitely postponed, 615.

Senate Bill No. 2322—(Freed)

Senate Bill No. 2322. A Bill for an Act to amend and reenact section 12-60-01 of the North Dakota Century Code relating to changing the name of the North Dakota state bureau of criminal identification and apprehension.

Introduction, first reading, 194.
Referred to Committee on Judiciary.

Reported back, do pass, 480.
 Second reading, 512.
 Passed, 512.
 To House, 539.
 Returned to Senate, 743.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2323—(Forkner)

Senate Bill No. 2323. A Bill for an Act relating to motor vehicle registration refunds, and making an appropriation.

Introduction, first reading, 194.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 292.

Senate Bill No. 2324—(Freed)

Senate Bill No. 2324. A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, as contained in section 23 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to tax levy limitations in school districts, and declaring an emergency.

Introduction, first reading, 194.
 Referred to Committee on Education.
 Reported back, do pass, 585.
 Engrossed, 652.
 Second reading, 652. Amended from floor
 Passed, 653.
 Clincher motion, 658.
 Emergency carried, 653.
 To House, 689.
 Returned to Senate, 940.
 Enrolled, 1070.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1071.
 Message to Governor, 1071.
 Approved by Governor, 1103.

Senate Bill No. 2325—(Wenstrom)

Senate Bill No. 2325. A Bill for an Act to amend and reenact section 39-24-08 of the North Dakota Century Code, relating to the regulation of snowmobiles.

Introduction, first reading, 203.
 Referred to Committee on Transportation.
 Reported back, do pass, 503.
 Second reading, 537.
 Passed, 537.
 To House, 557.
 Returned to Senate, indefinitely postponed, 1103.

Senate Bill No. 2326—(Forkner, Page)

Senate Bill No. 2326. A Bill for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code relating to motor vehicle registration.

Introduction, first reading, 203.
 Referred to Committee on Transportation.
 Reported back, do pass, 292.
 Second reading, 320.
 Passed, 321.
 To House, 335.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2327—(Forkner, Page)

Senate Bill No. 2327. A Bill for an Act to amend and reenact section 39-04-16 of the North Dakota Century Code, relating to penalties for late registration of motor vehicles.

Introduction, first reading, 203.
 Referred to Committee on Transportation.
 Reported back, do pass, 292.
 Second reading, 321.
 Passed, 321.
 To House, 335.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2328—(Forkner, Page)

Senate Bill No. 2328. A Bill for an Act to amend and reenact section 39-04-17, of the 1969 supplement to the North Dakota Century Code, relating to Notary Certificates.

Introduction, first reading, 204.
 Referred to Committee on Transportation.
 Reported back, amended, 410.
 Amendments adopted, 440.
 Engrossed, 459.
 Second reading, 474.
 Passed, 474.
 To House, 488.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2329—(Forkner, Page)

Senate Bill No. 2329. A Bill for an Act to amend and reenact section 39-22-05 of the North Dakota Century Code, relating to motor vehicle dealer's bonds.

Introduction, first reading, 204.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 292.

Senate Bill No. 2330—(Forkner Page)

Senate Bill No. 2330. A Bill for an Act to amend and reenact section 39-04A-05 of the North Dakota Century Code, relating to delinquent registration fees.

Introduction, first reading, 204.
 Referred to Committee on Transportation.
 Reported back, do pass, 292.
 Second reading, 321.
 Passed, 321.
 To House, 335.
 Returned to Senate, 811.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2331—(Anderson, Longmire, Ringsak)

Senate Bill No. 2331. A Bill for an Act to provide for administrative supervision by the supreme court over all courts and to implement the superintending control of the supreme court provided under section 86 of the Constitution of the state of North Dakota.

Introduction, first reading, 204.
 Referred to Committee on Judiciary.
 Reported back, do pass, 480.
 Second reading, 512.
 Passed, 512.
 To House, 539.
 Returned to Senate, 782.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2332—(Longmire, Unruh)

Senate Bill No. 2332. A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code and sections 15-47-27 of the North Dakota Century Code, as contained in section 20 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to the time of renewal of teachers' contracts and defining the term "teacher".

Introduction, first reading, 204.
 Referred to Committee on Education.
 Reported back, amended, 605, 606.
 Amendments adopted, 640.
 Engrossed, 672.
 Second reading, 669.
 Passed, 669.
 Clincher motion, 676.
 To House, 689.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2333—(Sanstead, Jones)

Senate Bill No. 2333. A Bill for an Act to amend and reenact section 15-47-38 of the North Dakota Century Code, providing for procedure for fair dismissal of teachers.

Introduction, first reading, 204.
Referred to Committee on Education.
Reported back, amended, 606, 607.
Amendments adopted, 640.
Engrossed, 672.
Second reading, 669.
Passed, 670.
Clincher motion, 676.
To House, 689.
Returned to Senate, 1100.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2334—(Stroup, Nething, Pyle)

Senate Bill No. 2334. A Bill for an Act to amend and reenact section 13-04-01 of the North Dakota Century Code, relating to installment bank loan charges.

Introduction, first reading, 204.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 330.
Second reading, 364.
Passed, 364.
To House, 387.
Returned to Senate, 1153.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1291.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2335—(Chesrown, Longmire)

Senate Bill No. 2335. A Bill for an Act to amend and reenact section 40-09-06 of the North Dakota Century Code, relating to salaries of city commissioners.

Introduction, first reading, 204.
Referred to Committee on Political Subdivisions.
Reported back, amended, 309, 350.
Re-referred to Committee on Political Subdivisions, 325.
Amendments adopted, 376.
Engrossed, 389.
Second reading, 418.
Passed, 418.
To House, 444.
Returned to Senate, 812.
Enrolled, 954.
Signed by President, 974.
Sent to House, 974.
Received from House, 1000.
Message to Governor, 1007.
Approved by Governor, 1061.

Senate Bill No. 2336—(Kautzmann)

Senate Bill No. 2336. A Bill for an Act to amend and reenact section 12-46-05 of the North Dakota Century Code, relating to

the oath requirement by the employees of the state industrial school.

Introduction, first reading, 204.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 281.
 Second reading, 302.
 Passed, 302.
 To House, 323.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2337—(Kautzmann, Longmire, Litten, Melland, Lips)

Senate Bill No. 2337. A Bill for an Act to amend and reenact sections 23-01-03, 23-16-01, 50-18-01, 50-18-02, 50-18-03, 50-18-05, 50-18-06, 50-18-07, 50-21-02, 50-21-03, and 50-21-04 of the North Dakota Century Code, relating to powers and duties of the health council, licensure of hospitals, standards for licensure of boarding homes for the aged and infirm and the definition thereof, regulations by the health department, records to be kept by boarding homes for the aged and infirm, and the revolving loan fund for the construction of nursing homes, boarding homes for the aged and infirm, or combination nursing homes and boarding homes for the aged and infirm.

Introduction, first reading, 204.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, indefinitely postponed, 607.

Senate Bill No. 2338—(Coughlin, Sorlie, Goldberg, Anderson, Wilhite)

Senate Bill No. 2338. A Bill for an Act to empower County Commissioners to levy special assessments in rural subdivisions.

Introduction, first reading, 205.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 393.
 Second reading, 429.
 Passed, 429.
 To House, 445.
 Returned to Senate, 812.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1061.

Senate Bill No. 2339—(Goldberg, Thoreson)

Senate Bill No. 2339. A Bill for an Act to amend and reenact section 60-02-11 of the North Dakota Century Code, relating to contents of scale tickets.

Introduction, first reading, 205.
 Referred to Committee on Agriculture.
 Reported back, amended, 292.
 Amendments adopted, 311.
 Engrossed, 325.
 Second reading, 340.
 Passed, 341.

To House, 360.
 Returned to Senate, 863.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2340—(Melland, Nething)

Senate Bill No. 2340. A Bill for an Act to amend and reenact section 54-44-04.1 of the North Dakota Century Code, authorizing the director of the department of accounts and purchases to withhold or deduct amounts from state employees' compensation for authorized contributions to nonprofit charitable corporations.

Introduction, first reading, 205.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 281.
 Second reading, 302.
 Passed, 302.
 To House, 323.
 Returned to Senate, indefinitely postponed, 540.

Senate Bill No. 2341—(Melland, Nething, Goldberg, Litten)

Senate Bill No. 2341. A Bill for an Act to amend and reenact sections 16-05-01 and 16-05-04 of the North Dakota Century Code, relating to the place of filing of certificates of nomination, and the duties of the county auditor regarding the certification of nominations.

Introduction, first reading, 205.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 281.
 Second reading, 302.
 Passed, 303.
 To House, 323.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 922.

Senate Bill No. 2342—(Melland, Strinden, Page)

Senate Bill No. 2342. A Bill for an Act to amend and reenact section 51-07-01 of the North Dakota Century Code, relating to the recovery of the price of articles upon the discontinuance of contract between retailer and wholesaler, manufacturer or distributor.

Introduction, first reading, 205.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 373.
 Second reading, 418.
 Passed, 418.
 To House, 445.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2343—(Stroup)

Senate Bill No. 2343. A Bill for an Act making an appropriation to the North Dakota state water commission for the purposes of conducting a feasibility study of diverting Missouri River waters into western North Dakota.

Introduction, first reading, 205.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 309, 460.
 Re-referred to Committee on Appropriations, 309.
 Second reading, 487.
 Passed, 487.
 To House, 515.
 Returned to Senate, 1100.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1291.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2344—(Holand)

Senate Bill No. 2344. A Bill for an Act to provide for the filing of a photographic or photostatic copy of an instrument required to be recorded by a county official.

Introduction, first reading, 205.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 439.
 Amendments adopted, 466.
 Engrossed, 479.
 Second reading, 489.
 Passed, 490.
 To House, 515.
 Returned to Senate, 812.
 Enrolled, 954.
 Signed by President, 974.
 Sent to House, 974.
 Received from House, 1000.
 Message to Governor, 1007.
 Approved by Governor, 1061.

Senate Bill No. 2345—(Thane and Barth)

Senate Bill No. 2345. A Bill for an Act to amend and reenact section 60-03-02 of the North Dakota Century Code, providing for a fee for a grain or hay buyer.

Introduction, first reading, 206.
 Referred to Committee on Agriculture.
 Reported back, amended, 292, 293.
 Amendments adopted, 311.
 Engrossed, 325.
 Second reading, 341.
 Passed, 341.
 To House, 360.
 Returned to Senate, 863.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2346—(Holand and Litten)

Senate Bill No. 2346. A Bill for an Act authorizing the state board of higher education to sell and transfer certain land and improvements, and appropriating the sale proceeds to the state board of higher education for acquiring other land.

Introduction, first reading, 206.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 281.
 Second reading, 303.
 Passed, 303.
 To House, 323.
 Returned to Senate, 1035.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2347—(Sanstead and G. Larson)

Senate Bill No. 2347. A Bill for an Act to create and enact section 15-39-14.1 of the North Dakota Century Code, relating to optional assessments for nonpublic schools and nonpublic school teachers; and to amend and reenact subsection 1 of section 15-39-01, and sections 15-39-10, 15-39-14, 15-39-15, 15-39-16, 15-39-17, 15-39-18, 15-39-20, 15-39-21, 15-39-22, 15-39-27, 15-39-28, 15-39-30, 15-39-35, 15-39-37.1., and 15-39-40, relating to definitions, membership, assessments, retention of assessments from salaries, statements of assessments to county superintendents of schools, transmission of moneys to state treasurer, preservation of assessment reports, eligibility, retirement annuities, and application and discontinuance of annuities pertaining to the teachers' insurance and retirement fund.

Introduction, first reading, 206.
 Referred to Committee on Education.
 Reported back, do pass, 585.
 Second reading, 653.
 Passed, 654.
 Clincher motion, 658.
 To House, 689.
 Returned to Senate, 1100.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2348—(Committee on Appropriations)

Senate Bill No. 2348. A Bill for an Act to provide for an appropriation out of the state lands maintenance fund in the state treasury for salaries and expenses of the commissioner of university and school lands.

Introduction, first reading, 206.
 Referred to Committee on Appropriations.
 Reported back, do pass, 330.
 Engrossed, 1212, 1285.
 Second reading, 364, 1212.
 Passed, 365, 1212.
 To House, 387.
 House amendments, 1155.

Returned to Senate, amended, 1154.
Senate concurs, 1211.
Enrolled, 1285.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2349—(Freed)

Senate Bill No. 2349. A Bill for an Act to amend and reenact sections 27-19-01 and 27-19-04 of the North Dakota Century Code, relating to compulsory jurisdiction of all Indians in this state involving civil actions, and to repeal sections 27-19-02, 27-19-03, 27-19-05, 27-19-06, 27-19-11, 27-19-12, and 27-19-13 of the North Dakota Century Code, relating to acceptance of Indian jurisdiction.

Introduction, first reading, 206.
Referred to Committee on Judiciary.
Returned to Senate and withdrawn, 433.

Senate Bill No. 2350—(Melland and Litten)

Senate Bill No. 2350. A Bill for an Act to create and enact section 37-17-07.1 of the North Dakota Century Code, relating to the establishment of regional areas for civil defense within this state, and to amend and reenact subsections 1 and 3 of section 37-17-01, and sections 37-17-02, 37-17-05, 37-17-08, 37-17-09, and 37-17-12 of the North Dakota Century Code, relating to the powers, duties, and financing of civil defense organizations.

Introduction, first reading, 206.
Referred to Committee on State and Federal Government.
Reported back, indefinitely postponed, 330.

Senate Bill No. 2351—(Lips)

Senate Bill No. 2351. A Bill for an Act making an appropriation for the purpose of defraying the expenses of operating and maintaining the judicial council.

Introduction, first reading, 207.
Referred to Committee on Appropriations.
Reported back, do pass, 480.
Second reading, 512.
Passed, 513.
To House, 539.
Returned to Senate, 903.
Enrolled, 1095.
Signed by President, 1110.
Sent to House, 1110.
Received from House, 1169.
Message to Governor, 1219.
Approved by Governor, 1249.

Senate Bill No. 2352—(Sanstead and Coughlin)

Senate Bill No. 2352. A Bill for an Act relating to the restoration of certain property damaged in flood control and providing for the imposition of special assessments for costs incurred.

Introduction, first reading, 207.
Referred to Committee on Political Subdivisions.
Reported back, amended, 607.

Amendments adopted, 640.
Engrossed, 672, 1013.
Second reading, 670, 1013.
Passed, 670, 1013.
Clincher motion, 676.
To House, 689.
House amendments, 998.
Returned to Senate, amended, 997.
Senate concurs, 1013.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2353—(Butler, Thoreson, Page, Ringsak)

Senate Bill No. 2353. 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 sales tax exemptions.

Introduction, first reading, 207.
Referred to Committee on Finance and Taxation.
Reported back, amended, 330.
Amendments adopted, 346.
Engrossed, 369.
Second reading, 381.
Passed, 381.
To House, 399.
Enrolled, 922.
Signed by President, 950.
Sent to House, 950.
Received from House, 961.
Message to Governor, 964.
Approved by Governor, 1010.

Senate Bill No. 2354—(Stroup and Lips)

Senate Bill No. 2354. A Bill for an Act to amend and reenact section 40-35-02, 40-35-09, and 40-36-13 of the North Dakota Century Code, relating to municipal revenue bonds.

Introduction, first reading, 207.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 526.
Engrossed, 1059, 1285.
Second reading, 620, 1059.
Passed, 620, 1060.
Clincher motion, 634.
To House, 641.
House amendments, 1036.
Returned to Senate, amended, 1035.
Senate Concurr, 1059.
Enrolled, 1285.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2355—(Nothing and Freed)

Senate Bill No. 2355. A Bill for an Act to amend and reenact section 28-32-08 of the North Dakota Century Code, relating to specifications of any issues to be furnished by agency.

Introduction, first reading, 207.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 282.
 Amendments adopted, 293.
 Engrossed, 307.
 Second reading, 322.
 Passed, 322.
 To House, 335.
 Returned to Senate, 782.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2356—(Lips and Sanstead)

Senate Bill No. 2356. A Bill for an Act to amend and reenact section 40-22-20 of the North Dakota Century Code, relating to bond or check to accompany bids; and to repeal section 40-22-21 of the North Dakota Century Code, relating to amount of bidder's bond.

Introduction, first reading, 207.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 393.
 Second reading, 429.
 Passed, 429.
 To House, 445.
 Returned to Senate, 872.
 Enrolled, 894.
 Signed by President, 895.
 Sent to House, 895.
 Received from House, 916.
 Message to Governor, 917.
 Approved by Governor, 980.

Senate Bill No. 2357—(Lips and Sanstead)

Senate Bill No. 2357. A Bill for an Act to amend and reenact subsection 4 of section 48-02-04 of the North Dakota Century Code, relating to contents of advertisement for bids on public buildings.

Introduction, first reading, 207.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 394.
 Second reading, 429.
 Passed, 430.
 To House, 445.
 Returned to Senate, 638.
 Enrolled, 802.
 Signed by President, 812.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2358—(Lips and Sanstead)

Senate Bill No. 2358. A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, relating to bond or check to accompany bids before county commissioners.

Introduction, first reading, 207.
 Referred to Committee on Political Subdivisions.

Reported back, do pass, 394.
Second reading, 430.
Passed, 430.
To House, 445.
Returned to Senate, 812.
Enrolled, 894.
Signed by President, 895.
Sent to House, 895.
Received from House, 916.
Message to Governor, 917.
Approved by Governor, 980.

Senate Bill No. 2359—(Forkner and Butler)

Senate Bill No. 2359. A Bill for an Act to amend and reenact section 40-22-37 of the North Dakota Century Code, relating to progress payments on public contracts, retainage, failure to pay and rate of interest.

Introduction, first reading, 207.
Referred to Committee on State and Federal Government.
Reported back, do pass, 282.
Second reading, 303.
Passed, 304.
To House, 323.
Returned to Senate, 558.
Enrolled, 802.
Signed by President, 812.
Sent to House, 813.
Received from House, 823.
Message to Governor, 828.
Approved by Governor, 922.

Senate Bill No. 2360—(Forkner and Butler)

Senate Bill No. 2360. A Bill for an Act to amend and reenact section 48-02-07 and 48-02-08 of the North Dakota Century Code, relating to allowance and payment of estimates on public building construction, failure to certify and rate of interest.

Introduction, first reading, 208.
Referred to Committee on State and Federal Government.
Reported back, do pass, 282.
Second reading, 304.
Passed, 304.
To House, 323.
Returned to Senate, 558.
Enrolled, 802.
Signed by President, 813.
Sent to House, 813.
Received from House, 823.
Message to Governor, 828.
Approved by Governor, 922.

Senate Bill No. 2361—(Coughlin and Litten)

Senate Bill No. 2361. A Bill for an Act to create and enact section 57-38-67 of the North Dakota Century Code, relating to an income tax credit for expenditures made to comply with air and water pollution control regulations.

Introduction, first reading, 208.
Referred to Committee on Finance and Taxation.
Reported back, indefinitely postponed, 526.

Senate Bill No. 2362—(Just)

Senate Bill No. 2362. A Bill for an Act to provide for the dissolution of city housing authorities and to amend and reenact subsection 2 of section 23-11-01 and section 23-11-30 of the North Dakota Century Code relating to the definition of a city and the reports of housing authorities.

Introduction, first reading, 208.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 410.
 Second reading, 453.
 Passed, 453.
 To House, 475.
 Returned to Senate, 1085.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2363—(Stroup, Freed, Page)

Senate Bill No. 2363. A Bill for an Act to amend and reenact section 30-14-10 of the North Dakota Century Code, relating to the report and account of guardians regarding the estate of a ward and the times at which such reports must be rendered.

Introduction, first reading, 208.
 Referred to Committee on Judiciary.
 Reported back, do pass, 460.
 Engrossed, 1285.
 Second reading, 490.
 Passed, 490.
 To House, 515.
 House amendments, 882.
 Returned to Senate, amended, 882.
 Conference Committee, 903, 917.
 Conference Committee Report, adopts 1112, 1169.
 Senate does not concur, 903.
 Transmitted to House, 1123.
 Enrolled, 1285.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2364—(Stroup, Jacobsen, Christensen, Page)

Senate Bill No. 2364. A Bill for an Act to provide for the resolution of conflicting interests in the production of oil and gas, subsurface minerals, and coal.

Introduction, first reading, 208.
 Referred to Committee on Natural Resources.
 Reported back, amended, 481.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 620.
 Passed, 620.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, 940.
 Enrolled, 1235.

Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2365—(Longmire, Lips, Sanstead)

Senate Bill No. 2365. A Bill for an Act to amend and reenact sections 40-22-24 of the North Dakota Century Code, relating to filing, sealing, endorsing, opening and considering bids.

Introduction, first reading, 210.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 410.
 Second reading, 453.
 Passed, 453.
 To House, 475.
 Returned to Senate, 812.
 Enrolled, 894.
 Signed by President, 895.
 Sent to House, 895.
 Received from House, 916.
 Message to Governor, 917.
 Approved by Governor, 980.

Senate Bill No. 2366—(Lips)

Senate Bill No. 2366. A Bill for an Act to amend and reenact section 57-16-04 as contained in section 25 of House Bill No. 1045, and the repeal of section 57-16-05 of the North Dakota Century Code, relating to school districts to authorize excess levies.

Introduction, first reading, 210.
 Referred to Committee on Education.
 Reported back, do pass, 585.
 Second reading, 654.
 Lost, 654.

Senate Bill No. 2367—(Committee on Appropriations)

Senate Bill No. 2367. 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, 210.
 Referred to Committee on Appropriations.
 Reported back, amended, 439.
 Amendments adopted, 466.
 Engrossed, 479.
 Second reading, 490.
 Passed, 491.
 To House, 515
 House amendments, 1115.
 Returned to Senate, amended, 1114.
 Conference Committee, 1212, 1236.
 Conference Committee Report, 1270.
 Adopts, 1270, 1276.
 Senate does not concur, 1212.
 Transmitted to House, 1273.

Senate Bill No. 2368—(Kautzmann)

Senate Bill No. 2368. A Bill for an Act to create and enact section 6-03-37.1 of the North Dakota Century Code, relating to loans by banks of their excess reserves.

Introduction, first reading, 210.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 330.
Second reading, 365.
Passed, 365.
To House, 387.
Returned to Senate, 903.
Enrolled, 1095.
Signed by President, 1110.
Sent to House, 1110.
Received from House, 1169.
Message to Governor, 1219.

Senate Bill No. 2369—(Kautzmann)

Senate Bill No. 2369. A Bill for an Act to amend and reenact sections 40-57-02 and 40-57-07 of the North Dakota Century Code, relating to municipal industrial development.

Introduction, first reading, 211.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 350.

Senate Bill No. 2370—(Nothing, Freed)

Senate Bill No. 2370. A Bill for an Act to amend and reenact sections 29-06-08 and to repeal section 29-06-16 of the North Dakota Century Code relating to arrests.

Introduction, first reading, 211.
Referred to Committee on Judiciary.
Reported back, do pass, 481.
Amended, 567, 568.
Rereferred to Committee on Judiciary, 513.
Amendments adopted, 589.
Engrossed, 599.
Second reading, 513, 630.
Passed, 630.
Clincher motion, 634.
To House, 641.
Returned to Senate, 1100.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2371—(Coughlin, Berube, Freed, Butler, Kautzmann)

Senate Bill No. 2371. A Bill for an Act to provide for the purchase of secular educational services for students enrolled in non-public schools, legislative intent, application for payments, reports, fractional payments, definitions, and for an appropriation.

Introduction, first reading, 211.
Referred to Committee on Education.
Reported back, indefinitely postponed, 460.

Senate Bill No. 2372—(Roen)

Senate Bill No. 2372. A Bill for an Act to create and enact section 40-20-08 of the North Dakota Century Code, to provide minimum standards and salaries for police officers.

Introduction, first reading, 211.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 410.

Senate Bill No. 2373—(Butler and Unruh)

Senate Bill No. 2373. A Bill for an Act to amend and reenact sections 57-23-03 of the North Dakota Century Code, relating to the abatement of an invalid, inequitable or unjust assessment; 57-23-04 of the North Dakota Century Code, relating to abatement or refund of taxes; 57-23-05 of the North Dakota Century Code, relating to applications for abatement and refund of taxes; 57-23-06 of the North Dakota Century Code, relating to hearings on applications for abatement and refund of taxes; 57-23-09 of the North Dakota Century Code, relating to the procedure for refund of taxes, and 57-23-10 of the North Dakota Century Code, relating to appeals from abatement actions.

Introduction, first reading, 211.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 373, 586.
 Rereferred to Committee on Finance and Taxation.
 Amendments adopted, 413, 600.
 Engrossed, 435.
 Re-engrossed, 454, 639.
 Second reading, 453.
 Amended from floor, 454, 660.
 Lost, 454.
 Reconsidered, 459.
 Passed, 660.
 Clincher motion, 676.
 To House, 689.
 Returned to Senate, failed to pass, 947.

Senate Bill No. 2374—(Mutch)

Senate Bill No. 2374. 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, 211.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 549.

Senate Bill No. 2375—(Morgan)

Senate Bill No. 2375. A Bill for an Act to create and enact a nurseries and nursery stock chapter of the North Dakota Century Code, to repeal chapter 4-20 of the North Dakota Century Code, relating to nurseries and nursery stock, and providing a penalty

Introduction, first reading, 211
 Referred to Committee on Agriculture.
 Reported back, do pass, 309.
 Engrossed, 342, 1013, 1286.
 Second reading, 341, 1013.
 Amended from the floor, 341.
 Passed, 342, 1014.
 To House, 360.
 House amendments, 998.
 Returned to Senate, amended, 997.
 Senate concurs, 1013.
 Enrolled, 1286.
 Signed by President, 1289.

Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2376—(Nothing, Holand)

Senate Bill No. 2376. A Bill for an Act to amend and reenact section 16-13-16 of the North Dakota Century Code, relating to compensation for members of the county canvassing board.

Introduction, first reading, 228.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 410.
 Second reading, 454.
 Passed, 454.
 To House, 475.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2377—(Sanstead)

Senate Bill No. 2377. A Bill for an Act to create and enact section 23-16-06.1 of the North Dakota Century Code, relating to the restriction of medical and surgical procedures by hospitals.

Introduction, first reading, 228.
 Referred to Committee on Social Welfare and Veterans Affairs.
 Reported back, indefinitely postponed, 607.

Senate Bill No. 2378—(Stroup, Rait, Swedlund)

Senate Bill No. 2378. A Bill for an Act to amend and reenact sections 38-14-05 and 38-14-07 of the North Dakota Century Code, relating to duties of an operator and bonding of an operator under the Strip Mining Reclamation Act.

Introduction, first reading, 228.
 Referred to Committee on Natural Resources.
 Reported back, amended, 549, 550.
 Amendments adopted, 589.
 Engrossed, 599.
 Second reading, 630.
 Passed, 630.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2379—(Doherty)

Senate Bill No. 2379. A Bill for an Act to amend and reenact section 57-32-05 of the North Dakota Century Code, relating to the collection of property taxes from car line, express, and air transportation companies.

Introduction, first reading, 228.
 Referred to Committee on Finance and Taxation.

Reported back, amended, 503.
Amendments adopted, 522.
Engrossed, 547.
Re-engrossed, 621.
Second reading, 620.
Amended from the floor, 620, 621.
Passed, 621.
Clincher motion, 634.
To House, 689.
Returned to Senate, 940.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2380—(Doherty)

Senate Bill No. 2380. A Bill for an Act to amend and reenact subsection 1 of section 57-34-01 of the North Dakota Century Code, relating to definition of a telephone company.

Introduction, first reading, 228.
Referred to Committee on Industry, Business and Labor.
Reported back, amended, 373.
Amendments adopted, 396.
Engrossed, 405.
Second reading, 450, 454.
Amended from the floor, 455.
Amendments laid on table, 455.

Senate Bill No. 2381—(Holand)

Senate Bill No. 2381. A Bill for an Act to create and enact subsection 10 of 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal identification and apprehension.

Introduction, first reading, 228.
Referred to Committee on Appropriations.
Returned to Senate, 332.
Reported back, amended, 503, 504.
Reported back, do pass, 672.
Rereferred to Committee on Judiciary, 332.
Rereferred to Committee on Appropriations, 504, 522.
Amendments adopted, 522.
Engrossed, 547.
Re-engrossed, 1212, 1286.
Second reading, 682, 1212.
Passed, 682.
Clincher motion, 683.
To House, 689.
House amendments, 1128.
Returned to Senate, amended, 1123.
Senate concurs, 1212.
Enrolled, 1286.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2382—(Freed)

Senate Bill No. 2382. A Bill for an Act to amend and reenact section 43-13-20 of the North Dakota Century Code, relating to

the renewal of a certificate of registration to practice optometry, to the requiremen of continuing optometric education, and to the payment of a license fee.

Introduction, first reading, 228.
 Referred to Committee on Social Welfare and Veterans Affairs.
 Reported back, amended, 526
 Amendments adopted, 548.
 Engrossed, 561.
 Second reading, 631
 Passed, 631.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1061

Senate Bill No. 2383—(Chesrown)

Senate Bill No. 2383. A Bill for an Act to provide for the change of a district court judge upon written demand of a party and prescribing the procedure therefor; and to repeal chapter 28-13 and sections 29-15-13, 29-15-14, 19-15-15, 29-15-16, 29-15-17, 29-15-19, and 29-15-20 of the North Dakota Century Code, relating to affidavits of prejudice are hereby repealed.

Introduction, first reading, 228.
 Referred to Committee on Judiciary.
 Reported back, do pass, 373.
 Second reading, 418.
 Passed, 418.
 To House, 445.
 Returned to Senate, 782.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2384—(Ringsak, Robinson)

Senate Bill No. 2384. A Bill for an Act to amend and reenact sec-19-03-02 of the North Dakota Century Code, relating to the illegal possession or furnishing of narcotic drugs or dangerous drugs; and providing penalties.

Introduction, first reading, 229.
 Referred to Committee on Judiciary.
 Reported back, amended, 481.
 Amendments adopted, 497.
 Engrossed, 521.
 Second reading, 537.
 Passed, 538.
 To House, 557.
 Returned to Senate, indefinitely postponed, 1103

Senate Bill No. 2385—(Melland, Nething, Butler, Litten, Lips)

Senate Bill No. 2385. A Bill for an Act relating to income tax credits.

Introduction, first reading, 229.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 373.
Second reading, 419.
Passed, 419.
To House, 445.
Returned to Senate, indefinitely postponed, 1129.

Senate Bill No. 2386—(Morgan, Just)

Senate Bill No. 2386. A Bill for an Act to amend and reenact section 57-15-06.3 of the North Dakota Century Code relating to farm to market roads.

Introduction, first reading, 229.
Referred to Committee on Transportation.
Reported back, do pass, 310.
Second reading, 342.
Passed, 342.
To House, 360.
Returned to Senate, 863.
Enrolled, 1095.
Signed by President, 1110.
Sent to House, 1110.
Received from House, 1169.
Message to Governor, 1219.

Senate Bill No. 2387—(Sanstead)

Senate Bill No. 2387. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to second or subsequent convictions for driving while under the influence of intoxicating liquor.

Introduction, first reading, 229.
Referred to Committee on Judiciary.
Reported back, do pass, 330.
Second reading, 365.
Passed, 366.
To House, 387.
Returned to Senate, 1100.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1305.

Senate Bill No. 2388—(Nothing)

Senate Bill No. 2388. A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-37-24 of the North Dakota Century Code, relating to the collection, distribution, and refund of estate taxes.

Introduction, first reading, 229.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 293.

Senate Bill No. 2389—(Redlin)

Senate Bill No. 2389. A Bill for an Act to amend and reenact sections 40-22-09, 40-22-10, 40-22-11, 40-22-15, 40-22-18, 40-22-19 and 40-22-36, North Dakota Century Code, relating to improvement districts in municipalities, and changing procedures with respect thereto.

Introduction, first reading, 229.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 527.
 Engrossed, 871, 1286.
 Second reading, 621, 871.
 Passed, 621, 872.
 Clincher motion, 634.
 To House, 641.
 House amendments, 863.
 Returned to Senate, amended, 863.
 Senate concurs, 871.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2390—(Longmire, Chesrown)

Senate Bill No. 2390. A Bill for an Act to amend and reenact subsection 4 of section 27-20-02, section 27-20-09, and subsection 1 of section 27-20-56 of the North Dakota Century Code, relating to the definition of an unruly child, transfers of cases to the juvenile court, and disclosure of name of child on appeal.

Introduction, first reading, 229.
 Referred to Committee on Judiciary.
 Reported back, do pass, 330.
 Engrossed, 366.
 Second reading, 366.
 Amended from floor, 366.
 Lost, 366.

Senate Bill No. 2391—(Wilhite, Wenstrom)

Senate Bill No. 2391. A Bill for an Act to create and enact section 38-08-09.17 of the North Dakota Century Code, to provide for the unitized management, operation, and development of two or more pools or parts thereof separated vertically in one field; defining the term "unit source of supply."

Introduction, first reading, 229.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 394.
 Second reading, 431.
 Passed, 431.
 To House, 445.
 Returned to Senate, 882.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2392—(Melland, Nething)

Senate Bill No. 2392. A Bill for an Act to provide that railroads which discontinue all service to the public be required to remove the track and other railroad equipment and that the railroad track bed be reclaimed to be in conformity with the surrounding area.

Introduction, first reading, 230.
 Referred to Committee on Transportation.

Returned to Senate, 256.
 Reported back, indefinitely postponed, 331.
 Re-referred to Committee on Judiciary, 256.

Senate Bill No. 2393—(Mutch)

Senate Bill No. 2393. A Bill for an Act to repeal sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code relating to the legislative compensation commission.

Introduction, first reading, 230.
 Reported back, do pass, 373.
 Second reading, 419.
 Lost, 420.

Senate Bill No. 2394—(Barth)

Senate Bill No. 2394. A Bill for an Act to provide for the creation of a hospital under the state department of health for the care and treatment of arthritics, and to make an appropriation.

Introduction, first reading, 230.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, indefinitely postponed, 504.

Senate Bill No. 2395—(Melland)

Senate Bill No. 2395. A Bill for an Act to amend and reenact subsection 1 of section 46-02-04 of the North Dakota Century Code, relating to the printing of legislative documents; and declaring an emergency.

Introduction, first reading, 230.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 331, 586.
 Re-referred to Committee on Industry, Business and Labor, 366.
 Second reading, 366, 631, 659, 678.
 Passed, 678.
 Clincher motion, 683.
 Emergency carried, 678.
 To House, 689.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2396—(Thane)

Senate Bill No. 2396. A Bill for an Act to establish a commission for the purpose of studying methods of improving communications between the citizens of North Dakota and government in general, but especially in regard to democratic elective and legislative processes, and making an appropriation.

Introduction, first reading, 230.
 Referred to Committee on State and Federal Government.
 Reported back, indefinitely postponed, 373.

Senate Bill No. 2397—(Just, Nasset)

Senate Bill No. 2397. A Bill for an Act to provide for a compact on the qualification of educational personnel, and providing an effective date.

Introduction, first reading, 230.
 Referred to Committee on Education.
 Reported back, do pass, 586.

Second reading, 654.
 Passed, 655.
 Clincher motion, 658.
 To House, 689.
 Returned to Senate, indefinitely postponed, 1000.

Senate Bill No. 2398—(Just, Gronhovd)

Senate Bill No. 2398. A Bill for an Act to create and enact subsection 15 of section 11-11-14 of the North Dakota Century Code; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to the powers and duties of board of county commissioners regarding garbage collection and operation of sanitary landfills or other places of disposal, and declaring an emergency.

Introduction, first reading, 230.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 527.
 Amendments adopted, 548.
 Engrossed, 561.
 Re-Engrossed, 633, 1014, 1286.
 Second reading, 633. Amended from floor, 633, 1014.
 Passed, 633, 1014.
 Clincher motion, 634.
 Emergency carried, 634, 1014.
 To House, 641.
 House amendments, 998, 999.
 Returned to Senate, amended, 997.
 Senate concurs, 1014.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2399—(Just, Sanstead)

Senate Bill No. 2399. A Bill for an Act to provide for the disclosure and reporting of moneys expended on lobbying activities, providing a penalty and declaring an emergency.

Introduction, first reading, 230.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 374.
 Amendments adopted, 396.
 Engrossed, 405.
 Re-Engrossed, 459.
 Second reading, 447, 448, 474, 491.
 Amended from floor, 447, 448.
 Lost, 491.
 Clincher motion, 448.

Senate Bill No. 2400—(Lips)

Senate Bill No. 2400. A Bill for an Act to create and enact section 42-02-14.1 of the North Dakota Century Code, relating to an annual license fee for certified public accountants; to create and enact subsection 5 of section 43-02-08 relating to the powers of the board of accountancy; to amend and reenact sections 43-02-11, 43-02-12,

43-02-13, 43-02-14, 43-02-15 and subsections 2 and 3 of section 43-02-17 of the North Dakota Century Code relating to examination, revocation of certificates, fees for examination for certificates for certified public accountants, use of the title "certified public accountant," and penalties.

Introduction, first reading, 231.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 374.
 Second reading, 420.
 Passed, 420.
 To House, 445.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1061.

Senate Bill No. 2401—(Jones)

Senate Bill No. 2401. A Bill for an Act to provide for the sale of city lot managed and controlled by the school for the deaf.

Introduction, first reading, 231.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 331.
 Amendments adopted, 346.
 Engrossed, 369, 801.
 Re-engrossed, 601.
 Second reading, 381, 601.
 Passed, 381, 601.
 To House, 399.
 House amendments, 594.
 Returned to Senate, amended, 593.
 Senate concurs, 601.
 Enrolled, 801.
 Signed by President, 813.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2402—(Freed, Nething)

Senate Bill No. 2402. A Bill for an Act to amend and reenact subsection 4 of section 39-06-40.1 of the 1969 Supplement to the North Dakota Century Code, relating to the reproduction of driver's licenses.

Introduction, first reading, 231.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 351.
 Second reading, 381.
 Passed, 382.
 To House, 399.
 Returned to Senate, 638.
 Enrolled, 802.
 Signed by President, 813.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 922.

Senate Bill No. 2403—(Page, Strinden)

Senate Bill No. 2403. A Bill for an Act to amend and reenact section 39-22-09 of the 1969 Supplement to the North Dakota Century Code, relating to the reporting of used motor vehicle inventories, and declaring an emergency.

Introduction, first reading, 231.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 374.
 Engrossed, 872, 1095.
 Second reading, 420, 872.
 Passed, 420, 872.
 Emergency carried, 872.
 To House, 445.
 House amendments, 863, 864.
 Returned to Senate, amended, 863.
 Senate concurs, 872.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2404—(Christensen)

Senate Bill No. 2404. A Bill for an Act to amend and reenact Section 18-04-02 and 18-04-05, relating to fire department reports and distribution of insurance premiums, and to repeal Section 18-04-06 of the North Dakota Century Code.

Introduction, first reading, 231.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 351.
 Second reading, 382.
 Passed, 382.
 To House, 399.
 Returned to Senate, 940.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2405—(Anderson, Just)

Senate Bill No. 2405. A Bill for an Act to amend and reenact subsection 1 of section 57-37-29 of the North Dakota Century Code, relating to depositories and retention, transfer and release of decedent's assets for estate tax purposes.

Introduction, first reading, 231.
 Referred to Committee on Judiciary.
 Reported back, do pass, 462.
 Second reading, 491.
 Passed, 492.
 To House, 515.
 Returned to Senate, indefinitely postponed, 781.

Senate Bill No. 2406—(Wenstrom, Hernet)

Senate Bill No. 2406. A Bill for an Act to create and enact section 6-03-13.5 of the North Dakota Century Code, relating to a national bank conversion to state bank.

Introduction, first reading, 231.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 331.
 Second reading, 366.
 Passed, 367.
 To House, 387.
 Returned to Senate, 782.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2407—(Longmire, Nething, Roen, G. Larson)

Senate Bill No. 2407. A Bill for an Act to provide for distribution of premium tax on motor vehicle insurance companies to cities for police training, law enforcement activities, or the purchase of equipment related thereto.

Introduction, first reading, 231.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 351.
 Second reading, 382, 455.
 Lost 383. Reconsidered, 408.
 Lost, 455.

Senate Bill No. 2408—(Forkner, Berube)

Senate Bill No. 2408. A Bill for an appropriation for the use of the state toxicologist.

Introduction, first reading, 232.
 Referred to Committee on Appropriations.
 Reported back, do pass, 374.
 Re-Engrossed, 421, 1286.
 Second reading, 421.
 Amended from floor, 421.
 Passed, 421.
 To House, 445.
 Returned to Senate, 999.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2409—(Doherty, Unruh¹)

Senate Bill No. 2409. A Bill for an Act to amend and reenact sections 15-04-09, 15-06-25, and 38-09-15 of the North Dakota Century Code, relating to the leasing and sale of certain state property.

Introduction, first reading, 232.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 568, 569.
 Amendments adopted, 589.
 Engrossed, 599.
 Second reading, 644, 680.
 Passed, 680.
 Clincher motion, 683.
 To House, 689.
 Returned to Senate, failed to pass, 803.

Senate Bill No. 2410—(Lips)

Senate Bill No. 2410. A Bill for an Act relating to real estate syndicate securities; creating a new body of law and providing for the administration thereof; and to amend and reenact subsection 1 of section 43-23-06 of the North Dakota Century Code relating to the definition of the term "real estate" as used in Chapter 43-23 or the North Dakota Century Code.

Introduction, first reading, 232.

Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 481.

Senate Bill No. 2411—(Jones)

Senate Bill No. 2411. A Bill for an Act to create and enact subsection 7 of section 57-39.2-14 of the North Dakota Century Code relating to the fee for a sales tax permit and requiring the permit to be issued annually.

Introduction, first reading, 232.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 374.

Senate Bill No. 2412—(Lips)

Senate Bill No. 2412. A Bill for an Act to create and enact a new subdivision of subsection 1 of section 43-33-09, a new subsection of section 43-33-10, two new subdivisions of subsection 4 of section 43-33-12, and a new subsection of section 43-33-12 of the North Dakota Century Code, relating to the scope of the hearing aid dealers examination, duties of the licensing department, and grounds for suspension of licenses; and to amend and reenact subsection 6 of section 43-33-01, section 43-33-04, section 43-33-07, subsection 2 of section 43-33-08, subdivision e of subsection 4 of section 43-33-12, and subsection 2 of section 43-33-15 of the North Dakota Century Code, relating to definitions, persons and practices not affected, educational qualifications of applicants, frequency of examinations, temporary trainee supervision, and qualifications of members of the board of hearing aid dealers and fitters.

Introduction, first reading, 232.

Referred to Committee on Industry, Business and Labor.

Reported back, amended, 462.

Amendments adopted, 479.

Engrossed, 497.

Second reading, 513.

Passed, 513.

To House, 539.

Returned to Senate, 782.

Enrolled, 1052.

Signed by President, 1070.

Sent to House, 1071.

Received from House, 1084.

Message to Governor, 1094.

Approved by Governor, 1249.

Senate Bill No. 2413—(Butler)

Senate Bill No. 2413. 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 tax on individuals, estates and trusts for the privilege of doing business in this state; to provide an effective date; and to declare an emergency.

Introduction, first reading, 232.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 374.
 Second reading, 421.
 Passed, 422.
 Emergency carried, 422.
 To House, 445.
 Returned to Senate, 1085.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2414—(Butler)

Senate Bill No. 2414. A Bill for an Act to amend and reenact sections 11-10.1-01 of the North Dakota Century Code, relating to county director of tax equalization; 11-10.1-05 of the North Dakota Century Code, relating to powers and duties of the county director of tax equalization; to create and enact a new section to chapter 11-10.1 of the North Dakota Century Code, relating to authorization of a mill levy for use to defray the costs of the office of the county director of tax equalization; amend and reenact sections 58-05-02 of the North Dakota Century Code, relating to officers of a township; 58-05-05 of the North Dakota Century Code, relating to bonds of officers of a township and 58-05-07 of the North Dakota Century Code, relating to the oath of township officers and to repeal sections 57-12-01.1 of the North Dakota Century Code, relating to spot checks on real and personal property by county boards of equalization; 58-09-01, 58-09-02 and 58-09-03 of the North Dakota Century Code, relating to township boards of equalization.

Introduction, first reading, 232.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 586, 587.
 Amendments adopted, 600.
 Engrossed, 639.
 Second reading, 660.
 Lost, 661.

Senate Bill No. 2415—(Chesrown)

Senate Bill No. 2415. A Bill for an Act to amend and reenact subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to an alternate method of valuing the gross estate of a decedent for estate tax purposes, and providing for an effective date.

Introduction, first reading, 233.
 Referred to Committee on Finance and Taxation.
 Reported back do pass, 550.
 Second reading, 644.
 Passed, 644.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, indefinitely postponed, 1103.

Senate Bill No. 2416—(Jones)

Senate Bill No. 2416. A Bill for an Act to amend and reenact section 1 of chapter 409 of the 1969 Session Laws of North Dakota, relating to the sale of land belonging to the school for the deaf.

Introduction, first reading, 233.
 Referred to Committee on Judiciary.
 Reported back, amended, 504.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 621.
 Passed, 622.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2417—(Butler)

Senate Bill No. 2417. A Bill for an Act to provide for the collection of delinquent sales, use, income and business and corporation privilege taxes from taxpayers not residing in this state; providing for tax commissioner to contract with collection and credit agencies; providing for a bond, and providing for payment of fees.

Introduction, first reading, 233.
 Referred to Committee on State and Federal Government.
 Returned to Senate and re-referred to Committee on Finance and Taxation, 278.
 Reported back, do pass, 374.
 Second reading, 422.
 Passed, 422.
 To House, 445.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2418—(Butler)

Senate Bill No. 2418. A Bill for an Act to amend and reenact subsection 1 of section 57-38-38 of the North Dakota Century Code, relating to the time for auditing corporate income tax returns.

Introduction, first reading, 233.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 569.
 Amendments adopted, 589.
 Engrossed, 599.
 Second reading, 644.
 Passed, 644.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, 903.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2419—(Butler)

Senate Bill No. 2419. A Bill for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code,

relating to income tax definitions and providing for an effective date.

Introduction, first reading, 233.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 482.
Second reading, 513.
Passed, 514.
To House, 539.
Returned to Senate, indefinitely postponed, 1000.

Senate Bill No. 2420—(Butler)

Senate Bill No. 2420. A Bill for an Act to amend and reenact subsection 1 of section 57-38-40 of the North Dakota Century Code, relating to income tax revisions.

Introduction, first reading, 233.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 482.
Second reading, 514.
Passed, 514.
To House, 539.
Returned to Senate, 782.
Enrolled, 1052.
Signed by President, 1070.
Sent to House, 1071.
Received from House, 1084.
Message to Governor, 1094.

Senate Bill No. 2421—(Strinden)

Senate Bill No. 2421. A Bill for an Act authorizing the purchase of obligations issued by the United States Postal Service.

Introduction, first reading, 234.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 351.

Senate Bill No. 2422—(Jones)

Senate Bill No. 2422. A Bill for an Act to amend and reenact subsection 4 of section 43-18-01 of the North Dakota Century Code, relating to the definition of plumbing.

Introduction, first reading, 234.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 462.

Senate Bill No. 2423—(Melland, Litten)

Senate Bill No. 2423. A Bill for an Act to provide aid to private college students, for standards, definitions, and procedures for certification.

Introduction, first reading, 234.
Referred to Committee on Education.
Reported back, indefinitely postponed, 616.

Senate Bill No. 2424—(Unruh)

Senate Bill No. 2424. A Bill for an Act to amend and reenact section 52-02-07 of the North Dakota Century Code, relating to employment security bureau advisory councils.

Introduction, first reading, 234.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 351.
 Second reading, 383.
 Passed, 383.
 To House, 399.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 813.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2425—(Christensen)

Senate Bill No. 2425. A Bill for an Act allowing state agencies to reimburse permanent, full time employees for household relocation expenses upon transfer to a new permanent duty assignment.

Introduction, first reading, 234.
 Referred to Committee on Appropriations.
 Reported back, indefinitely postponed, 374.

Senate Bill No. 2426—(Christensen)

Senate Bill No. 2426. A Bill for an Act to amend and reenact section 54-49-01 of the North Dakota Century Code, relating to the name of the Natural Resources Council.

Introduction, first reading, 234.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 411.
 Second reading, 455.
 Passed, 455.
 To House, 475.
 Returned to Senate, 999.
 Enrolled, 1287.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1305.

Senate Bill No. 2427—(Christensen)

Senate Bill No. 2427. A Bill for an Act to repeal section 61-02-74 of the North Dakota Century Code, relating to the disposition of certain moneys received by the State Water Commission.

Introduction, first reading, 234.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 411.
 Second reading, 455.
 Passed, 456.
 To House, 475.
 Returned to Senate, 758.
 Enrolled, 922.
 Signed by President, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2428—(Page, Forkner)

Senate Bill No. 2428. A Bill for an Act to amend and reenact

section 23-18-03 of the North Dakota Century Code, relating to a county mill levy authorization for county hospital associations.

Introduction, first reading, 234.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 608.
 Second reading, 661.
 Lost, 662.

Senate Bill No. 2429—(Longmire)

Senate Bill No. 2429. A Bill for an Act to amend and reenact Subsection 5 of Section 15-61-02 and Section 15-61-04 of the North Dakota Century Code, relating to authority of the director of surplus property and disposition of charges made for surplus property and making an appropriation.

Introduction, first reading, 234.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 351.
 Second reading, 383.
 Passed, 383.
 To House, 399.
 Returned to Senate, 558.
 Enrolled, 802.
 Signed by President, 813.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2430—(Butler, Forkner)

Senate Bill No. 2430. A Bill for an Act to provide for an administrative procedure for fixing airport, landing fee rates charged scheduled and non-scheduled airlines, landing at North Dakota airports.

Introduction, first reading, 235.
 Referred to Committee on Finance and Taxation.
 Returned to Senate and re-referred to Committee on Transportation, 278.
 Returned to Senate and withdrawn, 589.

Senate Bill No. 2431—(Melland)

Senate Bill No. 2431. A Bill for an Act to amend and reenact section 16-06-06 of the North Dakota Century Code, relating to filling a vacancy in the position of a party's nominated candidate for office, and prohibiting a candidate defeated in a primary election from being a candidate for any other office in the general election.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, do pass, 351.
 Second reading, 383.
 Passed, 384.
 To House, 399.
 Returned to Senate, indefinitely postponed, 882.

Senate Bill No. 2432—(Melland)

Senate Bill No. 2432. A Bill for an Act to amend and reenact section 16-20-19 of the North Dakota Century Code, relating to soliciting of votes of absent voters.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, amended, 374, 375.
 Amendments adopted, 396.
 Engrossed, 405.
 Second reading, 431.
 Passed, 431.
 To House, 445.
 Returned to Senate, indefinitely postponed, 882.

Senate Bill No. 2433—(Melland)

Senate Bill No. 2433. A Bill for an Act to amend and reenact section 16-10-17 of the North Dakota Century Code, relating to compensation for election inspectors attending pre-election meeting with the state's attorney.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, do pass, 351.
 Second reading, 384.
 Passed, 384.
 To House, 399.
 Returned to Senate, indefinitely postponed, 882.

Senate Bill No. 2434—(Melland)

Senate Bill No. 2434. A Bill for an Act to amend and reenact section 16-10-14 of the North Dakota Century Code, relating to the duties of a clerk of an election in keeping a poll list.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, do pass, 351.
 Second reading, 384.
 Passed, 385.
 To House, 399.
 Returned to Senate, 903.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2435—(Melland)

Senate Bill No. 2435. A Bill for an Act to provide for distribution of election law information prior to elections by the attorney general and county auditors to election officials.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, do pass, 351.
 Second reading, 385.
 Passed, 385.
 To House, 399.
 Returned to Senate, 903.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2436—(Melland)

Senate Bill No. 2436. A Bill for an Act to amend and reenact sec-

tion 16-12-15 of the North Dakota Century Code, relating to the depositing of unstamped and uninitialed ballots in a ballot box.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, do pass, 375.
 Second reading, 423.
 Passed, 424.
 To House, 445.
 Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2437—(Melland)

Senate Bill No. 2437. A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to delivery of absent voters' ballots and notification of date when ballot must be returned to be canvassed.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, do pass, 352.
 Engrossed, 967, 1286.
 Second reading, 385, 967.
 Passed, 385, 967.
 To House, 399.
 House amendments, 947.
 Returned to Senate, amended, 940.
 Senate concurs, 967.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2438—(Melland)

Senate Bill No. 2438. A Bill for an Act to amend and reenact section 16-18-07 of the North Dakota Century Code, relating to the manner of delivery of an application blank for an absentee voter ballot.

Introduction, first reading, 235.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 352.

Senate Bill No. 2439—(Melland)

Senate Bill No. 2439. A Bill for an Act to amend and reenact section 16-18-14 of the North Dakota Century Code, relating to the canvassing of mailed absent voters' ballots received late.

Introduction, first reading, 236.
 Referred to Committee on Judiciary.
 Reported back, amended, 375.
 Amendments adopted, 396.
 Engrossed, 405.
 Re-Engrossed, 1286.
 Second reading, 431.
 Passed, 432.
 To House, 445.
 Returned to Senate, 903.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2440—(Melland)

Senate Bill No. 2440. A Bill for an Act to amend and reenact subsection 2 of section 6-03-13.2 of the North Dakota Century Code, relating to drive-in banking facilities.

Introduction, first reading, 236.

Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 331.

Senate Bill No. 2441—(Melland)

Senate Bill No. 2441. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges and the method of payment.

Introduction, first reading, 236.

Referred to Committee on Education.

Reported back, indefinitely postponed, 394.

Senate Bill No. 2442—(Melland)

Senate Bill No. 2442. A Bill for an Act to amend and reenact section 15-18-07 of the North Dakota Century Code, relating to state aid for junior colleges.

Introduction, first reading, 236.

Referred to Committee on Education.

Reported back, indefinitely postponed, 394.

Senate Bill No. 2443—(Kautzmann)

Senate Bill No. 2443. A Bill for an Act authorizing the director of institutions to lease certain property now owned by the state and under the control of the state industrial school.

Introduction, first reading, 236.

Referred to Committee on State and Federal Government.

Reported back, amended, 411.

Amendments adopted, 440.

Engrossed, 459, 801.

Re-Engrossed, 695.

Second reading, 474, 695.

Passed, 474, 696.

To House, 488.

House amendments, 638.

Returned to Senate, amended, 638.

Senate concurs, 695. Adopts, 695.

Enrolled, 801.

Signed by President, 813.

Sent to House, 813.

Received from House, 823.

Message to Governor, 828.

Approved by Governor, 921.

Senate Bill No. 2444—(Melland, Strinden)

Senate Bill No. 2444. A Bill for an Act to amend and reenact section 28-26-04 of the North Dakota Century Code, relating to provisions for attorneys' fees in certain written evidences of debt.

Introduction, first reading, 236.

Referred to Committee on Judiciary.

Reported back, indefinitely postponed, 463.

Senate Bill No. 2445—(Holand)

Senate Bill No. 2445. A Bill for an Act to amend and reenact section 15-47-31 of the North Dakota Century Code, and to amend and reenact subsection 18 of section 15-29-08 of the North Dakota Century Code authorizing grade or high schools and the board of any public school district to contract with insurance companies for medical and hospital benefits.

Introduction, first reading, 236.
Referred to Committee on Education.
Reported back, amended, 550.
Amendments adopted, 572.
Engrossed, 583.
Second reading, 645.
Passed, 645.
Clincher motion, 651.
To House, 652.
Returned to Senate, indefinitely postponed, 905.

Senate Bill No. 2446—(Wenstrom)

Senate Bill No. 2446. A Bill for an Act to amend and reenact section 32-19.1-01 the North Dakota Century Code, relating to acreage for use of short term redemption mortgage.

Introduction, first reading, 236.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 463.
Second reading, 492.
Passed, 492.
To House, 515.
Returned to Senate, 940.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2447—(Longmire)

Senate Bill No. 2447. A Bill for an Act to amend and reenact section 15-10-18 of the North Dakota Century Code relating to tuition of non-residents at institutions of higher education.

Introduction, first reading, 236.
Referred to Committee on Education.
Reported back, do pass, 587.
Second reading, 655, 680.
Lost, 680.
Clincher motion, 683.

Senate Bill No. 2448—(Longmire, Chesrown)

Senate Bill No. 2448. A Bill for an Act to state the circumstances in which a court should exercise jurisdiction which has been granted it by the defendant's consent, or should refrain from exercising existing jurisdiction because of an agreement by the parties that suit should be brought in another state.

Introduction, first reading, 237.
Referred to Committee on Judiciary.
Reported back, do pass, 550.
Second reading, 645.
Passed, 645.

Clincher motion, 651.
To House, 652.
Returned to Senate, 882.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1306.

Senate Bill No. 2449—(Longmire, Chesrown)

Senate Bill No. 2449. A Bill for an Act to amend and reenact sections 47-11-01 and 47-11-02 of the North Dakota Century Code, relating to the transfer of personal property by sale or exchange and interests in trusts, and to repeal sections 47-11-03, 47-11-04, and 47-11-05 of the North Dakota Century Code.

Introduction, first reading, 237.
Referred to Committee on Judiciary.
Reported back, do pass, 550.
Second reading, 645.
Passed, 646.
Clincher motion, 651.
To House, 652.
Returned to Senate, 882.
Enrolled, 1287.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1306.

Senate Bill No. 2450—(Longmire)

Senate Bill No. 2450. A Bill for an Act to require grants of easements for right of ways to contain proper descriptions and requiring descriptions of prior grants to place of record.

Introduction, first reading, 237.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 463.

Senate Bill No. 2451—(Holand)

Senate Bill No. 2451. A Bill for an Act to amend and reenact subsection 2 of section 54-10-01, section 54-10-13 and section 54-10-14 of the North Dakota Century Code, relating to charges and actual costs for audits performed by state auditor, and providing an effective date.

Introduction, first reading, 237.
Referred to Committee on State and Federal Government.
Reported back, amended, 482.
Amendments adopted, 497.
Engrossed, 521.
Second reading, 538.
Passed, 538.
To House, 557.
Returned to Senate, 758.
Enrolled, 922.
Signed by President, 950.
Sent to House, 950.
Received from House, 961.
Message to Governor, 964.
Approved by Governor, 1061.

Senate Bill No. 2452—(Holand)

Senate Bill No. 2452. A Bill for an Act to amend and reenact section 15-22-02 of the North Dakota Century Code, relating to qualifications of the county superintendent.

Introduction, first reading, 241.
 Referred to Committee on Education.
 Reported back, amended, 394.
 Amendments adopted, 413, 414.
 Engrossed, 435.
 Second reading, 456.
 Passed, 456.
 To House, 476.
 Returned to Senate, 882.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2453—(Holand, Christensen)

Senate Bill No. 2453. A Bill for an Act to create and define the powers and duties of a North Dakota rural development financing authority in the planning and establishment of projects for processing agricultural products, and the issuance of bonds for this purpose secured by mortgage of such projects and the pledge of revenues received under operating, lease or processing agreements or from the levy by counties of special assessments for the benefits provided thereby, or from the increment of taxes derived from the increased value resulting therefrom.

Introduction, first reading, 241.
 Referred to Committee on Industry, Business and Labor.
 Reported back, indefinitely postponed, 587.

Senate Bill No. 2454—(Pyle)

Senate Bill No. 2454. A Bill for an Act making a deficiency appropriation for the state seed department and declaring an emergency.

Introduction, first reading, 241.
 Referred to Committee on Appropriations.
 Reported back, indefinitely postponed, 394.
 Second reading, 680. Amended from floor, 680.
 Re-Engrossed, 681.
 Lost, 681.

Senate Bill No. 2455—(Lips, Van Horn)

Senate Bill No. 2455. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for a tax levy and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Introduction, first reading, 241.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, placed on calendar, 608.
 Engrossed, 675.
 Second reading, 656, 674. Amended from floor, 675.

Lost, 675.
Clincher motion, 676.

Senate Bill No. 2456—(Lips, Van Horn)

Senate Bill No. 2456. A Bill for an Act to provide for Vietnam veterans' adjusted compensation, method of payment, duties of adjutant general, exemption from taxation and execution, time limits for filing, for a penalty, and for appropriations; and to create and enact section 37-24-08 of the North Dakota Century Code, relating to deduction of adjusted compensation, and declaring an emergency.

Introduction, first reading, 241.
Referred to Committee on Social Welfare and Veterans' Affairs.
Returned to Senate, re-referred to Committee on Appropriations, 278.
Reported back, amended, 463.
Amendments adopted, 479.
Engrossed, 497.
Second reading, 514. Amended from floor, 514.
Re-Engrossed, 515, 1286.
Passed, 515.
Emergency carried, 515.
To House, 539.
Returned to Senate, 903.
Enrolled, 1286.
Signed by President, 1289.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1306.

Senate Bill No. 2457—(Wilhite, Litten)

Senate Bill No. 2457. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for a surtax and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

Introduction, first reading, 241.
Referred to Committee on Appropriations.
Reported back, amended, 608, 611.
Amendments adopted, 640.
Engrossed, 672.
Second reading, 670, 675.
Passed, 676.
Clincher motion, 676.
Emergency carried, 676.
Reprinted, 683.
To House, 689.
House amendments, 1115, 1116.
Returned to Senate, amended, 1114.
Conference Committee, 1220, 1246.
Conference Committee report, 1270.
Senate adopts, 1270, 1276.
Senate does not concur, 1220.
Transmitted to House, 1273.

Senate Bill No. 2458—(Kautzmann)

Senate Bill No. 2458. A Bill for an Act to amend and reenact Section 39-18-03 of the North Dakota Century Code, relating to fees for travel trailers; and declaring an emergency.

Introduction, first reading, 241.
 Referred to Committee on Finance and Taxation.
 Returned to Senate and re-referred to Committee on Transportation,
 305.
 Reported back, amended, 504.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 622, 655, 1113.
 Amended from floor, 622, 655.
 Re-Engrossed, 655, 1113, 1286.
 Passed, 656, 1113.
 Clincher motion, 658.
 Emergency carried, 1113.
 To House, 689.
 House amendments, 999.
 Returned to Senate, amended, 997.
 Conference Committee, 1014, 1050.
 Conference Committee report, 1112.
 Senate adopts, 1112, 1169.
 Senate does not concur, 1014.
 Transmitted to House, 1123.
 Enrolled, 1286.
 Signed by President, 1289.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2459—(Holand)

Senate Bill No. 2459. A Bill for an Act to amend and reenact section 41-09-49 of the North Dakota Century Code, relating to a secured party's right to take possession after default.

Introduction, first reading, 242.
 Referred to Committee on Judiciary.
 Reported back, amended, 504, 505.
 Amendments adopted, 522.
 Engrossed, 547.
 Second reading, 622.
 Passed, 623.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, 882.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2460—(Holand)

Senate Bill No. 2460. A Bill for an Act to amend and reenact section 15-40.1-16 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, relating to aid for transportation.

Introduction, first reading, 242.
 Referred to Committee on Education.
 Reported back, do pass, 672. Amended, 617, 618.
 Re-referred to Committee on Appropriations, 640.
 Amendments adopted, 640.
 Engrossed, 672, 1286.
 Second reading, 683.
 Passed, 683.
 Clincher motion, 683.

To House, 689.
Returned to Senate, 1113.
Enrolled, 1286.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1306.

Senate Bill No. 2461—(Kautzmann)

Senate Bill No. 2461. A Bill for an Act to amend and reenact subsection 1 of section 15-39-01 of the North Dakota Century Code, relating to definitions under the teachers' insurance and retirement fund.

Introduction, first reading, 242.
Referred to Committee on Education.
Reported back, do pass, 587.
Second reading, 655.
Passed, 655.
Clincher motion, 658.
To House, 689.
Returned to Senate, 1100.
Enrolled, 1287.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1306.

Senate Bill No. 2462—(Chesrown)

Senate Bill No. 2462. A Bill for an Act to amend and reenact section 27-12-04 of the North Dakota Century Code, relating to payment of funds from the state bar fund to the state bar association.

Introduction, first reading, 242.
Referred to Committee on Judiciary.
Reported back, do pass, 569.
Second reading, 646.
Passed, 646.
Clincher motion, 651.
To House, 652.
Returned to Senate, indefinitely postponed, 1103.

Senate Bill No. 2463—(Freed)

Senate Bill No. 2463. A Bill for an Act to amend and reenact section 40-45-02 of the North Dakota Century Code, relating to a tax levy for police pension systems.

Introduction, first reading, 242.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 505.
Second reading, 538.
Passed, 538.
To House, 557.
Returned to Senate, 940.
Enrolled, 1235.
Signed by President, 1244.
Sent to House, 1245.
Received from House, 1250.
Message to Governor, 1251.

Senate Bill No. 2464—(Butler)

Senate Bill No. 2464. A Bill for an Act relating to the levy of special assessments for municipal improvements consisting of parking lots, ramps, garages and other facilities for motor vehicles, and enacting section 40-23-23.

Introduction, first reading, 242.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 505.
 Engrossed, 1153, 1286.
 Second reading, 539, 1153.
 Passed, 539, 1153.
 To House, 557.
 House amendments, 1102.
 Returned to Senate, amended, 1100.
 Senate concurs, 1153.
 Enrolled, 1286.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2465—(Wenstrom, Lips)

Senate Bill No. 2465. 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 construction of water pollution control projects; and to provide an appropriation.

Introduction, first reading, 242.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 394.

Senate Bill No. 2466—(Morgan, Thane)

Senate Bill No. 2466. A Bill for an Act to amend and reenact section 58-05-02 of the North Dakota Century Code, relating to township officers and providing an option to not elect a township assessor, and declaring an emergency.

Introduction, first reading, 242.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 527.
 Re-referred to Committee on Agriculture, 599.
 Amendments adopted, 548.
 Engrossed, 561, 930, 980.
 Second reading, 646, 930.
 Passed, 647, 931.
 Clincher motion, 651.
 Emergency carried, 931.
 To House, 652.
 House amendments, 904.
 Returned to Senate, amended, 904.
 Senate concurs, 930.
 Enrolled, 980.
 Signed by President, 980.
 Sent to House, 980.
 Received from House, 980.
 Message to Governor, 991.
 Approved by Governor, 1010.

Senate Bill No. 2467—(Morgan, Barth)

Senate Bill No. 2467. A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to bonds of livestock dealers and agents.

Introduction, first reading, 243.
Referred to Committee on Agriculture.
Reported back, do pass, 395.
Second reading, 432.
Passed, 432.
To House, 445.
Returned to Senate, 863.
Enrolled, 1095.
Signed by President, 1110.
Sent to House, 1110.
Received from House, 1169.
Message to Governor, 1219.

Senate Bill No. 2468—(Rait, Jacobson, Roen, Thane, Pyle)

Senate Bill No. 2468. 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 for an effective date.

Introduction, first reading, 243.
Referred to Committee on Finance and Taxation.
Reported back, indefinitely postponed, 550.

Senate Bill No. 2469—(Stroup, Page)

Senate Bill No. 2469. A Bill for an Act to provide for the recording of all buried transmission facilities and to give the owner of these facilities a civil cause of action in certain cases where the facilities are damaged.

Introduction, first reading, 243.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 310.

Senate Bill No. 2470—(Swedlund, Wenstrom)

Senate Bill No. 2470. A Bill for an Act to make an appropriation for prison industries including construction of a tag and sign plant building.

Introduction, first reading, 243.
Referred to Committee on State and Federal Government.
Reported back, amended, 375. Indefinitely postponed, 505.
Re-referred to Committee on Appropriations, 375. Appropriations, 396.
Amendments adopted, 396.
Engrossed, 405.

Senate Bill No. 2471—(Wenstrom, Swedlund)

Senate Bill No. 2471. A Bill for an Act to make an appropriation for a multipurpose building at the penitentiary.

Introduction, first reading, 243.
Referred to Committee on Appropriations.
Reported back, indefinitely postponed, 611.

Senate Bill No. 2472—(Butler)

Senate Bill No. 2472. A Bill for an Act to change the property tax assessment date; and to amend and reenact subsections 1 and 4 of section 57-02-11 and sections 57-02-34, 57-09-01, 57-09-06, 57-11-01, 57-11-02, 57-12-01, 57-12-08, 57-13-07, 57-13-08, and 57-23-02 of the North Dakota Century Code, relating to real property tax assessment and tax assessments on certain destroyed property, to change of time for the assessor to perform duties, to the meeting date of the township board of equalization, to the return of assessors' books, to the meeting date of the city board of equalization, to the meeting date of the county board of equalization, to the assessment abstracts, to the duties of the secretary of the state board of equalization, to the duties of the county director of tax equalization after meeting of the state board of equalization, and to publication dates for equalization meetings.

Introduction, first reading, 243.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 505, 506.
 Amendments adopted, 522.
 Engrossed, 547.
 Re-Engrossed, 623.
 Second reading, 623. Amended from floor, 623.
 Passed, 623.
 Clincher motion, 634.
 To House, 689.
 Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2473—(Barth)

Senate Bill No. 2473. A Bill for an Act to amend and reenact section 39-22-02 of the 1969 Supplement to the North Dakota Century Code, relating to motor vehicle dealer's licenses.

Introduction, first reading, 243.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 310.

Senate Bill No. 2474—(Redlin)

Senate Bill No. 2474. A Bill for an Act to provide a program of county and state matching funds for industrial enterprises and firms, to provide a county levy, to provide procedures for the administration of such program, and to provide an appropriation.

Introduction, first reading, 243.
 Referred to Committee on Political Subdivisions.
 Returned to Senate, 548.
 Reported back, indefinitely postponed, 612.
 Re-referred to Committee on Appropriations, 548.

Senate Bill No. 2475—(Barth)

Senate Bill No. 2475. A Bill for an Act to create and enact subsection 4 of section 15-40.1-08 of the North Dakota Century Code as contained in House Bill 1045 approved by the forty-second legislative assembly, relating to county equalization fund payments for pre-school programs at the state school for the blind and the state school for the deaf.

Introduction, first reading, 244.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 439.

Senate Bill No. 2476—(Rait)

Senate Bill No. 2476. 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 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, 244.

Referred to Committee on Judiciary.

Reported back, indefinitely postponed, 463.

Senate Bill No. 2477—(Longmire)

Senate Bill No. 2477. A Bill for an Act to amend and reenact subsection 3 of section 57-15-12 of the North Dakota Century Code relating to excess levies in park districts.

Introduction, first reading, 244.

Referred to Committee on Political Subdivisions.

Reported back, do pass, 527.

Second reading, 623.

Passed, 624.

Clincher motion, 634.

To House, 641.

Returned to Senate, 903.

Enrolled, 1095.

Signed by President, 1110.

Sent to House, 1110.

Received from House, 1169.

Message to Governor, 1219.

Senate Bill No. 2478—(Roen, Lips)

Senate Bill No. 2478. A Bill for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, prohibiting insurance provisions denying an insured the right to employ a physician or a doctor of his choice, or to enter a hospital of his choice.

Introduction, first reading, 244.

Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 482.

Senate Bill No. 2479—(Thane, Page, Ringsak)

Senate Bill No. 2479. A Bill for an Act to provide for no-fault automobile accident personal injury compensation.

Introduction, first reading, 244.

Referred to Committee on Industry, Business and Labor.

Returned to Senate and re-referred to Committee on Judiciary, 278.

Reported back, indefinitely postponed, 463.

Senate Bill No. 2480—(Hernett, Van Horn)

Senate Bill No. 2480. A Bill for an Act authorizing the construction of an east court office building on the capitol grounds, providing a sinking fund for the retirement of certificates of indebtedness, setting forth additional responsibilities and duties of the capitol grounds planning commission, providing an appropriation, and declaring an emergency.

Introduction, first reading, 244.

Referred to Committee on Appropriations.

Reported back, do pass, 464.
 Engrossed, 665.
 Second reading, 492, 515, 624, 656, 662.
 Amended from floor, 662, 665.
 Reprinted, 683.
 Passed, 665.
 Clincher motion, 676.
 Emergency carried, 665.
 To House, 689.
 Returned to Senate, failed to pass, 1176.

Senate Bill No. 2481—(Nething, Pyle, Melland)

Senate Bill No. 2481. A Bill for an Act to provide for the levy of taxes by counties for the payment of indebtedness of townships to counties.

Introduction, first reading, 244.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 527.
 Engrossed, 1060, 1286.
 Second reading, 624, 1060.
 Passed, 624, 1060.
 Clincher motion, 634.
 To House, 641.
 House amendments, 1036.
 Returned to Senate, amended, 1035.
 Senate concurs, 1060.
 Enrolled, 1286.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2482—(Barth)

Senate Bill No. 2482. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to the hours that public dancing shall be prohibited.

Introduction, first reading, 244.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 527.
 Second reading, 624.
 Withdrawn from Senate, 624.

Senate Bill No. 2483—(Barth)

Senate Bill No. 2483. A Bill for an Act to amend and reenact subsections 3 and 4 of section 23-09-01 of the North Dakota Century Code, relating to the definitions of lodginghouse and boardinghouse.

Introduction, first reading, 245.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 352.
 Second reading, 386.
 Lost, 386.

Senate Bill No. 2484—(L. Larson, Forkner)

Senate Bill No. 2484. A Bill for an Act to provide for the licensing of ambulance services; to provide a fee therefor; to provide standards for qualifying as licensed ambulance services; to provide for a penalty; and to provide for an effective date.

Introduction, first reading, 245.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 612.

Senate Bill No. 2485—(Melland)

Senate Bill No. 2485. A Bill for an Act to provide that the secretary of state shall be ex officio advisor of elections, with duties of overseeing the conduct of elections, and to provide for the establishment of an advisory commission on elections.

Introduction, first reading, 245.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 352.

Senate Bill No. 2486—(Litten, Longmire)

Senate Bill No. 2486. A Bill for an Act to create and enact section 15-10-12.1 of the North Dakota Century Code, to provide a procedure for the acceptance of buildings by the board of higher education, and to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to the acceptance of gifts and bequests by the board of higher education, and the sale of property received as a gift or bequest.

Introduction, first reading, 245.
 Referred to Committee on Appropriations.
 Reported back, do pass, 375.
 Engrossed, 931.
 Re-Engrossed, 1235.
 Second reading, 424, 931.
 Passed, 424, 931.
 To House, 445.
 House amendments, 904.
 Returned to Senate, amended, 904.
 Senate concurs, 931.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2487—(Kautzmann)

Senate Bill No. 2487. A Bill for an Act to amend and reenact section 40-57-10 of the North Dakota Century Code, relating to sale of revenue bonds.

Introduction, first reading, 245.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 331.
 Amendments adopted, 346.
 Engrossed, 369.
 Second reading, 386.
 Passed, 386.
 To House, 399.
 Returned to Senate, 782.
 Enrolled, 1052.
 Signed by President, 1070.
 Sent to House, 1071.
 Received from House, 1084.
 Message to Governor, 1094.
 Approved by Governor, 1249.

Senate Bill No. 2488—(Freed)

Senate Bill No. 2488. A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to the granting of powers to state-chartered associations given to federally-chartered savings and loan associations.

Introduction, first reading, 245.

Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 464.

Senate Bill No. 2489—(Christensen)

Senate Bill No. 2489. A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to notice by applicant for a water permit.

Introduction, first reading, 245.

Referred to Committee on Natural Resources.

Reported back, do pass, 411.

Second reading, 456.

Passed, 457.

To House, 476, 1157.

House amendments, 1036, 1037.

Returned to Senate, failed to pass, 1229. Amended, 1035.

Conference Committee, 1060, 1085.

Conference Committee report, 1157.

Senate does not concur, 1060.

House requests return, 1156.

Returned to House, 1183.

Senate Bill No. 2490—(Christensen)

Senate Bill No. 2490. A Bill for an Act to create and enact chapter 54-55 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 sections 4-22-03, 4-22-05, 4-22-06, 20-02-23, subsection 12 of section 38-14-02, sections 38-14-03, 38-14-04, 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, 38-14-11, 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 repealing section 61-03-14 of the North Dakota Century Code, relating to modification of rules by the state water conservation commission, and providing an effective date.

Introduction, first reading, 245.

Referred to Committee on Natural Resources.

Reported back, indefinitely postponed, 506.

Senate Bill No. 2491—(Thane, Page, Morgan, Ringsak)

Senate Bill No. 2491. A Bill for an Act to amend and reenact sections 60-03-01 and 60-03-04 of the North Dakota Century Code,

relating to the definition of roving grain or hay buyers and the amount of the bond required thereof.

Introduction, first reading, 246.
 Referred to Committee on Agriculture.
 Reported back, amended, 395.
 Amendments adopted, 414.
 Engrossed, 435.
 Second reading, 457.
 Passed, 457.
 To House, 476.
 Returned to Senate, 863.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2492—(Nething, Christensen)

Senate Bill No. 2492. A Bill for an Act to create and enact three new sections to chapter 57-38 of the North Dakota Century Code, relating to the definition of adjusted federal income tax liability of individuals, income tax rates, and to provide for a credit for income taxes paid to another state by a resident; to amend and reenact subsections 20 and 21 of section 57-38-01; subdivision a of subsection 2 and subdivision b of subsection 6 of section 57-38-04; section 57-38-29; subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to definitions, rates of tax, and filing of returns for income tax purposes; to repeal sections 57-38-01.1, 57-38-01.2, 57-38-01.4, 57-38-06.1 and 57-46-01 of the North Dakota Century Code, relating to adjustments, subchapter S corporations, non-residents and military income for income tax purposes; and to provide for an effective date.

Introduction, first reading, 246.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 569, 570.
 Amendments adopted, 589.
 Engrossed, 599.
 Second reading, 647.
 Passed, 648.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, indefinitely postponed, 882.

Senate Bill No. 2493—(Nething, Melland, Ringsak)

Senate Bill No. 2493. A Bill for an Act relating to the preparation and publication of agendas for city board and school board meetings, and to amend and reenact section 11-11-05 of the North Dakota Century Code, relating to meetings of the board of county commissioners.

Introduction, first reading, 246.
 Referred to Committee on Political Subdivisions.
 Reported back, no recommendation, 527.
 Second reading, 624, 625.
 Lost, 625.

Senate Bill No. 2494—(Nasset, G. Larson)

Senate Bill No. 2494. A Bill for an Act to amend and reenact section 15-40.1-10 of the North Dakota Century Code, as contained

in section 7 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to payments of county equalization funds to schools and school districts.

Introduction, first reading, 246.
 Referred to Committee on Education.
 Reported back, do pass, 395.
 Second reading, 432.
 Passed, 433.
 To House, 445.
 Returned to Senate, 940.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2495—(Freed)

Senate Bill No. 2495. A Bill for an Act to amend and reenact sections 21-04-03, 21-04-05, 21-04-06, 21-04-07, 21-04-08, 21-04-09, 21-04-10, 21-04-12, 21-04-13, 21-04-14, 21-04-15, 21-04-16, 21-04-17, 21-04-18, 21-04-20 and 21-04-21 of the North Dakota Century Code, to include savings and loan associations within class of depositories for public funds.

Introduction, first reading, 247.
 Referred to Committee on Industry, Business and Labor.
 Reported back, indefinitely postponed, 464.

Senate Bill No. 2496—(Sanstead)

Senate Bill No. 2496. A Bill for an Act to amend and reenact section 15-47-05 of the 1969 Supplement to the North Dakota Century Code, relating to the qualifications of a school district clerk.

Introduction, first reading, 247.
 Referred to Committee on Education.
 Reported back, do pass, 439.
 Second reading, 474.
 Passed, 475.
 To House, 488.
 Returned to Senate, 882.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Received from House, 1169.
 Message to Governor, 1219.

Senate Bill No. 2497—(Sanstead)

Senate Bill No. 2497. A Bill for an Act to provide for construction, operation, supervision, inspection and licensing of jails; to amend and reenact sections 40-18-12, 33-12-28, 33-12-31 and 29-26-21 of the North Dakota Century Code, relating to sentencing of public offenders and to repeal chapter 12-44, relating to county jails and section 40-05-06 and 40-11-12, relating to penalties for violating city ordinances, and 12-61-05, relating to jail standards, of the North Dakota Century Code.

Introduction, first reading, 247.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 464.

Senate Bill No. 2498—(Sanstead)

Senate Bill No. 2498. A Bill for an Act to provide for additional funds for law enforcement services in counties, cities, and townships, and to provide for the establishment and cancellation of a tax levy therefor.

Introduction, first reading, 247.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 527.
 Second reading, 625.
 Passed, 625.
 Clincher motion, 634.
 To House, 641.
 Returned to Senate, indefinitely postponed, 882.

Senate Bill No. 2499—(Sanstead)

Senate Bill No. 2499. A Bill for an Act to transfer control and management of the state school and state tuberculosis sanatorium from the director of institutions to the state department of health and to amend and reenact section 54-23-01 of the North Dakota Century Code, relating to institutions under control of board of administration and section 25-05-01 relating to the maintenance and the location of the North Dakota state tuberculosis sanatorium.

Introduction, first reading, 247.
 Referred to Committee on State and Federal Government.
 Reported back, indefinitely postponed, 482.

Senate Bill No. 2500—(Sanstead)

Senate Bill No. 2500. A Bill for an Act to provide an appropriation for expenses of the education fact finding commission.

Introduction, first reading, 247.
 Referred to Committee on Appropriations.
 Reported back, amended, 395.
 Amendments adopted, 414.
 Engrossed, 435, 931, 1095.
 Second reading, 457, 931.
 Passed, 458, 932.
 To House, 476.
 House amendments, 905.
 Returned to Senate, amended, 904.
 Senate concurs, 931.
 Enrolled, 1095.
 Signed by President, 1110.
 Sent to House, 1110.
 Message to Governor, 1219.
 Approved by Governor, 1249.

Senate Bill No. 2501—(Swedlund, Melland)

Senate Bill No. 2501. A Bill for an Act providing for the creation of a revolving fund for the repayment of consulting and planning fees for capital improvement projects and structures, and providing for an appropriation.

Introduction, first reading, 247.
 Referred to Committee on Appropriations.
 Reported back, indefinitely postponed, 482.

Senate Bill No. 2502—(Melland)

Senate Bill No. 2502. A Bill for an Act to amend and reenact section 25-12-03 of the North Dakota Century Code, relating to the control of the south central mental health and retardation center.

Introduction, first reading, 247.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 528.
 Amendments adopted, 549.
 Engrossed, 561, 1286.
 Second reading, 648.
 Passed, 648.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, 863.
 Enrolled, 1286.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1294.
 Message to Governor, 1306.

Senate Bill No. 2503—(Barth)

Senate Bill No. 2503. A Bill for an Act to amend and reenact section 15-34.1-05 of the North Dakota Century Code, as contained in section 5 of House Bill No. 1045, as enacted by the Forty-second Legislative Assembly, relating to penalties for violating compulsory school attendance.

Introduction, first reading, 248.
 Referred to Committee on Education.
 Reported back, amended, 617, 618.
 Amendments adopted, 640.
 Engrossed, 672.
 Second reading, 670.
 Passed, 671.
 Clincher motion, 676.
 To House, 689.
 Returned to Senate, 940.
 Enrolled, 1235.
 Signed by President, 1244.
 Sent to House, 1245.
 Received from House, 1250.
 Message to Governor, 1251.

Senate Bill No. 2504—(Barth)

Senate Bill No. 2504. A Bill for an Act to amend and reenact subsection 1 of section 15-40.2-05 and section 15-40.2-09 of the North Dakota Century Code, as contained in section 8 of House Bill No. 1045, as enacted by the Forty-second Legislative Assembly, relating to appeals of tuition payment decisions by a school district to the county committee and to eliminate appeals to the state board of public school education.

Introduction, first reading, 248.
 Referred to Committee on Education.
 Reported back, amended, 618, 619.
 Amendments adopted, 640.
 Engrossed, 672.
 Second reading, 671.
 Passed, 671.
 Clincher motion, 676.
 To House, 689.
 Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2505—(Wilhite, Litten)

Senate Bill No. 2505. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings, and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

Introduction, first reading, 248.
 Referred to Committee on Appropriations.
 Reported back, amended, 612, 614.
 Amendments adopted, 640.
 Engrossed, 672.
 Second reading, 670, 682.
 Reprinted, 683.
 Passed, 682.
 Clincher motion, 683.
 To House, 689.
 Returned to Senate, indefinitely postponed, 1103.

Senate Bill No. 2506—(Committee on Delayed Bills)

Senate Bill No. 2506. A Bill for an Act to amend and reenact section 23-11-28 and 23-11-29 of the North Dakota Century Code, relating to exemption of real property of a housing authority created under Indian laws recognized by the federal government from execution sales, taxes and special assessments.

Introduction, first reading, 369.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 439.
 Second reading, 475.
 Passed, 475.
 To House, 488.
 Returned to Senate, 638.
 Enrolled, 802.
 Signed by President, 813.
 Sent to House, 813.
 Received from House, 823.
 Message to Governor, 828.
 Approved by Governor, 921.

Senate Bill No. 2507—(Committee on Delayed Bills)

Senate Bill No. 2507. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement funds to counties and political subdivisions.

Introduction, first reading, 572.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 587.
 Second reading, 649.
 Passed, 649.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, indefinitely postponed, 1088.

Senate Bill No. 2508—(Committee on Delayed Bills)

Senate Bill No. 2508. A Bill for an Act to require the filing of a certification of consideration of property recorded in the office of the county register of deeds, and providing a penalty.

Introduction, first reading, 572.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 614.
 Second reading, 662.
 Passed, 662.
 Clincher motion, 676.
 To House, 689.
 Returned to Senate, indefinitely postponed, 947.

Senate Bill No. 2509—(Committee on Delayed Bills)

Senate Bill No. 2509. A Bill for an Act directing the legislative council to prepare a redistricting plan for the legislative assembly and for legislative intent.

Introduction, first reading, 572.
 Referred to Committee on State and Federal Government.
 Engrossed, 1278.
 Second reading, 649, 1278.
 Passed, 649, 1279.
 Clincher motion, 651.
 To House, 652.
 House amendments, 1117, 1120.
 Returned to Senate, amended, 1114.
 Conference Committee, 1153, 1206.
 Conference Committee report, 1277.
 Senate adopts, 1278.
 Senate does not concur, 1153.
 Transmitted to House, 1279.
 House does not adopt Conference Committee report, reconsiders and fails to pass, 1283.

Senate Bill No. 2510—(Committee on Delayed Bills)

Senate Bill No. 2510. A Bill for an Act to amend and reenact sections 16-04-01, 16-04-16, and 16-06-03 of the North Dakota Century Code, and to repeal section 16-01-14 of the North Dakota Century Code, all relating to the reduction of the number of North Dakota members of the United States house of representatives from two to one.

Introduction, first reading, 572.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 587.
 Second reading, 649.
 Passed, 670.
 Clincher motion, 651.
 To House, 652.
 Returned to Senate, 803.
 Enrolled, 922.
 Signed by President, 950.
 Sent to House, 950.
 Received from House, 961.
 Message to Governor, 964.
 Approved by Governor, 1010.

Senate Bill No. 2511—(Committee on Delayed Bills)

Senate Bill No. 2511. A Bill for an Act to allow the director of institutions to lease land under his control to others.

Introduction, first reading, 595.
 Referred to Committee on State and Federal Government.
 Returned to Senate, 631. Placed on Calendar, 632. Reconsidered, 633.

Reported back, do pass, 634.
Re-referred to Committee on State and Federal Government, 633.
Second reading, 657.
Passed, 657.
Clincher motion, 658.
To House, 689.
Returned to Senate, 803.
Enrolled, 922.
Signed by President, 950.
Sent to House, 950.
Received from House, 961.
Message to Governor, 964.
Approved by Governor, 1010.

Senate Bill No. 2512—(Committee on Delayed Bills)

Senate Bill No. 2512. A Bill for an Act to authorize the state board of higher education to sell and convey certain land presently under the custody and control of the Ellendale branch of the university of North Dakota, to the city of Ellendale or to a nonprofit industrial development corporation in such city.

Introduction, first reading, 736.
Referred to Committee on Appropriations.
Reported back, amended, 954, 955.
Amendments adopted, 981.
Engrossed, 1009, 1286.
Second reading, 993.
Passed, 994.
Clincher motion, 994.
To House, 1025.
Returned to Senate, 1153.
Enrolled, 1286.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1294.
Message to Governor, 1306.

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolutions No. 4001—(Berube, Longmire, Nasset, Swedlund)

Senate Concurrent Resolution No. 4001. A Concurrent Resolution commending the State Board of Higher Education and the president and administration of each college and university within the State for past efforts in reducing the overlapping of courses and duplication of instruction at the several institutions of higher education, and for performing studies in regard to instructional programs and space utilization at such institutions, and urging the continuance and enlargement of such efforts.

Introduction, first reading, 53.
Referred to Committee on Education.
Reported back, do pass, 793.
Second reading, 826.
Adopted, 827.
To House, 864.
Returned to Senate, indefinitely postponed, 1088.

Senate Concurrent Resolution No. 4002—(Coughlin, Holand, Kautzmann, Lips, Litten, Strinden, Van Horn)

Senate Concurrent Resolution No. 4002. A Concurrent Resolution directing the Public Welfare Board to implement administrative recommendations of the welfare study to improve the administration of public welfare in North Dakota.

Introduction, first reading, 53.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 900.
Amendments adopted, 928.
Engrossed, 953, 1175.
Second reading, 973, 1175.
Re-Engrossed, 1287.
Adopted, 973, 1176.
To House, 994.
House amendments, 1155.
Returned to Senate, amended, 1154.
Senate concurs, 1175.
Enrolled, 1287.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4003—(Coughlin, Holand, Kautzmann, Lips, Litten, Van Horn)

Senate Concurrent Resolution No. 4003. A Concurrent Resolution directing the Public Welfare Board of North Dakota to initiate a pilot project involving the employment of a mental retardation coordinator in one of the board's Area Social Service Centers, and to report to the next Legislative Assembly the results of the project and recommendations concerning the project.

Introduction, first reading, 53.
Referred to Committee on Appropriations.
Reported back, indefinitely postponed, 506.

Senate Concurrent Resolution No. 4004—(Longmire, Melland)
Van Horn)

Senate Concurrent Resolution No. 4004. A Concurrent Resolution for the amendment of section 25 of the Constitution of the State of North Dakota, relating to the protection of the people's rights of initiative and referendum from fraud; to provide the Secretary of State with a thirty-five day period in which to pass upon the sufficiency of initiative and referendum petitions; to authorize a district court review of the sufficiency of petitions; to provide that initiative and referendum petitions shall be circulated by qualified electors; and relating to the time during which measures approved by referendum or initiative can only be amended or repealed by an extraordinary majority of the legislative assembly.

Introduction, first reading, 53.

Referred to Committee on State and Federal Government.

Reported back, do pass, 185.

Second reading, 219.

Adopted, 220.

To House, 252.

Returned to Senate, failed to pass, 445.

Senate Concurrent Resolution No. 4005—(Pyle, Van Horn, Wenstrom)

Senate Concurrent Resolution No. 4005. A Concurrent Resolution requesting that the State Board of Higher Education place certain fire insurance moneys in a special fund, lower tuition costs at Ellendale Branch-UND, institute vocational and technical training programs at Ellendale Branch-UND with the assistance of the State Board of Vocational Education, and that Ellendale Branch-UND continue as a branch of the University of North Dakota.

Introduction, first reading, 53.

Referred to Committee on Appropriations.

Returned to Senate and re-referred to Committee on Education, 121.

Reported back, indefinitely postponed, 1140.

Senate Concurrent Resolution No. 4006—(Longmire, Thoreson)

Senate Concurrent Resolution No. 4006. A concurrent resolution urging the North Dakota State Highway Commissioner and the United States Bureau of Public Roads to name the Missouri River bridge at Washburn the McGuire Bridge.

Introduction, first reading, 54.

Referred to Committee on Transportation.

Reported back, no recommendation, 310.

Second reading, 367, 446.

Lost, 447.

Senate Concurrent Resolution No. 4007—(Christensen, Litten)

Senate Concurrent Resolution No. 4007. A Concurrent Resolution directing the State Auditor's office to establish a performance post-audit program, and declaring legislative intent regarding the expenditure of funds appropriated to the State Auditor's office for the biennium ending June 30, 1973.

Introduction, first reading, 54.

Referred to Committee on Appropriations.

Reported back, do pass, 464.

Second reading, 492.

Adopted, 493.

To House, 515.

Returned to Senate, 743.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4008—(Christensen, Litten)

Senate Concurrent Resolution No. 4008. A Concurrent Resolution relating to personnel policies for all state agencies, departments, and institutions including those under control of the Board of Higher Education in regard to additional employment by public employees.

Introduction, first reading, 54.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 168.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 220.
 Adopted, 220.
 To House, 252.
 Returned to Senate, 445.
 Enrolled, 582.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Secretary of State, 617.

Senate Concurrent Resolution No. 4009—(Sorlie)

Senate Concurrent Resolution No. 4009. A concurrent resolution urging Congress to amend the Uniform Time Act of 1966 to provide that daylight savings time would commence on Memorial Day and end on Labor Day.

Introduction, first reading, 54.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 74.
 Second reading, 88.
 Adopted, 89.
 To House, 100.
 Returned to Senate, 260.
 Enrolled, 582.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 616.
 Message to Secretary of State, 617.

Senate Concurrent Resolution No. 4010—(Morgan)

Senate Concurrent Resolution No. 4010. 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, 54.
 Referred to Committee on Agriculture.
 Reported back, do pass, 142.
 Second reading, 161.
 Adopted, 161.
 To House, 179.

Returned to Senate, 332.
Enrolled, 748.
Signed by President, 749.
Sent to House, 749.
Received from House, 761.
Message to Secretary of State, 770.

Senate Concurrent Resolution No. 4011—(Wilhite)

Senate Concurrent Resolution No. 4011. A Concurrent Resolution urging Congress and the United States Forest Service to relinquish control of the lands surrounding the burning coal vein area in western North Dakota and directing the North Dakota Park Service to seek control of this area.

Introduction, first reading, 58.
Referred to Committee on State and Federal Government.
Reported back, do pass, 112.
Second reading, 134.
Adopted, 135.
To House, 147.
Returned to Senate, 558.
Enrolled, 748.
Signed by President, 749.
Sent to House, 749.
Received from House, 761.
Message to Secretary of State, 770.

Senate Concurrent Resolution No. 4012—(L. Larson, Nasset)

Senate Concurrent Resolution No. 4012. A Concurrent Resolution for an amendment to article 1 of the amendments to the Constitution of the state of North Dakota, relating to lotteries and gift enterprises.

Introduction, first reading, 93.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 619.
Second reading, 666.
Adopted, 666.
To House, 689.
Returned to Senate, indefinitely postponed, 905.

Senate Concurrent Resolution No. 4013—(Lips)

Senate Concurrent Resolution No. 4013. A Concurrent Resolution requesting Congress to call a convention to amend the Constitution of the United States to provide for revenue sharing.

Introduction, first reading, 123.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 256.
Second reading, 277.
Adopted, 277.
To House, 286.
Returned to Senate, 882.
Enrolled, 1287.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4014—(Thoreson, Doherty, Wilhite, Longmire)

Senate Concurrent Resolution No. 4014. A Concurrent Resolution directing the director of the North Dakota Park Service to negotiate with the governing body of the city of Rugby, North Dakota, for the potential establishment of a Geographical Center State Park.

Introduction, first reading, 123.
 Referred to Committee on State and Federal Government.
 Returned to Senate and withdrawn, 263.

Senate Concurrent Resolution No. 4015—(Doherty, Just, Jacobson

Senate Concurrent Resolution No. 4015. A Concurrent Resolution urging Congress to enact legislation to provide for revenue sharing.

Introduction, first reading, 124.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 256.
 Second reading, 277.
 Adopted, 277.
 To House, 286.
 Returned to Senate, 803.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4016—(Stroup, Nasset, Freed,
 Thane, Roen)

Senate Concurrent Resolution No. 4016. A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the debt limits of political subdivisions.

Introduction, first reading, 139.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 293.
 Engrossed, 932, 1287.
 Second reading, 322, 932.
 Lost 322. Adopted, 932.
 Ruling rescinded, passed, 325.
 House amendments, 905.
 Returned to Senate, amended, 904.
 Senate concurs, 932.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4017—(Doherty, Jones, Berube)

Senate Concurrent Resolution No. 4017. A Concurrent Resolution directing an interim study by the Legislative Council of the services provided by the State and its political subdivisions to Indian citizens in the areas of health, education, welfare, and other programs to determine the extent of such services, and the efficiency of the manner in which they are provided.

Introduction, first reading, 139.
 Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 310. Indefinitely postponed, 1095.
Re-referred to Committee on Legislative Council Resolution, 343.

Senate Concurrent Resolution No. 4018—(Morgan, Gronhovd)

Senate Concurrent Resolution No. 4018. A Concurrent Resolution expressing opposition to a proposed flood control project on the lower reach of the Sheyenne River.

Introduction, first reading, 174.
Referred to Committee on Natural Resources.
Reported back, indefinitely postponed, 411.

Senate Concurrent Resolution No. 4019—(Van Horn, G. Larson)

Senate Concurrent Resolution No. 4019. A Concurrent Resolution urging the appropriate federal agencies to undertake a feasibility study relative to the development and improvement of the Missouri River for the purpose of utilizing that waterway for barge traffic and other navigational purposes.

Introduction, first reading, 212.
Referred to Committee on Natural Resources.
Reported back, do pass, 395. Amended from floor, 448.
Engrossed, 448.
Second reading, 448.
Adopted, 448.
To House, 476.
Returned to Senate, 882.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4020—(Morgan, Thane)

Senate Concurrent Resolution No. 4020. A Concurrent Resolution urging the Minnesota Legislature to pass the necessary enabling legislation to allow the construction, in cooperation with this State, of a north bypass bridge over the Red River in the vicinity of Breckenridge, Minnesota and Wahpeton, North Dakota.

Introduction, first reading, 212.
Second reading, 213, 225.
Adopted, 225.
To House, 241.
Returned to Senate, 812.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4021—(Wilhite, Litten)

Senate Concurrent Resolution No. 4021. A Senate Concurrent Resolution directing the Director of the Budget to exercise authority provided by law for controlling the level of certain state expenditures in the event that income to the state general fund does not meet projected levels as contained in the Executive Budget or any alterations made in such income estimates by legislative action.

Introduction, first reading, 248.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 282.
Second reading, 299.
Adopted, 300.
To House, 323.
Returned to Senate, indefinitely postponed, 1129.

Senate Concurrent Resolution No. 4022—(Redlin)

Senate Concurrent Resolution No. 4022. A Concurrent Resolution urging the State Board of Equalization to spread a mill levy to provide matching funds for local industrial development.

Introduction, first reading, 265.
Referred to Committee on Industry, Business and Labor.
Returned to Senate, 493, 548.
Reported back, indefinitely postponed, 619.
Re-referred to Committee on Political Subdivisions, 493.
Re-referred to Committee on Appropriations, 548.

Senate Concurrent Resolution No. 4023—(G. Larson)

Senate Concurrent Resolution No. 4023. A Concurrent Resolution directing a study by the Legislative Council to determine the feasibility of consolidating the various state health and welfare agencies.

Introduction, first reading, 279.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 900, 1095.
Re-referred to Legislative Council Resolutions Committee, 900.
Second reading, 1177.
Adopted, 1177.
To House, 1185.
Returned to Senate, 1213.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4024—(Holand, Christensen)

Senate Concurrent Resolution No. 4024. A Concurrent Resolution directing the Legislative Council to arrange for one or more meetings of members of the Legislative Assembly, and representatives of appropriate state departments with members of the United States Congress from this State and representatives of appropriate federal executive departments.

Introduction, first reading, 286.
Referred to Committee on Appropriations.
Reported back, do pass, 293.
Second reading, 322, 343.
Adopted, 343.
To House, 360.
Returned to Senate, 375.
Enrolled, 582.
Signed by President, 582.
Sent to House, 583.
Received from House, 616.
Message to Secretary of State, 617.

Senate Concurrent Resolution No. 4025—(Committee on Employment)

Senate Concurrent Resolution No. 4025. A Concurrent Resolution providing and designating Senate and House employees and fixing their salaries.

- Introduction, first reading, 313.
- Reported back, amended from floor, 343.
- Engrossed, 343.
- Re-Engrossed, 441.
- Second reading, 343, 441.
- Adopted, 344, 441.
- To House, 360.
- Returned to Senate, amended, 422.
- Senate concurs, 441.
- Enrolled, 748.
- Signed by President, 749.
- Sent to House, 749.
- Received from House, 761.
- Message to Secretary of State, 770.

Senate Concurrent Resolution No. 4026—(Litten)

Senate Concurrent Resolution No. 4026. A Concurrent Resolution extending sympathy and condolences to Mrs. Kay Burgum upon the death of her husband, Joseph.

- Introduction, first reading, 326.
- Second reading, 326.
- Adopted, 326.
- To House, 326.
- Returned to Senate, 353.
- Enrolled, 582.
- Signed by President, 582.
- Sent to House, 583.
- Received from House, 616.
- Message to Secretary of State, 617.

Senate Concurrent Resolution No. 4027—(Melland, Goldberg, Nething, Doherty)

Senate Concurrent Resolution No. 4027. A Senate Concurrent Resolution directing the Legislative Council to make a study of all printing laws, requirements, and practices of the State of North Dakota and its political subdivisions.

- Introduction, first reading, 353.
- Referred to Committee on Industry, Business and Labor.
- Reported back, do pass, 587, 1095.
- Re-referred to Committee on Legislative Council Resolutions, 587.
- Second reading, 1178.
- Adopted, 1178.
- To House, 1185.
- Returned to Senate, 1213.
- Enrolled, 1288.
- Signed by President, 1290.
- Sent to House, 1292.
- Received from House, 1295.
- Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4028—(Freed, Ringsak, Thane, Page)

Senate Concurrent Resolution No. 4028. A Concurrent Resolution directing the Legislative Council to study the total field of safety responsibility and revocation of driver's licenses.

Introduction, first reading, 369.
 Referred to Committee on Judiciary.
 Reported back, do pass, 1096. Amended, 570.
 Re-referred to Legislative Council Resolution Committee, 634.
 Amendments adopted, 589.
 Engrossed, 599.
 Re-Engrossed, 1287.
 Second reading, 1178.
 Adopted, 1178.
 To House, 1185.
 Returned to Senate, 1213.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1290.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4029—(Freed, Ringsak, Thane,
 Page)

Senate Concurrent Resolution No. 4029. A Concurrent Resolution directing the Legislative Council to conduct a study of public liability and "no-fault" automobile insurance.

Introduction, first reading, 369.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 720, 1096.
 Re-referred to Legislative Council Resolution Committee, 720.
 Second reading, 1178.
 Adopted, 1179.
 To House, 1185.
 Returned to Senate, 1213.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4030—(Van Horn)

Senate Concurrent Resolution No. 4030. A Concurrent Resolution for the amendment of sections 28 and 34 of the Constitution of the state of North Dakota, relating to the qualifications of candidates for senator or member of the house of representatives, and placing a maximum age limit on candidates for those offices.

Introduction, first reading, 370.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 550.

Senate Concurrent Resolution No. 4031—(Melland, Christensen,
 Wenstrom)

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, 397.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 550.

Senate Concurrent Resolution No. 4032—(Lips, Melland)

Senate Concurrent Resolution No. 4032. A Concurrent Resolution recommending that the governor and director of institutions, in co-

operation with the North Dakota Indian Affairs Commission, select by a contest or other means an outstanding Indian princess to be dressed in costume and employed as a capitol guide or hostess.

Introduction, first reading, 414.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 551.
 Amendments adopted, 572.
 Engrossed, 583.
 Re-Engrossed, 1287.
 Second reading, 648.
 Adopted, 648.
 To House, 648.
 Returned to Senate, 690.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4033—(Redlin, Lips)

Senate Concurrent Resolution No. 4033. A Concurrent Resolution recommending that the North Dakota legislative council give consideration to remedying the conflicts which arise between boards of budget review and the county auditors and governing bodies in the application of section 21-03-15 and chapter 40-41 of the North Dakota Century Code.

Introduction, first reading, 442.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 775, 1096.
 Re-referred to Legislative Council Resolution Committee, 775.
 Second reading, 1179.
 Adopted, 1179.
 To House, 1185.
 Returned to Senate, 1213.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4034—(Forkner)

Senate Concurrent Resolution No. 4034. A Concurrent Resolution urging the Automobile Dealers Association of North Dakota and the State Motor Vehicle Department to tighten rules and regulations regarding the use of dealers' license plates.

Introduction, first reading, 442.
 Referred to Committee on Transportation.
 Reported back, do pass, 642.
 Second reading, 701.
 Adopted, 701.
 To House, 730.
 Returned to Senate, 940.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4035—(G. Larson)

Senate Concurrent Resolution No. 4035. A Concurrent Resolution

directing the Legislative Council to study and revise the statutes relating to the game and fish laws of North Dakota.

Introduction, first reading, 466.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 775, 1096.
 Re-referred to Legislative Council Resolution Committee, 775.
 Second reading, 1179.
 Adopted, 1179.
 To House, 1185.
 Returned to Senate, 1213.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4036—(Stroup, Roen, Rait, Swedlund)

Senate Concurrent Resolution No. 4036. A Concurrent Resolution requesting the Congress of the United States to appropriate funds for the reclamation and the restoration of lands disturbed by lignite strip mining.

Introduction, first reading, 485.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 692.
 Second reading, 722.
 Adopted, 722.
 To House, 743.
 Returned to Senate, 940.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4037—(Committee on Appropriations)

Senate Concurrent Resolution No. 4037. A Concurrent Resolution relating to the intent of the Legislative Assembly in the allocation of monies appropriated for salaries of employees of the State.

Introduction, first reading, 485.
 Referred to Committee on Appropriations.
 Reported back, amended, 752.
 Amendments adopted, 773.
 Engrossed, 793.
 Re-Engrossed, 1287.
 Second reading, 798.
 Adopted, 798.
 To House, 4037.
 Returned to Senate, 1085.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4038—(Wenstrom, Longmire)

Senate Concurrent Resolution No. 4038. A Concurrent Resolution requesting a Legislative Council study of the reorganization of state

agencies providing social and rehabilitation services prior to the convening of the North Dakota Constitutional Convention.

Introduction, first reading, 485.

Referred to Committee on State and Federal Government.

Reported back, do pass, 551. Indefinitely postponed, 1096.

Re-referred to Committee on Legislative Council Resolution, 551.

Senate Concurrent Resolution No. 4039—(G. Larson, Christensen)

Senate Concurrent Resolution No. 4039. A Concurrent Resolution directing the Natural Resources Council to study and prepare legislation to create a Department of Natural Resources.

Introduction, first reading, 508.

Referred to Committee on Natural Resources.

Reported back, do pass, 692.

Second reading, 722.

Adopted, 722.

To House, 743.

Returned to Senate, failed to pass, 1000.

Senate Concurrent Resolution No. 4040—(Erdman, Christensen, Rait)

Senate Concurrent Resolution No. 4040. A Concurrent Resolution requesting consideration by the United States Civil Aeronautics Board of the need for providing alternatives to presently established east-west air transportation services for the people of North Dakota.

Introduction, first reading, 508.

Referred to Committee on Transportation.

Reported back, indefinitely postponed, 775.

Senate Concurrent Resolution No. 4041—(Melland)

Senate Concurrent Resolution No. 4041. A Concurrent Resolution for the amendment of section 215 of the Constitution of the state of North Dakota and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to public institutions and to institutions under the Board of Higher Education, and to repeal section 216 of the Constitution of the state of North Dakota, relating to educational and charitable institutions.

Introduction, first reading, 509.

Referred to Committee on State and Federal Government.

Reported back, indefinitely postponed, 828.

Senate Concurrent Resolution No. 4042—(Stroup, Ringsak, Page)

Senate Concurrent Resolution No. 4042. A Concurrent Resolution directing the Legislative Council to study the problems of buried transmission lines and how best to protect them from damage.

Introduction, first reading, 509.

Referred to Committee on Industry, Business and Labor.

Reported back, do pass, 793, 1096.

Re-referred to Legislative Council Resolution Committee, 793.

Second reading, 1180.

Adopted, 1180.

To House, 1185.

Returned to Senate, 1213.

Enrolled, 1288.

Signed by President, 1290.

Sent to House, 1292.
Received from House, 1295.
Message to Governor, 1306.

Senate Concurrent Resolution No. 4043—(Longmire)

Senate Concurrent Resolution No. 4043. A Concurrent Resolution urging counties and cities which have college campuses within their jurisdictions to deputize campus policemen.

Introduction, first reading, 509.
Referred to Committee on Judiciary.
Reported back, no recommendation, 923.
Second reading, 973.
Adopted, 973.
To House, 994.
Returned to Senate, 1129.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Governor, 1306.

Senate Concurrent Resolution No. 4044—(Forkner)

Senate Concurrent Resolution No. 4044. A Concurrent Resolution urging counties and townships to properly mark all "T" intersections.

Introduction, first reading, 529.
Referred to Committee on Transportation.
Reported back, do pass, 643.
Second reading, 701.
Adopted, 701.
To House, 730.
Returned to Senate, 940.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1292.
Received from House, 1295.
Message to Governor, 1306.

Senate Concurrent Resolution No. 4045—(Forkner)

Senate Concurrent Resolution No. 4045. A Concurrent Resolution urging the Department of Accounts and Purchases to consider safety features as well as price in determining the successful bidder when purchasing motor vehicles.

Introduction, first reading, 529.
Referred to Committee on Transportation.
Reported back, do pass, 643.
Second reading, 701, 722, 736.
Lost, 736.

Senate Concurrent Resolution No. 4046—(Erdman, Rait)

Senate Concurrent Resolution No. 4046. A Concurrent Resolution urging the adoption of a "Public Ombudsman for Transportation" to obtain reasonably priced passenger and freight service for all consumers in the United States.

Introduction, first reading, 529.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 643.

Senate Concurrent Resolution No. 4047—(Erdman, Christensen, Rait)

Senate Concurrent Resolution No. 4047. A Concurrent Resolution urging reasonable freight rates for the transportation of North Dakota's agricultural products.

Introduction, first reading, 529.
 Referred to Committee on Transportation.
 Reported back, do pass, 643.
 Second reading, 701.
 Adopted, 702.
 To House, 730.
 Returned to Senate, 940.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Governor, 1306.

Senate Concurrent Resolution No. 4048—(Jones)

Senate Concurrent Resolution No. 4048. A Concurrent Resolution directing the Legislative Council to conduct a study of Lake Region Junior College, Bismarck Junior College, and the University of North Dakota - Williston Center, and to make a report to the Legislative Assembly.

Introduction, first reading, 530.
 Referred to Committee on Education.
 Returned to Senate and withdrawn, 993.

Senate Concurrent Resolution No. 4049—(Longmire)

Senate Concurrent Resolution No. 4049. A Concurrent Resolution designating February 19, 1971, as North Dakota Editors Day at the Forty-second Legislative Assembly and welcoming Mr. Herbert G. Klein, a distinguished journalist and director of the Office of Communications for the Executive Branch, to North Dakota.

Introduction, first reading, 530.
 Second reading, 531.
 Adopted, 531.
 To House, 557.
 Returned to Senate, 594.
 Enrolled, 748.
 Signed by President, 749.
 Sent to House, 749.
 Received from House, 761.
 Message to Secretary of State, 770.

Senate Concurrent Resolution No. 4050—(Nasset, Melland, Unruh, Christensen, Holand)

Senate Concurrent Resolution No. 4050. A Concurrent Resolution commending the North Dakota Air National Guard for its victories in the 1970 Aerospace Defense Command's worldwide weapons competition.

Introduction, first reading, 531.
 Second reading, 532.
 Adopted, 532.
 To House, 557.
 Returned to Senate, 594.
 Enrolled, 748.
 Signed by President, 749.

Sent to House, 749.
 Received from House, 761.
 Message to Secretary of State, 770.

Senate Concurrent Resolution No. 4051—(Morgan)

Senate Concurrent Resolution No. 4051. A Concurrent Resolution urging Congress to establish tribunals to examine the reasonableness of the demands of labor and the economic status of companies, and to provide for binding arbitration of labor disputes which seriously threaten the economy and the welfare of the Nation.

Introduction, first reading, 532.
 Referred to Committee on Industry, Business and Labor.
 Reported back, indefinitely postponed, 720.

Senate Concurrent Resolution No. 4052—(Christensen)

Senate Concurrent Resolution No. 4052. A Concurrent Resolution urging the United States Department of Agriculture, Soil and Water Conservation Districts, and other appropriate agencies and departments to review the adequacy of current watershed programs and plans to meet the urgent needs of the present and the future.

Introduction, first reading, 532.
 Referred to Committee on Natural Resources.
 Reported back, amended, 692, 793.
 Re-referred to Committee on Natural Resources, 735.
 Amendments adopted, 722, 824.
 Engrossed, 735.
 Re-Engrossed, 846, 1287.
 Second reading, 857.
 Adopted, 857.
 To House, 888.
 Returned to Senate, 999.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4053—(Pyle, Sanstead)

Senate Concurrent Resolution No. 4053. A Concurrent Resolution requesting local levels of State Government to assume responsibility in controlling the development of flood plains.

Introduction, first reading, 552.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 752.
 Engrossed, 1111, 1287.
 Second reading, 782, 1111.
 Adopted, 782, 1111.
 To House, 810.
 House amendments, 999.
 Returned to Senate, amended, 997.
 Conference Committee, 1015, 1050.
 Conference Committee report, 1110, 1169. Adopts, 1110, 1169.
 Senate does not concur, 1015.
 Transmitted to House, 1123.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4054—(Page, Ringsak)

Senate Concurrent Resolution No. 4054. A Concurrent Resolution requesting the State Board of Higher Education to revert to the former vacation schedules for the University of North Dakota and Ellendale Branch-UND.

Introduction, first reading, 552.
 Referred to Committee on Education.
 Reported back, do pass, 794.
 Second reading, 827.
 Adopted, 827.
 To House, 864.
 Returned to Senate, 1035.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4055—(Rait, Christensen, Stroup, G. Larson)

Senate Concurrent Resolution No. 4055. A Concurrent Resolution urging the United States Congress to appropriate adequate funds to speed the development of the science of magneto-hydro-dynamics (MHD) electrical power generation.

Introduction, first reading, 552.
 Referred to Committee on Industry, Business and Labor.
 Returned to Senate, 692.
 Reported back, do pass, 776.
 Re-referred to Committee on Natural Resources, 692.
 Engrossed, 1061, 1287.
 Second reading, 804, 1061.
 Adopted, 804, 1061.
 To House, 836.
 House amendments, 1037.
 Returned to Senate, amended, 1035.
 Senate concurs, 1061.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4056—(Lips)

Senate Concurrent Resolution No. 4056. A Concurrent Resolution directing a study by the State Health Council to determine the feasibility of implementing multiphasic screening for detection of early disease.

Introduction, first reading, 553.
 Referred to Committee on Social Welfare and Veteran's Affairs.
 Reported back, do pass, 752.
 Second reading, 782.
 Adopted, 783.
 To House, 810.
 Returned to Senate, 940.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4057—(Anderson, Swedlund)

Senate Concurrent Resolution No. 4057. A Concurrent Resolution requesting the Congress of the United States to provide additional funds for expanding the Green Thumb Program.

Introduction, first reading, 553.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 872.
 Second reading, 916.
 Adopted, 916.
 To House, 935.
 Returned to Senate, 1100.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1292.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4058—(Sanstead)

Senate Concurrent Resolution No. 4058. A Concurrent Resolution directing the Legislative Council to study methods of providing property tax relief to persons with low incomes.

Introduction, first reading, 553.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 794. Indefinitely postponed, 1096.
 Re-referred to Legislative Council Resolution Committee, 794.

Senate Concurrent Resolution, No. 4059—(Doherty, Redlin, Page, Forkner, Thane)

Senate Concurrent Resolution No. 4059. A Concurrent Resolution relating to the disposition of various bills pending before the Forty-second Legislative Assembly, relating to the reorganization of state services and generally following the import of Executive Order No. 49 issued by Governor William L. Guy, and dealing with regionalization of state services.

Introduction, first reading, 553.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 828.
 Second reading, 857, 887, 949, 1067, 1079, 1131, 1135.
 Adopted, 1135.
 Clincher motion, 1140.
 To House, 1176.
 Returned to Senate, failed to pass, 1240.

Senate Concurrent Resolution No. 4060—(Mutch)

Senate Concurrent Resolution No. 4060. A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the debt limits of political subdivisions and providing that only real property owners shall vote in elections related to such debt limits, and providing an effective date.

Introduction, first reading, 553.
 Referred to Committee on Finance and Taxation.
 Reported back, indefinitely postponed, 923.

Senate Concurrent Resolution No. 4061—(Morgan)

Senate Concurrent Resolution No. 4061. A Concurrent Resolution urging Congress and other federal and state agencies and depart-

ments to study the effects of various chemicals on humans, and to consider banning the use of harmful chemicals in the growing and processing of foods.

Introduction, first reading, 553.
 Referred to Committee on Agriculture.
 Reported back, do pass, 900.
 Second reading, 948.
 Adopted, 948.
 To House, 974.
 Returned to Senate, indefinitely postponed, 1103.

Senate Concurrent Resolution No. 4062—(Sanstead)

Senate Concurrent Resolution No. 4062. A Concurrent Resolution directing the Legislative Council to conduct a study of the feasibility of establishing a state personnel system.

Introduction, first reading, 553.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 736. Indefinitely postponed, 1096.
 Re-referred to Legislative Council Resolution Committee, 736.

Senate Concurrent Resolution No. 4063—(Sanstead)

Senate Concurrent Resolution No. 4063. A Concurrent Resolution declaring that considerations other than tenure of service should be used in selecting persons for positions of leadership in the Legislative Assembly and urging Congress to adopt more flexible procedures for selecting persons for leadership positions.

Introduction, first reading, 553.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 794.
 Second reading, 827.
 Adopted, 827.
 To House, 864.
 Returned to Senate, indefinitely postponed, 1129.

Senate Concurrent Resolution No. 4064—(Melland)

Senate Concurrent Resolution No. 4064. A Concurrent Resolution requesting the Office of the Executive Budget to present program budget recommendations on a pilot basis to the Forty-third Legislative Assembly.

Introduction, first reading, 554.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 850, 851.
 Amendments adopted, 879.
 Engrossed, 897.
 Re-Engrossed, 1287.
 Second reading, 916.
 Adopted, 916.
 To House, 935.
 Returned to Senate, 1100.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1293.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4065—(Rait, Erdman)

Senate Concurrent Resolution No. 4065. A Concurrent Resolution directing the Legislative Council to study the need for a board of

tax appeals that will provide taxpayers with a speedy, efficient and inexpensive procedure for the review of their grievances with the administration of the tax laws.

Introduction, first reading, 554.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 794, 1096.
Re-referred to Legislative Council Resolution Committee, 794.
Second reading, 1180.
Adopted, 1180.
To House, 1185.
Returned to Senate, 1213.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4066—(G. Larson, Christensen)

Senate Concurrent Resolution No. 4066. A Concurrent Resolution directing the Legislative Council to conduct an interim study relative to the establishment and the boundaries of a water management district, and the powers and duties of a district's board of commissioners.

Introduction, first reading, 554.
Referred to Committee on Natural Resources.
Reported back, do pass, 693, 1097.
Re-referred to Legislative Council Resolution Committee, 693.
Second reading, 1180.
Adopted, 1181.
To House, 1185.
Returned to Senate, 1213.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4067—(Melland)

Senate Concurrent Resolution No. 4067. A Concurrent Resolution for a Legislative Council study of the feasibility and desirability of developing new and more effective means of promoting interstate cooperation between the States of North Dakota and South Dakota regarding governmental programs and goals wherein the interests of the governments and citizenry of the two States are similar and wherein the goals could be accomplished and the programs could function more effectively on an interstate basis.

Introduction, first reading, 554.
Referred to Committee on State and Federal Government.
Reported back, amended, 851. Indefinitely postponed, 1097.
Re-referred to Legislative Council Resolution Committee, 851, 879.
Amendments adopted, 879.
Engrossed, 897.

Senate Concurrent Resolution No. 4068—(Mutch)

Senate Concurrent Resolution No. 4068. A Concurrent Resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution expressly prohibiting the government of the United States from engaging in enterprise in competition with its citizens, the supreme law of the land, and repealing the sixteenth amendment.

Introduction, first reading, 554.
Referred to Committee on State and Federal Government.
Reported back, indefinitely postponed, 828.

Senate Concurrent Resolution No. 4069—(Sanstead)

Senate Concurrent Resolution No. 4069. A Concurrent Resolution urging the Congress of the United States to increase its financial support of elementary and secondary educational programs.

Introduction, first reading, 554.
Referred to Committee on State and Federal Government.
Reported back, do pass, 829.
Second reading, 858.
Not adopted, 858.

Senate Concurrent Resolution No. 4070—(Rait)

Senate Concurrent Resolution No. 4070. A Concurrent Resolution directing an interagency study for the development of a comprehensive mined-land reclamation policy.

Introduction, first reading, 554.
Referred to Committee on Natural Resources.
Reported back, amended, 794, 851.
Returned to Senate, placed on Calendar, 1104.
Re-referred to Legislative Council Resolutions Committee, 794, 852, 879.
Re-referred to Committee on Natural Resources, 824.
Amendments adopted, 879.
Engrossed, 897.
Second reading, 1181.
Adopted, 1181.
To House, 1185.
Returned to Senate, failed to pass, 1240.

Senate Concurrent Resolution No. 4071—(Van Horn)

Senate Concurrent Resolution No. 4071. A Concurrent Resolution urging Congress to support a bill introduced in the United States Senate by Senator Milton R. Young to convey certain federal land in Mountrail County to the Mountrail County Park Commission.

Introduction, first reading, 554.
Referred to Committee on State and Federal Government.
Reported back, do pass, 737.
Second reading, 750.
Adopted, 750.
To House, 787.
Returned to Senate, 940.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4072—(Wilhite, Butler, Freed, Kautzmann, Melland)

Senate Concurrent Resolution No. 4072. A Concurrent Resolution urging the Congress and the Secretary of Transportation to take action to ensure continued rail passenger service along the former Northern Pacific Railroad route and Great Northern route.

Introduction, first reading, 555.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 752.
 Amendments adopted, 773.
 Engrossed, 793.
 Re-engrossed, 1287.
 Second reading, 804.
 Adopted, 804.
 To House, 836.
 Returned to Senate, 940.
 Enrolled, 1287.
 Signed by President, 1290.
 Sent to House, 1293.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4073—(Barth, Christensen)

Senate Concurrent Resolution No. 4073. A Concurrent Resolution directing state agencies in the executive branch of government to adopt the "Standard Personnel Policies for Administrative Agencies" issued under Executive Order No. 43.

Introduction, first reading, 555.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 737. Indefinitely postponed, 955.
 Re-referred to Committee on State and Federal Government, 751.
 Second reading, 750.
 Passed, 751.

Senate Concurrent Resolution No. 4074—(Holand, Jones)

Senate Concurrent Resolution No. 4074. A Concurrent Resolution for a study by the Legislative Council of levels of support, duplication in course and degree offerings, cooperation, fiscal practices, uniform accounting practices, uniform academic terms, and space utilization in the field of higher education.

Introduction, first reading, 555.
 Referred to Committee on Education.
 Reported back, do pass, 923, 1097.
 Re-referred to Legislative Council Resolution Committee, 923.
 Second reading, 1181.
 Adopted, 1182.
 To House, 1185.
 Returned to Senate, 1213.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1293.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4075—(G. Larson, Christensen)

Senate Concurrent Resolution No. 4075. A Concurrent Resolution urging the Department of the Interior to ensure that the Bureau of Sport Fisheries and Wildlife operate according to its agreements and contracts.

Introduction, first reading, 555.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 776.
 Second reading, 804.
 Adopted, 804.
 To House, 836.

Returned to Senate, 999.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1293.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4076—(Wilhite, Christensen)

Senate Concurrent Resolution No. 4076. A Concurrent Resolution commending the American Oil Company Mandan Refinery for its contribution to the economy of the State and urging the continuation of North Dakota crude oil purchasing practices.

Introduction, first reading, 555.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 794.
 Placed on Consent Calendar, 794.
 Second reading, 837.
 Adopted, 837.
 To House, 864.
 Returned to Senate, failed to pass, 1088.

Senate Concurrent Resolution No. 4077—(Freed, Erdman)

Senate Concurrent Resolution No. 4077. A Concurrent Resolution urging the Bank of North Dakota and the Board of University and School Lands to terminate certain mineral leases.

Introduction, first reading, 555.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 737.
 Second reading, 751.
 Adopted, 751.
 To House, 787.
 Returned to Senate, failed to pass, 1129.

Senate Concurrent Resolution No. 4078—(Roen, Ringsak, Freed, Stroup)

Senate Concurrent Resolution No. 4078. A Concurrent Resolution urging the Congress of the United States to enact legislation permitting States to disclose information relative to assistance received by welfare recipients.

Introduction, first reading, 555.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 776.
 Second reading, 804.
 Adopted, 804.
 To House, 836.
 Returned to Senate, indefinitely postponed, 947.

Senate Concurrent Resolution No. 4079—(Wenstrom, Swedlund)

Senate Concurrent Resolution No. 4079. A Concurrent Resolution directing the Legislative Council to study the criminal correctional and rehabilitational facilities and programs of the State of North Dakota.

Introduction, first reading, 555.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 776. Indefinitely postponed, 1097.
 Re-referred to Legislative Council Resolution Committee, 776.

Senate Concurrent Resolution No. 4080—(Longmire, Unruh)

Senate Concurrent Memorial Resolution No. 4080. A Concurrent Memorial Resolution in memory of the late Senator Kenneth C.

Introduction, first reading, 561.
 Second reading, 562.
 Adopted, 562.
 To House, 562.
 Returned to Senate, 579.
 Enrolled, 582.
 Signed by President, 582.
 Sent to House, 583.
 Received from House, 594.
 Message to Secretary of State, 771.

Senate Concurrent Resolution No. 4081—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4081. A Concurrent Resolution relating to the employment practices of the Legislative Assembly, the duties and responsibilities of the Senate and House Employment Committees, establishing the use of a uniform employment application form and relating to the creation of a special interim committee on legislative interns.

Introduction, first reading, 696.
 Referred to Committee on Agriculture.
 Reported back, do pass, 873.
 Second reading, 916.
 Adopted, 917.
 To House, 935.
 Returned to Senate, indefinitely postponed, 1103.

Senate Concurrent Resolution No. 4082—(Longmire, Christensen,
Forkner, Holand, Kautzmann,
Sanstead, Sorlie, Wenstrom)

Senate Concurrent Resolution No. 4082. A Concurrent Resolution thanking the North Dakota Congressional Delegation for its courtesies to the North Dakota group during its conferences in Washington and thanking the President for the time spent with the North Dakotans.

Introduction, first reading, 799.
 Second reading, 800.
 Adopted, 800.
 To House, 836.
 Returned to Senate, 903.
 Enrolled, 1288.
 Signed by President, 1290.
 Sent to House, 1293.
 Received from House, 1295.
 Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4083—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4083. A Concurrent Resolution directing the Legislative Council, with the assistance and cooperation of the State Tax Department, to make a comprehensive study of the income tax laws of this State.

Introduction, first reading, 862.
 Referred to Legislative Council Resolution Committee.
 Reported back, do pass, 1097.
 Second reading, 1182.
 Adopted, 1182.

To House, 1185.
Returned to Senate, 1213.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4084—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4084. 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 on federal Indian reservations.

Introduction, first reading, 991.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 1063.
Second reading, 1091.
Adopted, 1091.
Clincher motion, 1092.
To House, 1093.
Returned to Senate, 1153.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4085—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4085. A Concurrent Resolution urging the North Dakota Judicial Council to take under consideration the problem of inadequate support payments for children left dependent through divorce and legal separation, and to recommend corrective procedures.

Introduction, first reading, 991.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 1063.
Second reading, 1091, 1131.
Adopted, 1131.
Clincher motion, 1140.
To House, 1176.
Returned to Senate, 1240.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4086—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4086. A Concurrent Resolution commending the United States Secretaries of Agriculture and the Treasury for bringing the food bargains American consumers enjoy to the public's attention.

Introduction, first reading, 991.
Referred to Committee on Agriculture.
Reported back, do pass, 1015.
Second reading, 1068.
Adopted, 1068.
Clincher motion, 1072.

To House, 1073.
Returned to Senate, 1153.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4087—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4087. A Concurrent Resolution urging the State to give consideration to the scenic, recreational, and conservational value of state land in leasing policies, and to withhold this land from sale.

Introduction, first reading, 992.
Referred to Committee on Natural Resources.
Reported back, do pass, 1015.
Second reading, 1068.
Adopted, 1068.
Clincher motion, 1072.
To House, 1073.
Returned to Senate, 1153.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4088—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4088. A Concurrent Resolution directing the State Auditing Board to determine and report fiscal irregularities and noncompliance with legislative intent.

Introduction, first reading, 992.
Referred to Committee on Appropriations.
Reported back, do pass, 1097.
Second reading, 1182.
Adopted, 1182.
To House, 1185.
Returned to Senate, failed to pass, 1240.

Senate Concurrent Resolution No. 4089—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4089. A Concurrent Resolution directing the insurance commissioner to approve only those insurance forms which fully inform the public as to the scope of the coverage in health and accident policies.

Introduction, first reading, 992.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 1097.

Senate Concurrent Resolution No. 4090—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4090. A Concurrent Resolution requesting a hearing by the United States Civil Aeronautics Board on the possible need for providing alternatives to presently established east-west air transportation services for the people of North Dakota.

Introduction, first reading, 1026.
Referred to Committee on Transportation.
Returned and withdrawn, 1053.

Senate Concurrent Resolution No. 4091—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4091. 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.

Introduction, first reading, 1026.
Engrossed, 1068, 1075.
Re-engrossed, 1287.
Second reading, 1068. Amended from floor, 1068.
Adopted, 1068.
Clincher motion, 1072.
To House, 1093.
Returned to Senate, 1153.
Enrolled, 1287.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4092—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4092. A Concurrent Resolution directing a study by the Legislative Council of the duplication of services and overlapping of responsibilities between the State Department of Health and the Public Welfare Board in the areas of mental health and retardation service units and area social service centers.

Introduction, first reading, 1122.
Referred to Committee on Legislative Council Resolution.
Reported back, do pass, 1171.
Second reading, 1182.
Adopted, 1182.
To House, 1185.
Returned to Senate, 1213.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

Senate Concurrent Resolution No. 4093—(Committee on Delayed Bills)

Senate Concurrent Resolution No. 4093. A Concurrent Resolution providing for additional compensation for certain Senate and House employees.

Introduction, first reading, 1267.
Second reading, 1267.
Adopted, 1270.
To House, 1270.
Returned to Senate, 1275.
Enrolled, 1288.
Signed by President, 1290.
Sent to House, 1293.
Received from House, 1295.
Message to Secretary of State, 1306.

SENATE RESOLUTIONS

Senate Resolution No. 1—(Wenstrom, Strinden, L. Larson, Freed, Nasset

Senate Resolution No. 1. A resolution relating to the employment practices of the Senate, the duties and responsibilities of the Senate Employment Committee, the duties and responsibilities of the Legislative Council regarding Senate employees, and establishing the use of a uniform employment application form.

Introduction, first reading, 11.
Second reading, 12.
Adopted, 12.
Enrolled, 581.
Signed by President, 582.
Message to Secretary of State, 599.

Senate Resolution No. 2—(Longmire, Melland, Van Horn)

Senate Resolution No. 2. A resolution relating to the employment practices of the Senate, the duties and responsibilities of the Senate Employment Committee, the duties and responsibilities of the Legislative Council regarding Senate employees, and establishing the use of a uniform employment application form.

Introduction, first reading, 53.
Referred to Committee on Agriculture.
Reported back, indefinitely postponed, 619.

Senate Resolution No. 3—(Wilhite, Christensen)

Senate Resolution No. 3. A Resolution commending Dean Thomas J. Clifford upon his being named the new President of the University of North Dakota.

Introduction, first reading, 113.
Second reading, 114.
Adopted, 114.
Enrolled, 582.
Signed by President, 582.
Message to Secretary of State, 599.

Senate Resolution No. 4

Senate Resolution No. 4. A Resolution commending Dr. George A. Abbott for his service to the State of North Dakota and for his record of civic accomplishments through the Kiwanis Club.

Introduction, first reading, 139.
Second reading, 140.
Adopted, 140.
Enrolled, 582.
Signed by President, 582.
Message to Secretary of State, 599.

Senate Resolution No. 5—(Swedlund, Jones)

Senate Resolution No. 5. A Resolution to appoint an official photographer for the senate of the Forty-second Legislative Assembly of the State of North Dakota.

Introduction, first reading, 370.
Second reading, 425.
Adopted, 426.
Enrolled, 582.
Signed by President, 582.
Message to Secretary of State, 599.

Senate Resolution No. 6—(Rait, Roen)

Senate Resolution No. 6. A Resolution thanking Senator Hernet and Representatives Raile and Welder and friends for staging their biennial Sausage Party for their colleagues and friends.

Introduction, first reading, 801.
Second reading, 801.
Adopted, 801.
Enrolled, 1288.
Signed by President, 1290.
Message to Secretary of State, 1306.

Senate Resolution No. 7—(Committee on Delayed Bills)

Senate Resolution No. 7. A Resolution commending Senator Butler and wishing him a speedy recovery.

Introduction, first reading, 1267.
Second reading, 1267.
Adopted, 1267.
Enrolled, 1288.
Signed by President, 1290.
Message to Secretary of State, 1306.

SENATE MEMORIAL RESOLUTION

Senate Memorial Resolution No. 1—(G. Larson, Longmire, Wenstrom)

Senate Memorial Resolution No. 1. A Memorial Resolution for deceased members of the Senate of the State of North Dakota.

Introduction, first reading, 978.

Second reading, 979.

Adopted, 979.

Enrolled, 1288.

Signed by President, 1290.

Message to Secretary of State, 1306.

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3001

House Concurrent Resolution No. 3001. A concurrent resolution advising the Board of Higher Education to exercise caution in issuing bonds for revenue producing buildings and other campus improvements.

To Senate, 251.
First reading, 267.
Referred to Committee on Appropriations.
Reported back, do pass, 833.
Second reading, 886.
Adopted, 886.
Returned to House, 915.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3002

House Concurrent Resolution No. 3002. A concurrent resolution directing the State Highway Department, the Aeronautics Commission, and the Game and Fish Department to establish an Aircraft Pool.

To Senate, 336.
First reading, 357.
Reported back, amended, 797.
Amendments adopted, 824.
Second reading, 886.
Adopted, 886.
Returned to House, amended, 915.
House concurs, 1000.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3005

House Concurrent Resolution No. 3005. A concurrent resolution for the amendment or sections 150, 170, 172, and 173 of the Constitution of the state of North Dakota, relating to county government, and providing for home rule for counties.

To Senate, 128.
First reading, 141.
Referred to Committee on Political Subdivisions.
Reported back, indefinitely postponed, 780.
Returned to House, 811.

House Concurrent Resolution No. 3006

House Concurrent Resolution No. 3006. A concurrent resolution urging the United States Congress to reinstate the investment credit.

To Senate, 70.
First reading, 80.
Referred to Committee on State and Federal Government.
Reported back, do pass, 186.
Second reading, 223.

Adopted, 223.
 Returned to House, 250.
 Received from House, 632.
 Returned to House, 637.

House Concurrent Resolution No. 3007

House Concurrent Resolution No. 3007. A Concurrent Resolution urging Congress and the United States Forest Service to declare the national grasslands in western North Dakota ineligible for lease for strip mining of coal.

To Senate, 89.
 First reading, 93.
 Second reading, 93.
 Adopted, 94.
 Returned to House, 101.
 Received from House, 632.
 Returned to House, 637.

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3008. A Concurrent Resolution commending Mr. Iver Kval for his many years of service to the Legislative Assembly of the State of North Dakota.

To Senate, 89.
 First reading, 94.
 Second reading, 94.
 Adopted, 94.
 Returned to House, 101.
 Received from House, 632.
 Returned to House, 637.

House Concurrent Resolution No. 3009

House Concurrent Resolution No. 3009. A Concurrent Resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

To Senate, 559.
 First reading, 698.
 Referred to Committee on Natural Resources.
 House requests return, 1042.
 Returned to House, 1042.

House Concurrent Resolution No. 3012

House Concurrent Resolution No. 3012. A Concurrent Resolution to retain existing rail passenger service.

To Senate, 120.
 First reading, 124.
 Second reading, 124.
 Adopted, 124.
 Returned to House, 137.
 Received from House, 632.
 Returned to House, 638.

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3013. A Concurrent Resolution recognizing the efforts and objectives of those individuals and

organizations who are memorializing the history of the U. S. 7th Cavalry during its territorial days' service in North Dakota, and to encourage the activities of those individuals and organizations, and to encourage various state departments, institutions, and agencies to give assistance.

To Senate, 559.
First reading, 579.
Referred to Committee on Natural Resources.
Reported back, do pass, 695.
Second reading, 760.
Adopted, 760.
Returned to House, 787.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3015

House Concurrent Resolution No. 3015. A Concurrent Resolution urging all state educational leaders, boards, institutions, and teachers to provide the curricula necessary for environmental education.

To Senate, 651.
First reading, 698.
Referred to Committee on Education.
Reported back, do pass, 1022.
Second reading, 1069.
Adopted, 1069.
Clinger motion, 1072.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3017

House Concurrent Resolution No. 3017. A Concurrent Resolution requesting the President of the United States to direct the release of \$300,000.00 appropriated for the establishment of an Economic Development Administration Region comprised of North Dakota, South Dakota, Nebraska, Wyoming, and Montana.

To Senate, 540.
First reading, 688.
Referred to Committee on State and Federal Government.
Reported back, do pass, 834.
Second reading, 886.
Not adopted, 887.
Returned to House, indefinitely postponed, 915.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3018

House Concurrent Resolution No. 3018. A Concurrent Resolution supporting North Dakota's efforts to commemorate the two-hundredth anniversary of the American Revolution.

To Senate, 540.
First reading, 688.
Referred to Committee on State and Federal Government.
Reported back, do pass, 834.
Second reading, 887.
Adopted, 887.
Returned to House, 915.

House Concurrent Resolution No. 3019

House Concurrent Resolution No. 3019. A Concurrent Resolution requesting a Legislative Council study of the North Dakota court system to determine if the citizens and taxpayers of the state would be benefited by changes in administration and procedures followed by the North Dakota judicial system.

To Senate, 1168.
First reading, 1171.
Second reading, 1187.
Adopted, 1188.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3020

House Concurrent Resolution No. 3020. A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to lowering of the voting age from twenty-one to eighteen.

To Senate, 651.
First reading, 698.
Referred to Committee on Judiciary.
Reported back, do pass, 960.
Second reading, 1005. Amended from floor, 1005, 1174.
Adopted, 1005, 1174.
Returned to House, amended, 1031.
Conference Committee, 1085, 1093.
Conference Committee report, 1169, 1174.
Senate adopts, 1169, 1174.
House does not concur, 1085.
Transmitted to House, 1186.
Received from House, 1298.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3021

House Concurrent Resolution No. 3021. A Concurrent Resolution requesting a Legislative Council study of the adequacy of various forms of agricultural finance that will be required during the implementation period of the individual farm unit irrigation projects and associated intensive farming in the Garrison Diversion Irrigation Project and in the years thereafter.

To Senate, 1168.
First reading, 1171.
Second reading, 1188.
Adopted, 1188.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3022

House Concurrent Resolution No. 3022. A Concurrent Resolution calling to the attention of the county commissioners of certain counties the statutory deadline relating to the appointment of county directors of tax equalization.

To Senate, 651.
First reading, 698.
Referred to Committee on Political Suddivisions.
Reported back, do pass, 878.
Second reading, 918.
Adopted, 918.
Returned to House, 935.
Received from House, 1298.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3023

House Concurrent Resolution No. 3023. A Concurrent Resolution urging the United States Congress and the Administration to make more funds available for Farmers Home Administration loans.

To Senate, 559.
First reading, 579.
Referred to Committee on Agriculture.
Second reading, 791.
Adopted, 791.
Returned to House, 811.
Received from House, 1298.
Signed by President, 1300.
Returned to House, 1303.

House Concurrent Resolution No. 3024

House Concurrent Resolution No. 3024. A Concurrent Resolution emphasizing the seriousness of rate structures and Interstate Commerce Commission decisions to the economic health of North Dakota and other Upper Midwest agricultural industry-dominated states.

To Senate, 595.
First reading, 635.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 780.
Returned to House, 811.

House Concurrent Resolution No. 3025

House Concurrent Resolution No. 3025. A Concurrent Resolution asking for a national goal and policy on distribution of opportunity and, hence, population in the United States in order to successfully absorb the projected 100 million new Americans who will be seeking jobs and homes by the year 2000.

To Senate, 651.
First reading, 698.
Referred to Committee on Natural Resources.
Reported back, do pass, 878.
Second reading, 918.
Adopted, 918.
Returned to House, 935.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1303.

House Concurrent Resolution No. 3026

House Concurrent Resolution No. 3026. A Concurrent Resolution directing the Commissioner of Insurance to conduct a study of the field of nonprofit hospital and medical service plan corporations.

To Senate, 651.
First reading, 698.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 834.
Second reading, 887.
Adopted, 887.
Returned to House, 915.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3027

House Concurrent Resolution No. 3027. A Concurrent Resolution urging the Congress of the United States to correct the inequalities and inadequacies in the limitations now imposed by section 127 of title 23 of the United States Code, relating to restrictions upon weights of vehicles operated upon state highways that are a part of the federal aid systems.

To Senate, 595.
First reading, 635.
Referred to Committee on Transportation.
Reported back, do pass, 780, 902.
Re-referred to Committee on Transportation, 798.
Second reading, 948, 1005.
Adopted, 1005.
Returned to House, 1031.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3028

House Concurrent Resolution No. 3028. A Concurrent Resolution urging the public school boards of this State to cooperate in the transportation of nonpublic school children.

To Senate, 651.
First reading, 698.
Referred to Committee on Education.
Reported back, amended, 1022.
Second reading, 1092.
Adopted, 1092.
Clincher motion, 1092.
Returned to House, amended, 1094.
House concurs, 1208.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3030

House Concurrent Resolution No. 3030. A Concurrent Resolution urging the Congress of the United States to designate the Saint Lawrence Seaway as a toll free transportation route.

To Senate, 651.
First reading, 699.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 780.
Returned to House, 811.

House Concurrent Resolution No. 3031

House Concurrent Resolution No. 3031. A Concurrent Resolution requesting the Legislative Council to examine the need for the continuation of the North Dakota Rural Rehabilitation Corporation and to make such recommendations for its continuance or dissolution as are deemed appropriate.

To Senate, 1169.
First reading, 1172.
Second reading, 1188.
Adopted, 1188.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3032

House Concurrent Resolution No. 3032. A Concurrent Resolution congratulating Satchel Paige on his election to the Baseball Hall of Fame.

To Senate, 493.
First reading, 493.
Second reading, 493.
Adopted, 493.
Returned to House, 516.
Received from House, 761.
Signed by President, 770.
Returned to House, 770.

House Concurrent Resolution No. 3033

House Concurrent Resolution No. 3033. A Concurrent Resolution urging the Congress of the United States and the Secretary of the Interior to update the in-lieu payments in wetlands acquisitions.

To Senate, 690.
First reading, 734.
Referred to Committee on Natural Resources.
Reported back, do pass, 878.
Second reading, 918.
Indefinitely postponed, 918.
Returned to House, 935.

House Concurrent Resolution No. 3035

House Concurrent Resolution No. 3035. A Concurrent Resolution urging beer and soft drink manufacturers, bottlers, and distributors to use returnable containers and to commend the "Keep North Dakota Clean" organization for its work.

To Senate, 651.
First reading, 699.
Referred to Committee on Industry, Business and Finance.
Reported back, do pass, 927.
Second reading, 973.
Adopted, 973.
Returned to House, 994.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3036

House Concurrent Resolution No. 3036. A Concurrent Resolution directing the Legislative Council, with the cooperation of pertinent state agencies and departments, to study North Dakota laws regarding the sale or exchange of state-owned lands under the authority of either the State or its various departments and agencies.

To Senate, 1193.
First reading, 1200.
Second reading, 1200.
Adopted, 1201.
Returned to House, 1226.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3038

House Concurrent Resolution No. 3038. A Concurrent Resolution to commend the Assumption Abbey for its many years of educational service to North Dakota.

To Senate, 651.
First reading, 699.
Referred to Committee on Education.
Reported back, do pass, 1022.
Second reading, 1069, 1079, 1131.
Adopted, 1131.
Clincher motion, 1140.
Returned to House, 1177.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3040

House Concurrent Resolution No. 3040. A Concurrent Resolution directing the Legislative Council to study the membership, duties, responsibilities, and appointments of all statutory boards and commissions, excepting those occupational and professional licensing boards and commissions.

To Senate, 1169.
First reading, 1172.
Second reading, 1188.
Adopted, 1189.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3042

House Concurrent Resolution No. 3042. A Concurrent Resolution urging Congress and the Nixon Administration to support the Rural Electrification Administration two percent loan program.

To Senate, 651.
First reading, 699.
Referred to Committee on Agriculture.
Reported back, do pass, 878.
Second reading, 918, 949.
Adopted, 949.
Returned to House, 975.
Received from House, 1298.

Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3044

House Concurrent Resolution No. 3044. A Concurrent Resolution expressing support to the United States Department of the Interior for its research efforts in weather modification in the Upper Midwest area.

To Senate, 651.
First reading, 699.
Referred to Committee on Agriculture.
Reported back, do pass, 879.
Second reading, 918.
Adopted, 918.
Returned to House, 935.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3045

House Concurrent Resolution No. 3045. A Concurrent Resolution for the amendment of section 216 of the Constitution of the state of North Dakota, and subsection 1 of article 54 of the amendments to the Constitution of the state of North Dakota, relating to the removal of the constitutional status of the Ellendale Branch of the University of North Dakota.

To Senate, 651.
First reading, 699.
Referred to Committee on Education.
Reported back, do pass, 1023.
Second reading, 1069, 1132, 1135.
Adopted, 1136.
Clincher motion, 1140.
Returned to House, 1177.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3046

House Concurrent Resolution No. 3046. A Concurrent Resolution urging the Congress of the United States to review the federal statutes relating to Aid to Families with Dependent Children.

To Senate, 651.
First reading, 699.
Referred to Committee on Social Welfare and Veteran's Affairs.
Reported back, do pass, 1066.
Second reading, 1092.
Adopted, 1092.
Clincher motion, 1092.
Returned to House, 1094.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3047

House Concurrent Resolution No. 3047. A Concurrent Resolution urging the President of the United States and the Congress of the United States to continue the school milk program.

To Senate, 651.
 First reading, 699.
 Referred to Committee on Agriculture.
 Reported back, do pass, 879.
 Second reading, 918.
 Adopted, 918.
 Returned to House, 935.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3050

House Concurrent Resolution No. 3050. A Concurrent Resolution directing the Legislative Council to carry out a revision of the substantive criminal laws of North Dakota.

To Senate, 1169.
 First reading, 1172.
 Second reading, 1189.
 Adopted, 1189.
 Returned to House, 1198.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3051

House Concurrent Resolution No. 3051. A Concurrent Resolution commending state employees for their cooperation and assistance to the Legislative Assembly.

To Senate, 639.
 First reading, 688.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 855.
 Amendments adopted, 880. Amended from floor, 880.
 Second reading, 918.
 Adopted, 918.
 Returned to House, amended, 935.
 House concurs, 1000.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3052

House Concurrent Resolution No. 3052. A Concurrent Resolution directing the Legislative Council to study the Judges' Retirement Fund, and the statutes providing the system of retirement benefits for supreme and district court judges.

To Senate, 1169.
 First reading, 1172.
 Second reading, 1189.
 Adopted, 1190.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3053

House Concurrent Resolution No. 3053. A Concurrent Resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Probate Code for North Dakota.

To Senate, 1169.
First reading, 1172.
Second reading, 1190.
Adopted, 1190.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3055

House Concurrent Resolution No. 3055. A Concurrent Resolution urging the President of the United States and the Secretary of Agriculture to retain the Department of Agriculture as a separate agency, investigate ways of improving the economic plight of the North Dakota farmer, and preserve the private enterprise system of our society.

To Senate, 651.
First reading, 699.
Referred to Committee on Agriculture.
Reported back, do pass, 902.
Second reading, 948.
Adopted, 948.
Returned to House, 975.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3058

House Concurrent Resolution No. 3058. A Concurrent Resolution urging North Dakotans who ride or operate snowmobiles to use helmets, and to urge state organizations and agencies to encourage the use of helmets.

To Senate, 651.
First reading, 699.
Referred to Committee on Transportation.
Reported back, do pass, 780.
Second reading, 821
Adopted, 821.
Returned to House, 837.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3063

House Concurrent Resolution No. 3063. A Concurrent Resolution directing the Legislative Council to continue the study directed by House Concurrent Resolution No. 17 adopted by the Forty-first Legislative Assembly, relating to the financing of road and street construction.

To Senate, 1169.
First reading, 1172.
Second reading, 1190.
Adopted, 1191.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3064

House Concurrent Resolution No. 3064. A Concurrent Resolution urging the Department of Public Instruction to integrate elements of consumer education into appropriate courses of study in North Dakota's elementary and secondary schools.

To Senate, 651.
First reading, 700.
Referred to Committee on Education.
Reported back, do pass, 1023.
Second reading, 1069.
Adopted, 1069.
Clincher motion, 1072.
Returned to House, 1072.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3066

House Concurrent Resolution No. 3066. A Concurrent Resolution requesting the President of the United States and the Secretary of Health, Education, and Welfare to simplify and speed procedures for federal funds.

To Senate, 651.
First reading, 700.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 902.
Amendments adopted, 928.
Second reading, 973.
Adopted, 974.
Returned to House, amended, 994.
House concurs, 1137.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3067

House Concurrent Resolution No. 3067. A Concurrent Resolution urging the Secretary of Agriculture to abstain from calling in further excessive amounts of North Dakota farm stored grain.

To Senate, 651.
First reading, 700.
Referred to Committee on Agriculture.
Reported back, indefinitely postponed, 902.
Returned to House, 935.

House Concurrent Resolution No. 3069

House Concurrent Resolution No. 3069. A Concurrent Resolution congratulating Dr. Norman E. Borlaug, the 1970 winner of the Nobel Peace Prize.

To Senate, 651.
First reading, 700.
Referred to Committee on Agriculture.
Reported back, do pass, 902.
Second reading, 948.
Adopted, 948.
Returned to House, 975.

Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3073

House Concurrent Resolution No. 3073. A Concurrent Resolution expressing concern for prisoners of war and men missing in action in Southeast Asia, and urging the Congress and the Governor to proclaim the week of March 21-27 as a special week of concern and March 21 as a special day of prayer for the prisoners and men missing in action.

To Senate, 595.
First reading, 636.
Referred to Committee on Social Welfare and Veterans Affairs.
Reported back, do pass, 902.
Second reading, 948.
Adopted, 948.
Returned to House, 975.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3076

House Concurrent Resolution No. 3076. A Concurrent Resolution encouraging the State Board of Equalization to maintain the present levels of assessments for a two year period with only minor variations on locally assessed property in North Dakota.

To Senate, 651.
First reading, 700.
Referred to Committee on Finance and Taxation.
Reported back, amended, 1023.
Second reading, 1132.
Passed, 1132
Clincher motion, 1140.
Returned to House, amended, 1177.
House concurs, 1229.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3077

House Concurrent Resolution No. 3077. A Concurrent Resolution regarding the discontinuance of certain farming operations at the charitable and penal institutions, providing for greater cooperation in the farming operations between the various institutions, and calling for improved financial reporting.

To Senate, 651.
First reading, 700.
Referred to Committee on Appropriation.
Reported back, amended, 855-856.
Amendments adopted, 880.
Second reading, 918.
Adopted, 919.
Returned to House, amended, 935.
House concurs, 1000.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3080

House Concurrent Resolution No. 3080. A Concurrent Resolution supporting construction of the Garrison Diversion Unit.

To Senate, 651.
First reading, 700.
Referred to Committee on Natural Resources.
Reported back, do pass, 879.
Second reading, 919.
Adopted, 919
Returned to House, 935.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3081

House Concurrent Resolution No. 3081. A Concurrent Resolution honoring North Dakotans who have died in Vietnam.

To Senate, 651.
First reading, 700.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 903.
Second reading, 949.
Adopted, 949.
Returned to House, 975.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3083

House Concurrent Resolution No. 3083. A Concurrent Resolution urging Congress to direct the United States Army Corps of Engineers to construct and maintain at federal expense additional bank stabilization works on the Missouri River in North Dakota.

To Senate, 651.
First reading, 700
Referred to Committee on Natural Resources.
Reported back, amended, 927-928.
Amendments adopted, 954.
Second reading, 1005.
Adopted, 1006.
Returned to House, amended, 1031.
Conference Committee, 1139, 1197.
House does not concur, 1139.
Reconsidered and concurs, 1208.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3086

House Concurrent Resolution No. 3086. A Concurrent Resolution expressing confidence that the officers and men of the 91st and 321st Strategic Missile Wings at Minot and Grand Forks Air Force Bases will exhibit superior performance in participating in "Olympic Arena 71".

To Senate, 804.
First reading, 825.
Second reading, 825.

Adopted, 826.
Returned to House, 864.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3087

House Concurrent Resolution No. 3087. A Concurrent Resolution commending Bottineau and Rolette Counties and Oliver and Mercer Counties for combining their offices of County Superintendent of Schools, and urging other counties to follow suit.

To Senate, 864.
First reading, 922.
Second reading, 922.
Adopted, 923.
Returned to House, 975.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3088

House Concurrent Resolution No. 3088. A Concurrent Resolution urging the State Department of Health to initiate and conduct a program of testing and immunizing for rubella.

To Senate, 947.
First reading, 967.
Referred to Committee on Social Welfare and Veterans Affairs.
Reported back, do pass, 1066.
Second reading, 1132.
Adopted, 1132.
Clincher motion, 1140.
Returned to House, 1177.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3089

House Concurrent Resolution No. 3089. A Concurrent Resolution congratulating the Minot State College basketball and football teams on their fine seasons, and wishing the basketball team good luck in the district playoffs.

To Senate, 882.
First reading, 923.
Second reading, 923.
Adopted, 923.
Returned to House, 975.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3090

House Concurrent Resolution No. 3090. A Concurrent Resolution directing a Legislative Council study of teacher certification procedures.

To Senate, 1169.
First reading, 1172.
Second reading, 1191.

Adopted, 1191.
 Returned to House, 1198.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3091

House Concurrent Resolution No. 3091. A Concurrent Resolution providing for a study by the Legislative Council of the impact of federal revenue sharing proposals upon programs of the State and its political subdivisions.

To Senate, 1169.
 First reading, 1172.
 Second reading, 1191.
 Adopted, 1191.
 Returned to House, 1198.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3092

House Concurrent Resolution No. 3092. A Concurrent Resolution declaring the intent of the Legislative Assembly to comply with the requirements of the Omnibus Crime Control and Safe Streets Act.

To Senate, 1129.
 First reading, 1172.
 Second reading, 1191.
 Adopted, 1191.
 Returned to House, 1198.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3093

House Concurrent Resolution No. 3093. A Concurrent Resolution providing for the completion of the legislative journals of the house and senate.

To Senate, 1129.
 First reading, 1172.
 Second reading, 1191.
 Adopted, 1192.
 Returned to House, 1198.
 Received from House, 1298.
 Signed by President, 1301.
 Returned to House, 1304.

House Concurrent Resolution No. 3094

House Concurrent Resolution No. 3094. A Concurrent Resolution commending the Dale Dalziel Rink of Edmore and the Art Tallackson, Jr., Rink of Grafton for winning the United States Men's Curling Championships in 1971 and 1970, respectively.

To Senate, 1129.
 First reading, 1172.
 Second reading, 1192.
 Adopted, 1192.
 Returned to House, 1198.

Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

House Concurrent Resolution No. 3095

House Concurrent Resolution No. 3095. A Concurrent Resolution directing the Legislative Council, with the aid and cooperation of the State Tax Department, to make a comprehensive study of the North Dakota tax structure, with emphasis upon property tax assessment procedures, the twenty-one mill levy, the business privilege tax, and the sales tax.

To Senate, 1169.
First reading, 1172.
Second reading, 1192.
Adopted, 1192.
Returned to House, 1198.
Received from House, 1298.
Signed by President, 1301.
Returned to House, 1304.

RECORD OF HOUSE BILLS

House Bill No. 1001

House Bill No. 1001. A Bill for an Act making an appropriation for the general operation, maintenance and plant improvements of the state institutions of higher learning of the state of North Dakota.

To Senate, 508.
First reading, 532.
Referred to Committee on Appropriations.
Reported back, amended, 1063.
Amendments adopted, 1078, 1108.
Amended from floor, 1078.
Second reading, 1137, 1274.
Clincher motion, 1140.
Passed, 1137, 1274.
Returned to House, amended, 1177.
Conference Committee, 1186, 1219.
Conference Committee report, 1273.
Senate adopts, 1270, 1274.
House does not concur, 1186.
Transmitted to Senate, 1270.
Returned to House, 1276.
Received from House, 1295.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1002

House Bill No. 1002. A Bill for an Act making an appropriation for the general operation, maintenance and improvements of the extension division and experiment stations of North Dakota state university of agriculture and applied science.

To Senate, 690.
First reading, 731.
Referred to Committee on Appropriations.
Reported back, do pass, 1015.
Second reading, 1047.
Clincher motion, 1072.
Passed, 1047.
Returned to House, 1072.
Received from House, 1295.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1003

House Bill No. 1003. A Bill for an Act making an appropriation out of the state highway fund in the state treasury for the operation and maintenance of the highway patrol and the law enforcement training center, and declaring an emergency.

To Senate, 380.
First reading, 397.
Referred to Committee on Appropriations.
Reported back, amended, 794, 795.
Amendments adopted, 824.
Second reading, 858.
Passed, 858.

Emergency carried, 858.
Returned to House, amended, 888.
House concurs, 917.
Received from House, 1170.
Signed by President, 1216.
Returned to House, 1217.

House Bill No. 1004

House Bill No. 1004. A Bill for an Act making an appropriation to the state historical board for salary, clerkhire and miscellaneous expenses and the maintenance of the state historical board.

To Senate, 335.
First reading, 353.
Referred to Committee on Appropriations.
Reported back, amended, 1063, 1064.
Amendments not adopted, 1078.
Second reading, 1132, 1136. Amended from floor, 1136.
Passed, 1137.
Clincher motion, 1140.
Returned to House, amended, 1177.
House concurs, 1208.
Received from House, 1295.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1005

House Bill No. 1005. A Bill for an Act making an appropriation to the North Dakota park service for administration, operation, maintenance and development of state parks.

To Senate, 323.
First reading, 333.
Referred to Committee on Appropriations.
Reported back, do pass, 776.
Second reading, 804.
Passed, 805.
Returned to House, 836.
Received from House, 1248.
Signed by President, 1251.
Returned to House, 1252.

House Bill No. 1006

House Bill No. 1006. A Bill for an Act making an appropriation for the use of the North Dakota business and industrial development department.

To Senate, 380.
First reading, 397.
Referred to Committee on Appropriations.
Reported back, do pass, 776.
Second reading, 805.
Passed, 806.
Returned to House, 836.
Received from House, 1170.
Signed by President, 1216.
Returned to House, 1217.

House Bill No. 1007

House Bill No. 1007. A Bill for an Act making an appropriation to the unemployment compensation division for the purpose of admin-

istering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code.

To Senate, 323.
 First reading, 333.
 Referred to Committee on Appropriations.
 Reported back, do pass, 551, 955. Amended, 852.
 Re-referred to Committee on Appropriations, 722, 879.
 Second reading, 702, 722, 995.
 Passed, 995.
 Returned to House, 1031.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1008

House Bill No. 1008. A Bill for an Act making an appropriation to the livestock sanitary board to pay the operating and maintenance expenses.

To Senate, 194.
 First reading, 201.
 Referred to Committee on Appropriations.
 Reported back, amended, 795.
 Amendments adopted, 824.
 Second reading, 858.
 Passed, 859.
 Returned to House, amended, 888.
 House concurs, 917.
 Received from House, 1170.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1009

House Bill No. 1009. A Bill for an Act providing an appropriation for paying the expenses of the commissioner of veterans' affairs and the veterans' aid commission.

To Senate, 251.
 First reading, 265.
 Referred to Committee on Appropriations.
 Reported back, do pass, 1097.
 Second reading, 1157, 1160.
 Passed, 1161.
 Returned to House, 1197.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1010

House Bill No. 1010. A Bill for an Act making an appropriation for the maintenance and operation of the North Dakota soldiers' home at Lisbon.

To Senate, 323.
 First reading, 333.
 Referred to Committee on Appropriations.
 Reported back, do pass, 482, 1015.
 Re-referred to Committee on Appropriations, 532.
 Second reading, 516, 1047.
 Passed, 516, 1047.
 Reconsidered, 532.

Clincher motion, 1072.
 Returned to House, 1072.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1011

House Bill No. 1011. A Bill for an Act making an appropriation for the maintenance and operation of the public welfare board and welfare programs administered by the public welfare board.

To Senate, 651.
 First reading, 696.
 Referred to Committee on Appropriations.
 Reported back, amended, 1170, 1171.
 Amendments adopted, 1184.
 Second reading, 1184.
 Passed, 1184.
 Returned to House, amended, 1198.
 House concurs, 1230.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1012

House Bill No. 1012. A Bill for an Act making an appropriation to continue the operation of North Dakota civil defense as provided for by Chapter 37-17 of the North Dakota Century Code.

To Senate, 380.
 First reading, 397.
 Referred to Committee on Appropriations.
 Reported back, do pass, 776.
 Second reading, 806.
 Passed, 806.
 Returned to House, 836.
 Received from House, 1170.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1013

House Bill No. 1013. 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 register of motor vehicles.

To Senate, 404.
 First reading, 414.
 Referred to Committee on Appropriations.
 Reported back, amended, 852.
 Amendments adopted, 879.
 Second reading, 907.
 Passed, 907.
 Returned to House, amended, 935.
 House concurs, 1000.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1014

House Bill No. 1014. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and op-

eration of the state highway department and to authorize expenditures for highway project construction costs.

To Senate, 638.
 First reading, 683.
 Referred to Committee on Appropriations.
 Reported back, do pass, 829.
 Second reading, 859.
 Passed, 859.
 Returned to House, 888.
 Received from House, 1248.
 Signed by President, 1251.
 Returned to House, 1252.

House Bill No. 1015

House Bill No. 1015. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the workmen's compensation bureau.

To Senate, 380.
 First reading, 397.
 Referred to Committee on Appropriations.
 Reported back amended, 873, 1064.
 Re-referred to Committee on Appropriations, 936.
 Amendments adopted, 936, 1132.
 Passed, 1133.
 Clincher motion, 1140.
 Returned to House, amended, 1177.
 House does not concur, 1208.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1016

House Bill No. 1016. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the game and fish department, and to repeal section 20-02-07 of the North Dakota Century Code.

To Senate, 446.
 First reading, 466.
 Referred to Committee on Appropriations.
 Reported back, do pass, 737.
 Second reading, 751.
 Passed, 751.
 Returned to House, 787.
 Received from House, 1295.
 Signed by President, 1298.
 Returned to House, 1301.

House Bill No. 1017

House Bill No. 1017. A Bill for an Act making an appropriation for the purpose of operating and maintaining the teachers' insurance and retirement fund.

To Senate, 194.
 First reading, 201.
 Referred to Committee on Appropriations.
 Reported back, do pass, 1015. Amended, 1098.
 Re-referred to Committee on Appropriations, 1057.
 Amendments adopted, 1145.

Second reading, 1048, 1161.
Passed, 1048, 1161.
Returned to House, amended, 1198.
House concurs, 1218.
Reconsidered, 1057.
Received from House, 1295.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1018

House Bill No. 1018. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota according to chapter 43-12 of the North Dakota Century Code.

To Senate, 450.
First reading, 467.
Referred to Committee on Appropriations.
Reported back, amended, 752, 753.
Amendments adopted, 773.
Second reading, 806.
Passed, 807.
Returned to House, amended, 837.
House concurs, 953.
Received from House, 1248.
Signed by President, 1251.
Returned to House, 1252.

House Bill No. 1019

House Bill No. 1019. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

To Senate, 323.
First reading, 333.
Referred to Committee on Appropriations.
Reported back, do pass, 587, 588.
Second reading, 702.
Passed, 702.
Returned to House, 730.
Received from House, 821.
Signed by President, 834.
Returned to House, 834.

House Bill No. 1020

House Bill No. 1020. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the bank of North Dakota and of the Judge A. M. Christianson Project.

To Senate, 446.
First reading, 467.
Referred to Committee on Appropriations.
Reported back, do pass, 1159.
Second reading, 1182.
Passed, 1183.
Returned to House, 1197.
Received from House, 1295.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1021

House Bill No. 1021. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the North Dakota mill and elevator association.

To Senate, 638.
First reading, 684.
Referred to Committee on Appropriations.
Reported back, do pass, 776. Amended, 1064, 1065.
Re-referred to Committee on Appropriations, 895.
Amendments adopted, 1078.
Second reading, 807, 1133, 1241.
Passed, 807, 1133, 1241.
Clincher motion, 1140.
Returned to House, 836. Amended, 1177.
Conference Committee, 1206, 1220.
Conference Committee report, 1240.
Senate adopts, 1240.
Returned to House, 1245.
House does not concur, 1206.
Senate requests return, 880.
Returned to Senate, 895.
Reconsidered, 895.
Received from House, 1295.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1022

House Bill No. 1022. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the state wheat commission.

To Senate, 423.
First reading, 442.
Referred to Committee on Appropriations.
Reported back, amended, 753.
Amendments adopted, 773.
Second reading, 807, 1209.
Passed, 807, 1209.
Returned to House, amended, 837.
Conference Committee, 868, 869.
Conference Committee report, 1208.
Senate adopts, 1208, 1209.
House does not concur, 868.
Returned to House, 1219.
Received from House, 1296.
Signed by President, 1298.
Returned to House, 1301.

House Bill No. 1023

House Bill No. 1023. A Bill for an Act making an appropriation to the state water conservation commission for general administrative expenses, maintenance and construction of dams; planning, surveying and construction expenses of multiple purpose water projects; and organizing water conservation and irrigation districts.

To Senate, 638.
First reading, 684.
Referred to Committee on Appropriations.
Reported back, amended, 955, 956.
Amendments adopted, 986.
Second reading, 1032.

Passed, 1033.
Clincher motion, 1069.
Returned to House, amended, 1069.
House concurs, 1103.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1301.

House Bill No. 1024

House Bill No. 1024. A Bill for an Act making an appropriation for the operating and maintenance expenses of the public health department.

To Senate, 559.
First reading, 576.
Referred to Committee on Appropriations.
Reported back, amended, 1159.
Amendments not adopted, 1184.
Amended from floor, 1186, 1187.
Second reading, 1187.
Passed, 1187.
Returned to House, amended, 1199.
House concurs, 1218.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1301.

House Bill No. 1025

House Bill No. 1025. A Bill for an Act making an appropriation to the capitol grounds planning commission out of the general fund for the purposes of defraying the expenses of the commission.

To Senate, 335.
First reading, 353.
Referred to Committee on Appropriations.
Amendments adopted, 987.
Second reading, 1038.
Passed, 1038.
Clincher motion, 1069.
Returned to House, 1069.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1301.

House Bill No. 1026

House Bill No. 1026. A Bill for an Act making an appropriation for the purpose of administering the provisions of Chapter 12-61 of the North Dakota Century Code.

To Senate, 333.
First reading, 353.
Referred to Committee on Appropriations.
Reported back, do pass, 1015.
Second reading, 1048.
Passed, 1048.
Clincher motion, 1072.
Returned to House, 1072.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1301.

House Bill No. 1027

House Bill No. 1027. A Bill for an Act making an appropriation for salaries and expenses of the governor's council on human resources.

To Senate, 423.
 First reading, 442.
 Referred to Committee on Appropriations.
 Reported back, do pass, 923.
 Second reading, 967.
 Passed, 967.
 Returned to House, 994.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1028

House Bill No. 1028. A Bill for an Act making an appropriation to the North Dakota state fair association.

To Senate, 380.
 First reading, 397.
 Referred to Committee on Appropriations.
 Reported back, amended, 795.
 Amendments adopted, 824.
 Second reading, 859.
 Passed, 860.
 Returned to House, amended, 888.
 House concurs, 917.
 Received from House, 1170.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1029

House Bill No. 1029. A Bill for an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

To Senate, 251.
 First reading, 265.
 Referred to Committee on Appropriations.
 Reported back, do pass, 482.
 Second reading, 517, 869. Amended from floor, 869.
 Passed, 517, 870.
 Returned to House, 539. Amended, 915.
 House concurs, 1000.
 Senate requests return, 804.
 Returned to Senate, 857.
 Reconsidered, 869.
 Received from House, 744, 1296.
 Signed by President, 744, 1299.
 Returned to House, 750, 1302.

House Bill No. 1030

House Bill No. 1030. A Bill for an Act making an appropriation to the department of public instruction for the purpose of defraying the expenses of public schools.

To Senate, 450.
 First reading, 467.
 Referred to Committee on Appropriations.

Reported back, amended, 987.
 Amendments adopted, 1010.
 Second reading, 1048, 1275.
 Clincher motion, 1072.
 Passed, 1049, 1275.
 Returned to House, amended, 1072.
 Conference Committee, 1168.
 Conference Committee report, 1274.
 Senate adopts, 1270, 1275.
 House does not concur, 1168.
 Transmitted to Senate, 1270.
 Returned to House, 1276.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1031

House Bill No. 1031. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the services of the state-wide communications fund in the office of the director of institutions.

To Senate, 323.
 First reading, 333.
 Referred to Committee on Appropriations.
 Reported back, do pass, 483.
 Second reading, 517, 540.
 Passed, 540.
 Returned to House, 557.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 834.

House Bill No. 1032

House Bill No. 1032. A Bill for an Act making an appropriation for the use of the state planning agency.

To Senate, 335.
 First reading, 353.
 Referred to Committee on Appropriations.
 Reported back, do pass, 776, 777.
 Second reading, 807.
 Passed, 808.
 Returned to House, 836.
 Received from House, 1186.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1033

House Bill No. 1033. A Bill for an Act making an appropriation for salaries and expenses of the constitutional convention and declaring an emergency.

To Senate, 324.
 First reading, 333.
 Referred to Committee on Appropriations.
 Reported back, amended, 988.
 Amendments adopted, 1010.
 Second reading, 1049.
 Clincher motion, 1072.
 Passed, 1049.
 Emergency carried, 1049.

Returned to House, amended, 1072.
 House, concurs, 1137.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1034

House Bill No. 1034. A Bill for an Act making an appropriation for paying the salaries and other expenses of the state potato council.

To Senate, 324.
 First reading, 333.
 Referred to Committee on Appropriations.
 Reported back, do pass, 956.
 Second reading, 995.
 Passed, 996.
 Returned to House, 1031.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1035

House Bill No. 1035. A Bill for an Act to provide payment of expenses to certain elected state officers, and making an appropriation and declaring an emergency.

To Senate, 638.
 First reading, 684.
 Referred to Committee on Appropriations.
 Reported back, do pass, 829.
 Second reading, 860, 907, 1049. Amended from floor, 1049.
 Clincher motion, 1072.
 Passed, 907, 1050.
 Emergency carried, 1050.
 Returned to House, 935. Amended, 1072.
 House concurs, 1103.
 Senate requests return, 963.
 Returned to Senate, 1042.
 Reconsidered, 1049.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1036

House Bill No. 1036. A Bill for an Act making an appropriation to the director of institutions for the purpose capitol grounds improvements.

To Senate, 446.
 First reading, 467.
 Referred to Committee on Appropriations.
 Reported back, do pass, 988.
 Second reading, 1039.
 Passed, 1039.
 Clincher motion, 1069.
 Returned to House, 1069.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1038

House Bill No. 1038. A Bill for an Act to repeal sections 48-05-02 and 48-05-04 of the North Dakota Century Code, relating to the use of native fuel by public institutions.

To Senate, 251.
First reading, 294.
Referred to Committee on State and Federal Government.
Reported back, do pass, 737.
Second reading, 751, 837.
Lost, 752.
Reconsidered, 775. Passed, 838.
Clincher motion, 838.
Returned to House, 864.
Received from House, 1248.
Signed by President, 1251.
Returned to House, 1252.

House Bill No. 1040

House Bill No. 1040. A Bill for an Act to amend and reenact section 36-09-14 of the North Dakota Century Code, relating to the issuance of brand books by the commissioner of agriculture.

To Senate, 86.
First reading, 93.
Referred to Committee on Agriculture.
Reported back, do pass, 142.
Second reading, 162.
Passed, 162.
Returned to House, 179.
Received from House, 632.
Returned to House, 637.

House Bill No. 1041

House Bill No. 1041. A Bill for an Act to amend and reenact section 4-30-12 of the North Dakota Century Code, relating to the increase in the license fee for all milk and cream testers licensed by the department of agriculture, and providing a penalty.

To Senate, 112.
First reading, 124.
Referred to Committee on Agriculture.
Reported back, do pass, 506.
Second reading, 541.
Passed, 541.
Returned to House, 557.
Received from House, 821.
Signed by President, 834.
Returned to House, 834.

House Bill No. 1042

House Bill No. 1042. A Bill for an Act to create and enact 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 or other revenue producing campus improvements.

To Senate, 324.
First reading, 334.
Referred to Committee on Appropriations.
Reported back, do pass, 777.
Second reading, 808.

Passed, 808.
 Returned to House, 836.
 Received from House, 1248.
 Signed by President, 1251.
 Returned to House, 1252.

House Bill No. 1043

House Bill No. 1043. A Bill for an Act to provide for a central microfilm unit in the office of the secretary of state; to provide for the transfer of certain microfilm equipment to the secretary of state; and providing an appropriation.

To Senate, 559.
 First reading, 576.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 693, 988.
 Re-referred to Committee on Appropriations, 772.
 Second reading, 772, 1039.
 Passed, 1039.
 Clincher motion, 1069.
 Returned to House, 1069.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1045

House Bill No. 1045. A Bill for an Act to create and enact sections 15-19-08, 15-38-04.1, and 15-47-02.1, and chapters 15-20.1, 15-34.1, 15-34.2, 15-40.1, 15-40.2, and 15-53.1 of the North Dakota Century Code, relating to high school correspondence work, school holidays, discontinuance of schools, vocational education and vocational rehabilitation, compulsory attendance, transportation, state school aid, transfer of students and nonresident tuition, reorganization, annexation, and involuntary dissolution; to amend and reenact sections 12-10-06, 15-22-09, 15-28-01, and 15-28-02, subsection 1, 2, 3, and 14 of section 15-29-03, sections 15-41-06, 15-47-21, 15-47-27, 15-47-33, and 15-49-02, subsection 3 of section 57-15-14, sections 57-15-24, 57-16-04, 57-55-03, 57-55-04, and 16-01-15 of the North Dakota Century Code, relating to personal interest in contracts by public officers, duties of county superintendents, school board elections, powers and duties of school boards, equalization of assets and liabilities among school districts, time for renewal of teachers' contracts, high school course requirements, length of school term, personal interest in school district contracts, tax levy limitations in school districts, county mill levy for schools, mobile home taxation, and voting on certain questions; and to repeal sections 15-22-21, 15-22-22, 15-38-04, 15-41-18, 15-41-19, 15-47-19, and 15-47-20, and chapters 15-20, 15-27, 15-34, 15-40 and 15-53 of the North Dakota Century Code, relating to vocational education and vocational rehabilitation, organization and dissolution of public school districts, compulsory attendance, transportation, state school aid, reorganization, annexation, dissolution of school districts, notice of hearing on dissolution, school holidays, admission of nonresident high school students and tuition fees, equalization of indebtedness by arbitration, and levy by board of arbitration.

To Senate, 161.
 First reading, 174.
 Referred to Committee on Education.
 Reported back, do pass, 185.
 Second reading, 220.
 Passed, 221.
 Returned to House, 250.

Received from House, 905.
Signed by President, 916.
Returned to House, 916.

House Bill No. 1046

House Bill No. 1046. A Bill for an Act to amend and reenact section 15-34.2-17 of the North Dakota Century Code, as contained in section 6 of House Bill No. 1045, relating to release time for religious instruction.

To Senate, 423.
First reading, 442.
Referred to Committee on Education.
Reported back, do pass, 795, 796.
Second reading, 840.
Passed, 841.
Returned to House, 864.
Received from House, 1248
Signed by President, 1251.
Returned to House, 1252.

House Bill No. 1047

House Bill No. 1047. A Bill for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the medical advisory council.

To Senate, 89.
First reading, 93.
Referred to Committee on Education.
Reported back, do pass, 829.
Second reading, 860.
Passed, 860.
Returned to House, 888.
Received from House, 1248.
Signed by President, 1251.
Returned to House, 1252.

House Bill No. 1048

House Bill No. 1048. A Bill for an Act to amend and reenact sections 57-16-03 and 57-16-06 of the North Dakota Century Code, relating to the requirements for notice and the form of ballots for excess mill levy elections, and declaring an emergency.

To Senate, 70.
First reading, 79.
Referred to Committee on Education.
Reported back, amended, 852.
Amendments adopted, 879.
Second reading, 907. Amended from floor.
Passed, 908.
Emergency carried, 908.
Returned to House, amended, 935.
House concurs, 1000.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1049

House Bill No. 1049. A Bill for an Act to create and enact section 57-38-40.1 of the North Dakota Century Code, to provide for a reserve for income tax refunds.

To Senate, 128.
 First reading, 140.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 185.
 Second reading, 221.
 Passed, 221.
 Returned to House, 250.
 Received from House, 632.
 Returned to House, 637.

House Bill No. 1050

House Bill No. 1050. A Bill for an Act to amend and reenact section 11-10.1-06 of the North Dakota Century Code, relating to the duties of county directors of tax equalization in obtaining agricultural statistics; to repeal sections 4-01-01, 4-01-02, 4-01-03, 4-01-06, 4-01-07, 4-01-10, 4-01-11, 4-01-12, 4-01-13, and 4-01-14 of the North Dakota Century Code, relating to the collection of agricultural statistics by assessors, the furnishing of such statistics by county auditors, and the duties of the commissioner of agriculture in his capacity as state statistician; and declaring an emergency.

To Senate, 70.
 First reading, 79.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 152.
 Second reading, 178.
 Passed, 178.
 Emergency carried, 178.
 Returned to House, 194.
 Received from House, 632.
 Returned to House, 637.

House Bill No. 1051

House Bill No. 1051. A Bill for an Act to repeal subsection 3 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from the sales tax of agricultural products when sold in exchange for like agricultural products produced by the purchaser and is for the purchaser and his family.

To Senate, 70.
 First reading, 79.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 152.
 Second reading, 178.
 Passed, 179.
 Returned to House, 194.
 Received from House, 632.
 Returned to House, 637.

House Bill No. 1053

House Bill No. 1053. 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 of food purchased by a student from a college, university, fraternity or sorority.

To Senate, 147.
 First reading, 155.
 Referred to Committee on Finance and Taxation.
 Placed on calendar, 693.
 Reported back, amended, 956.
 Re-referred to Committee on Finance and Taxation, 735.
 Amendments adopted, 986.

Second reading, 1039.
 Passed, 1040.
 Clincher motion, 1069.
 Returned to House, amended, 1069.
 Conference Committee, 1129, 1144.
 Conference Committee report, 1209.
 Senate adopts, 1208, 1210.
 Returned to House, 1219.
 House does not concur, 1129.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1054

House Bill No. 1054. A Bill for an Act to amend and reenact subsection 16 of section 57-02-08 of the North Dakota Century Code, to provide that property owned by nonprofit corporations organized to promote athletic and educational needs and uses at any state educational institution shall be exempt from taxation only if used exclusively for athletic or educational purposes.

To Senate, 147.
 First reading, 155.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 777.
 Second reading, 808.
 Passed, 808.
 Returned to House, 836.
 Received from House, 1170.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1055

House Bill No. 1055. A Bill for an Act to amend and reenact section 15-11-26 of the North Dakota Century Code, relating to the exemption from the property tax of the alumni building at the University of North Dakota.

To Senate, 324.
 First reading, 334.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 693.
 Second reading, 723.
 Passed, 723.
 Returned to House, 743.
 Received from House, 1009.
 Signed by President, 1031.
 Returned to House, 1032.

House Bill No. 1056.

House Bill No. 1056. A Bill for an Act to amend and reenact section 26-27-13 of the North Dakota Century Code, to remove the tax exemption on property owned by nonprofit medical service corporations.

To Senate, 128.
 First Reading, 140.
 Referred to Committee on Finance and Taxation.
 Reported Back, do pass, 185.
 Second Reading, 221.
 Passed, 221.

Returned to House, 250.
 Received from House, 632.
 Returned to House, 637.

House Bill No. 1057.

House Bill No. 1057. A Bill for an Act to amend and reenact subsection 10 of section 57-02-01 and subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the definition of a farm.

To Senate, 147.
 First Reading, 155.
 Referred to Committee on Agriculture.
 Reported Back, amended, 506, 956-957.
 Re-referred to Committee on Agriculture, 600.
 Amendments Adopted, 522, 986.
 Second Reading, 1040.
 Clincher Motion, 1069.
 Passed, 1040.
 Returned to House, amended, 1069.
 House Concurs, 1137.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1058.

House Bill No. 1058. A Bill for an Act to create and enact section 50-06-01.1 of the North Dakota Century Code, relating to changing the name of the public welfare board of North Dakota to the social service Board of North Dakota.

To Senate, 260.
 First Reading, 265.
 Referred to Committee on Social Welfare and Veterans Affairs.
 Reported Back, do pass, 753.
 Second Reading, 783, 798.
 Lost, 783.
 Reconsidered, 798.
 Passed, 799.
 Returned to House, 837.
 Received from House, 1170.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1059.

House Bill No. 1059. A Bill for an Act to amend and reenact subsection 50-24-01, sections 50-24-13 and 50-24-15 of the North Dakota Century Code, and to repeal subsections 10 and 11 of section 50-24-01, subsection 10 of section 50-24-03, and section 50-24-04 of the North Dakota Century Code, all relating to medical assistance for the aged.

To Senate, 112.
 First reading, 124.
 Referred to Committee on Social Welfare and Veterans Affairs.
 Reported back, do pass, 753.
 Second Reading, 783.
 Passed, 783.
 Returned to House, 810.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1060.

House Bill No. 1060. A Bill for an Act to amend and reenact subsections 7 and 9 of section 50-24-03, and to repeal subdivision b of subsection 8 of section 50-24-03 and section 50-24-24 of the North Dakota Century Code, relating to residency for receiving aid for the aged or disabled.

To Senate, 217.

First Reading, 248.

Referred to Committee on Social Welfare and Veterans Affairs.

Reported Back, do pass, 753.

Second Reading, 784.

Passed, 784.

Returned to House, 810.

Received from House, 1248.

Signed by President, 1251.

Returned to House, 1252.

House Bill No. 1061.

House Bill No. 1061. A Bill for an Act to provide for new appointments to the board of examiners for nursing home administrators, and to amend and reenact subsection 2 of section 43-34-01, and sections 43-34-02 and 43-34-11 of the North Dakota Century Code, relating to the board of examiners for nursing home administrators, and to amend and reenact section 43-34-05 of the North Dakota Century Code, relating to license fees of nursing home administrators.

To Senate, 128.

First Reading, 140.

Referred to Committee on Social Welfare and Veterans Affairs.

Reported Back, do pass, 754.

Second Reading, 784.

Passed, 784.

Returned to House, 810.

Received from House, 1043.

Signed by President, 1051.

Returned to House, 1051.

House Bill No. 1062.

House Bill No. 1062. A Bill for an Act to create and enact chapter 15-20.2 and sections 50-06-15, 50-06-16, 50-06-17, 50-06-18, 50-06-19, 50-06-20, 50-06-21, 50-06-22, 50-06-23, 50-06-24, 50-06-25, and 50-06-26 of the North Dakota Century Code, relating to vocational education and vocational rehabilitation; to amend and reenact section 50-06-13 of the North Dakota Century Code, relating to the biennial report of the state social service board; and to repeal section 4 of House Bill No. 1045 as approved by the Forty-second Legislative Assembly, relating to vocational education and vocational rehabilitation.

To Senate, 380.

First Reading, 398.

Referred to Committee on Social Welfare and Veterans Affairs.

Reported back, indefinitely postponed, 1104.

Clincher Motion, 1140.

Returned to House, 1177.

House Bill No. 1063.

House Bill No. 1063. A Bill for an Act to create an industrial building mortgage program under the supervision of the Bank of North Dakota, providing for the administration of such programs and for the

transfer of certain moneys from the accumulated and undivided profits of the Bank of North Dakota to the mortgage insurance fund, and making an appropriation.

To Senate, 638.
First Reading, 684.
Referred to Committee on Industry, Business and Labor.
Reported Back, do pass, 853.
Second Reading, 887.
Passed, 887.
Returned to House, 915.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1064.

House Bill No. 1064. A Bill for an Act to amend and reenact section 43-17-22 of the North Dakota Century Code, to remove the citizenship requirements for the licensing of physicians.

To Senate, 70.
First Reading, 79.
Referred to Committee on Social Welfare and Veterans Affairs.
Reported Back, do pass, 754.
Second Reading, 784.
Passed, 785.
Returned to House, 810.
Received from House, 1248.
Signed by President, 1251.
Returned to House, 1252.

House Bill No. 1065.

House Bill No. 1065. A Bill for an Act to amend and reenact section 39-17-07 of the North Dakota Century Code, relating to the unsatisfied judgment fund.

To Senate, 508.
First Reading, 532.
Referred to Committee on Transportation.
Reported Back, do pass, 777.
Second Reading, 809.
Passed, 809.
Returned to House, 837.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1066

House Bill No. 1066. A Bill for an Act to amend and reenact section 39-16-05 and subsection 3 of section 39-16-07 of the North Dakota Century Code, relating to suspension of drivers' licenses after the negligence or responsibility of drivers involved in accidents has been determined, and providing for filing of evidence of nonliability or confession of judgment with the commissioner, and for suspension of license in case of default.

To Senate, 287.
First reading, 294.
Referred to Committee on Judiciary.
Reported back, do pass, 588.
Second reading, 702.
Passed, 703.

Returned to House, 730.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1067

House Bill No. 1067. A Bill for an Act to create and enact sections 44-08-18, 54-06-15, and 54-21-17.1 of the North Dakota Century Code, relating to keys issued to the state capitol building, and offices therein; providing for retention of a state official's or employee's final wage or salary check upon failure to return an issued key; providing for payment of a fee in lieu of return of a key; providing the procedures for enforcement; and declaring an emergency.

To Senate, 70.
 First reading, 79.
 Referred to Committee on Agriculture.
 Reported back, do pass, 142.
 Second reading, 162.
 Passed, 162.
 Emergency carried, 162.
 Returned to House, 179.
 Received from House, 632.
 Returned to House, 637.

House Bill No. 1068

House Bill No. 1068. A Bill for an Act to amend and reenact section 46-02-10 of the North Dakota Century Code, relating to the printing and binding of public documents, and providing deadlines for delivery.

To Senate, 70.
 First reading, 79.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 185. Amended, 331, 332.
 Re-referred to Committee on Finance and Taxation, 221.
 Amendments adopted, 346.
 Second reading, 221, 1006.
 Passed, 1006.
 Returned to House, amended, 399.
 Conference Committee, 493, 497.
 Conference Committee report, 1001, 1006.
 Senate adopts, 1001, 1006.
 Transmitted to Senate, 1001.
 Returned to House, 1030.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1069

House Bill No. 1069. A Bill for an Act to repeal chapter 61-17 of the North Dakota Century Code, which contains the tri-state water compact and provides for a tri-state waters commission.

To Senate, 89.
 First reading, 93.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 227.
 Second reading, 262.
 Passed, 262.

Returned to House, 274.
Received from House, 632.
Returned to House, 637.

House Bill No. 1070

House Bill No. 1070. A Bill for an Act to create and enact sections 26-02-37, 26-02-38, 26-02-39, 26-02-40, and 26-02-41 of the North Dakota Century Code, and to amend and reenact sections 26-02-32, 26-02-33, 26-02-34, 26-02-35, and 26-02-36 of the North Dakota Century Code, relating to the cancellation and nonrenewal of automobile liability insurance policies, and the furnishing of reasons for cancellation and nonrenewal, providing a penalty, and providing an effective date.

To Senate, 300.
First reading, 311.
Referred to Committee on Transportation.
Reported back, do pass, 412. Amended, 1015, 1016.
Re-referred to Committee on Transportation, 440.
Returned to Senate and re-referred to Committee on Judiciary, 529.
Amendments adopted, 1045.
Second reading, 1080.
Passed, 1080.
Clincher motion, 1092.
Returned to House, amended, 1094.
House concurs, 1208.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1071

House Bill No. 1071. A Bill for an Act to amend and reenact section 29-29-21 of the North Dakota Century Code, relating to the temporary stopping and searching of persons by a police officer without making a formal arrest.

To Senate, 161.
First reading, 175.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 551.
Returned to House, 579.

House Bill No. 1072

House Bill No. 1072. A Bill for an Act to create and enact sections 47-19-14.1, 47-19-14.2, 47-19-14.3, 47-19-14.4, 47-19-14.5, 47-19-14.6, 47-19-14.7, and 47-19-14.8 of the North Dakota Century Code, to provide for uniform recognition of notarial acts done outside the state; to amend and reenact section 47-19-26 of the North Dakota Century Code, relating to forms of certificates of acknowledgment; and to repeal sections 47-19-15, 47-19-16, 47-19-17, 47-19-17.1, 47-19-17.2 and 47-19-31 of the North Dakota Century Code, relating to recognition of foreign acknowledgments and acknowledgments made outside this state but within the United States.

To Senate, 147.
First reading, 156.
Referred to Committee on Judiciary.
Reported back, do pass, 256.
Second reading, 277.
Passed, 277.
Returned to House, 287.
Received from House, 632.
Returned to House, 637.

House Bill No. 1073

House Bill No. 1073. A Bill for an Act to create and enact chapter 28-06.2 of the North Dakota Century Code, relating to the method of service of civil process upon the United States, an officer, employee, or agency thereof, when civil suit is brought in a state court.

To Senate, 147.
First reading, 156.
Referred to Committee on Judiciary.
Reported back, do pass, 256.
Second reading, 277.
Passed, 278.
Returned to House, 287.
Received from House, 632.
Returned to House, 637.

House Bill No. 1074

House Bill No. 1074. A Bill for an Act to amend and reenact subsection 4 of section 62-01-14 of the North Dakota Century Code, relating to distribution of records of pistols sold.

To Senate, 70.
First reading, 79.
Referred to Committee on Judiciary.
Reported back, do pass, 185.
Second reading, 222.
Passed, 222.
Returned to House, 250.
Received from House, 632.
Returned to House, 637.

House Bill No. 1075

House Bill No. 1075. A Bill for an Act to amend and reenact sections 4-09-10, 4-09-11, and 4-09-14 of the North Dakota Century Code, relating to the labeling of hermetically sealed seed containers, and to the time limit within which such seed containers must be retested.

To Senate, 86.
First reading, 93.
Referred to Committee on Agriculture.
Reported back, do pass, 142.
Second reading, 162.
Passed, 163.
Returned to House, 179.
Received from House, 632.
Returned to House, 637.

House Bill No. 1077

House Bill No. 1077. A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the North Dakota Century Code, relating to salary and expenses of county commissioners.

To Senate, 300.
First reading, 311.
Referred to Committee on Political Subdivisions.
Reported back, amended, 988, 990.
Amendments adopted, 1010.
Second reading, 1049, 1088. Amended from floor, 1088.
Passed, 1089.
Returned to House, amended, 1094.
Conference Committee, 1146, 1156.

Conference Committee report, 1210.
 Senate adopts, 1208, 1210.
 Returned to House, 1219.
 House does not concur, 1156.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1078

House Bill No. 1078. A Bill for an Act to amend and reenact section 11-10-20 of the North Dakota Century Code, relating to the central filing of documents kept by certain county officials when directed by resolution of the board of county commissioners.

To Senate, 147.
 First reading, 156.
 Referred to Committee on Judiciary.
 Reported back, do pass, 588.
 Second reading, 703.
 Passed, 703.
 Returned to House, 730.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 834.

House Bill No. 1079

House Bill No. 1079. A Bill for an Act to amend and reenact sections 11-11-26, 11-11-30, and 54-44-09 of the North Dakota Century Code, relating to use by political subdivisions of the services of the department of accounts and purchases.

To Senate, 251.
 First reading, 265.
 Referred to Committee on Political Subdivisions.
 Reported back, indefinitely postponed, 641.
 Returned to House, 690.

House Bill No. 1081

House Bill No. 1081. 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.

To Senate, 380.
 First Reading, 398.
 Referred to Committee on State and Federal Government.
 Reported Back, do pass, 483.
 Second Reading, 517.
 Passed, 518.
 Returned to House, 539.
 Received from House, 744.
 Signed by President, 749.
 Returned to House, 750.

House Bill No. 1082

House Bill No. 1082. A Bill for an Act to amend and reenact sections 26-23-12, 26-23-13, and 26-23-16 of the North Dakota Century Code, relating to the bonding fund board.

To Senate, 128.
First Reading, 141.
Referred to Committee on State and Federal Government.
Reported Back, do pass, 185.
Second Reading, 222.
Passed, 222.
Returned to House, 250.
Received from House, 632.
Returned to House, 637.

House Bill No. 1083

House Bill No. 1083. A Bill for an Act to repeal sections 12-60-02, 12-60-03, and 12-60-04 of the North Dakota Century Code, relating to the board of managers of the bureau of criminal identification and apprehension.

To Senate, 128.
First Reading, 141.
Referred to Committee on State and Federal Government.
Reported Back, do pass, 185.
Second Reading, 222.
Passed, 223.
Returned to House, 250.
Received from House, 632.
Returned to House, 637.

House Bill No. 1084

House Bill No. 1084. A Bill for an Act to amend and reenact section 19-07-02 of the North Dakota Century Code, relating to the rule-making power of the state laboratories department; and to repeal section 19-07-03 of the North Dakota Century Code, relating to the egg advisory board.

To Senate, 161.
First Reading, 175.
Referred to Committee on Agriculture.
Reported Back, do pass, 506.
Second Reading, 541.
Passed, 541.
Returned to House, 557.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1085

House Bill No. 1085. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the emergency commission.

To Senate, 70.
First Reading, 79.
Referred to Committee on State and Federal Government.
Reported back, indefinitely postponed, 185.
Second Reading, 909.
Passed, 909.
Returned to House, 217, 935.
Senate Requests Return, 856.
Returned to Senate, 895.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1086

House Bill No. 1086. A Bill for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the membership of the state investment board.

To Senate, 147.

First Reading, 156.

Referred to Committee on State and Federal Government.

Reported back, indefinitely postponed, 1098.

Re-referred to Committee on Industry, Business and Labor, 518.

Amendments Adopted, 479.

Second Reading, 518.

Clincher Motion, 1140.

Returned to House, 1177.

House Bill No. 1087

House Bill No. 1087. A Bill for an Act to amend and reenact sections 4-02-17 and 4-02-18 of the North Dakota Century Code; and to repeal section 4-02-21 of the North Dakota Century Code, relating to the Missouri Slope agriculture and fair association.

To Senate, 86.

First Reading, 93.

Referred to Committee on Agriculture.

Reported Back, do pass, 528.

Second reading, 703.

Passed, 703.

Returned to House, 730.

Received from House, 821.

Signed by President, 834.

Returned to House, 834.

House Bill No. 1088

House Bill No. 1088. A Bill for an Act to amend and reenact section 4-10.1-04 of the North Dakota Century Code, relating to the composition of the state potato council.

To Senate, 112.

First Reading, 124.

Referred to Committee on Agriculture.

Reported Back, do pass, 506.

Second Reading, 541.

Passed, 542.

Returned to House, 557.

Received from House, 744.

Signed by President, 749.

Returned to House, 750.

House Bill No. 1089

House Bill No. 1089. A Bill for an Act to amend and reenact sections 4-13-04, 4-13-05, 4-13-06, and 4-13-07 of the North Dakota Century Code, relating to the appointment, qualifications, and compensation of members of the poultry improvement board.

To Senate, 380.

First Reading, 398.

Referred to Committee on Agriculture.

Reported back, amended, 873, 876, 1065.

Re-referred to Committee on Appropriations, 903.

Amendments Adopted, 903, 1078.

Second Reading, 1133.

Clincher Motion, 1140.
 Passed, 1133.
 Returned to House, amended, 1177.
 Conference Committee, 1206, 1220.
 Conference Committee Report, 1241.
 Senate adopts, 1240, 1241.
 Returned to House, 1245.
 House does not concur, 1206.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1090

House Bill No. 1090. A Bill for an Act to repeal sections 23-13-09 and 23-13-10 of the North Dakota Century Code, relating to the safety committee.

To Senate, 89.
 First Reading, 93.
 Referred to Committee on Transportation.
 Reported Back, do pass, 228.
 Second Reading, 262.
 Passed, 262.
 Returned to House, 274.
 Received from House, 632.
 Returned to House, 637.

House Bill No. 1093

House Bill No. 1093. A Bill for an Act to provide for a uniform group insurance program for state employees, for its administration, and for a state contribution; to amend and reenact section 54-52-04 of the North Dakota Century Code, relating to powers and duties of the state employees' retirement board; and to repeal chapter 52-12 of the North Dakota Century Code, relating to state employees' medical and life insurance plans.

To Senate, 161.
 First reading, 175.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 439.
 Second reading, 476.
 Passed, 476.
 Returned to House, 488.
 Received from House, 744.
 Signed by President, 749.
 Returned to House, 750.

House Bill No. 1094

House Bill No. 1094. A Bill for an Act to amend and reenact section 16-17-10 of the North Dakota Century Code, relating to changing the date of the meeting of the district committee of each political party from after the general election to after the primary election and adding a vice chairwoman as an officer of the district committee.

To Senate, 147.
 First reading, 156.
 Referred to Committee on Judiciary.
 Reported back, do pass, 588, 876.
 Re-referred to Committee on Judiciary, 758.
 Second reading, 703, 758, 909, 949, 1040, 1053.

Passed, 1040.
Lost, 1053.
Clincher motion, 1072.
Returned to House, 1073.
Reconsidered, 1053.

House Bill No. 1095

House Bill No. 1095. A Bill for an Act to amend and reenact section 63-01-01 of the North Dakota Century Code, to include marijuana within the definition of noxious weeds.

To Senate, 70.
First reading, 79.
Referred to Committee on Agriculture.
Reported back, do pass, 142. Indefinitely postponed, 412.
Re-referred to Committee on Agriculture, 163.
Second reading, 163.
Returned to House, 445. Indefinitely postponed.

House Bill No. 1096

House Bill No. 1096. A Bill for an Act to amend and reenact section 39-21-40 of the North Dakota Century Code, relating to the date pneumatic tires with metal studs must be removed, and declaring an emergency.

To Senate, 112.
First reading, 124.
Referred to Committee on Transportation.
Reported back, amended, 310.
Amendments adopted, 325.
Second reading, 367. Amended from floor, 367.
Lost, 367.
Returned to House, 399. Indefinitely postponed.

House Bill No. 1097

House Bill No. 1097. A Bill for an Act to create and enact section 14-05-09.1 of the North Dakota Century Code and to amend and reenact section 14-05-03 of the North Dakota Century Code, relating to allowing irreconcilable differences as grounds for divorce.

To Senate, 450.
First reading, 467.
Referred to Committee on Judiciary.
Reported back, do pass, 737.
Second reading, 758.
Passed, 759.
Returned to House, 787.
Received from House, 1170.
Signed by President, 1216.
Returned to House, 1217.

House Bill No. 1099

House Bill No. 1099. A Bill for an Act to create and enact sections 43-11-20.1, 43-11-20.2, 43-11-20.3, and 43-11-20.4 of the North Dakota Century Code, relating to partial refunds of tuition paid by students cancelling their enrollment in a school of hairdressing and cosmetology, providing the rate of refund, providing the procedure for cancellation of contracts of instruction, prohibiting the negotiation of promissory instruments given in payment of student tuition until after a certain portion of the course of instruction has been completed and requiring a solicitor's permit.

To Senate, 260.
 First reading, 265.
 Referred to Committee on Education.
 Reported back, do pass, 829.
 Second reading, 860.
 Passed, 861.
 Returned to House, 888.
 Received from House, 1248.
 Signed by President, 1251.
 Returned to House, 1252.

House Bill No. 1100

House Bill No. 1100. A Bill for an Act to amend and reenact section 20-05-02 of the North Dakota Century Code, to provide for party hunting.

To Senate, 128.
 First reading, 141.
 Referred to Committee on Natural Resources.
 Reported back, indefinitely postponed, 203.
 Returned to House, 252.

House Bill No. 1101

House Bill No. 1101. A Bill for an Act to provide for the recounting of ballots in congressional, state or legislative elections and to provide procedures for such recounts.

To Senate, 508.
 First reading, 533.
 Referred to Committee on Judiciary.
 Reported back, amended, 876, 1016.
 Re-referred to Committee on Judiciary, 936.
 Amendments adopted, 903, 1045.
 Second reading, 936, 1080.
 Clincher motion, 1092.
 Passed, 1080.
 Returned to House, amended, 1094.
 House concurs, 1137.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1102

House Bill No. 1102. A Bill for an Act to amend subdivision h of subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the computation of the adjusted gross estate for purposes of determining the exemption of a surviving spouse for estate tax purposes, and providing an effective date.

To Senate, 161.
 First reading, 175.
 Referred to Committee on Judiciary.
 Reported back, do pass, 876. Amended, 957.
 Re-referred to Committee on Judiciary, 909.
 Amendments, adopted, 986.
 Second reading, 909, 1041, 1210.
 Clincher motion, 1069.
 Passed, 1041, 1211.
 Returned to House, amended, 1069.
 Conference Committee, 1103, 1104.
 Conference Committee report, 1210.

Senate adopts, 1208, 1210.
House does not concur, 1103.
Returned to House, 1219.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1103

House Bill No. 1103. A Bill for an Act to amend and reenact subsection 4 of section 57-37-29 of the North Dakota Century Code, relating to the transfer of securities to a certain trust company acting as an executor or administrator of an estate.

To Senate, 128.
First reading, 141.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 923.
Returned to House, 975.

House Bill No. 1104

House Bill No. 1104. A Bill for an Act to create and enact section 57-55-01.1 of the North Dakota Century Code, and to amend and reenact sections 57-55-01, 57-55-02, 57-55-03, 57-55-04, 57-55-05, 57-55-06, 57-55-07, 57-55-08, 57-55-10, 57-55-11, and 57-55-12 of the North Dakota Century Code, relating to the taxation of mobile homes, providing that county directors of tax equalization shall administer such tax, and providing penalties.

To Senate, 450.
First reading, 467.
Referred to Committee on Finance and Taxation.
Reported back, amended, 829.
Amendments adopted, 856.
Second reading, 889.
Passed, 889.
Returned to House, amended, 915.
House concurs, 1103.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1105

House Bill No. 1105. A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-10, subsection 2 of section 57-39.2-17, and section 57-40.2-09 of the North Dakota Century Code, to provide that proceedings for the collection of sales and use taxes must be brought within three years after the due date of such taxes.

To Senate, 161.
First reading, 175.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 693.
Second reading, 723, 730.
Passed, 730.
Returned to House, 743.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1107

House Bill No. 1107. A Bill for an Act to permit any person over eighteen years of age to be a blood donor without parental authority.

To Senate, 86, first reading, 93.
Referred to Committee on Judiciary.
Reported back, do pass, 588.
Second reading, 704.
Passed, 704.
Returned to House, 730.
Received from House, 821.
Signed by President, 834.
Returned to House, 834.

House Bill No. 1108

House Bill No. 1108. A Bill for an Act to amend and reenact subsection 3 of section 14-03-17 of the North Dakota Century Code, relating to physician's certificate for marriage license application.

To Senate, 161.
First reading, 175.
Referred to Committee on Social Welfare and Veterans Affairs.
Reported back, do pass, 754.
Second reading, 785.
Passed, 785.
Returned to House, 810.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1109

House Bill No. 1109. A Bill for an Act to amend and reenact section 11-19A-11 of the North Dakota Century Code relating to autopsies by the medical county coroner.

To Senate, 147.
First reading, 156.
Referred to Committee on Social Welfare and Veterans Affairs.
Reported back, do pass, 754.
Second reading, 785.
Passed, 786.
Returned to House, 810.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1110

House Bill No. 1110. A Bill for an Act to create and enact sections 43-20-12 and 43-20-12.1 of the North Dakota Century Code, relating to the delegation of duties to dental hygienists and to continuing education requirements for dental hygienists; to amend and reenact sections 43-20-02 and 43-20-03 of the North Dakota Century Code, relating to acceptance of a national test in lieu of graduation from hygienist school and practice by dental hygienists.

To Senate, 194.
First reading, 201.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 777.
Second reading, 809.
Passed, 810.
Returned to House, 837.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1111

House Bill No. 1111. A Bill for an Act to permit a physician to examine and treat a minor for psychiatric problems, venereal disease or pregnancy without parental consent.

To Senate, 251.

First reading, 266.

Referred to Committee on Social Welfare and Veterans Affairs.

Reported back, amended, 1075.

Placed on calendar without recommendation, 1075, 1109.

Amendments adopted, 1109.

Amended from floor, 1109.

Second reading, 1138, 1160, 1167.

Lost, 1138.

Passed, 1167.

Returned to House, amended, 1198.

Conference Committee, 1235, 1239.

Conference Committee report, 1248.

Senate adopts, 1248.

House does not concur, 1235.

Transmitted to House, 1248.

Returned to House, 1249.

Reconsidered, 1146.

Received from House, 1296.

Signed by President, 1299.

Returned to House, 1302.

House Bill No. 1112

House Bill No. 1112. A Bill for an Act relating to an attorney general's determination of the legal sufficiency of certain investments authorized to be made by the state investment board.

To Senate, 128.

First reading, 141.

Referred to Committee on State and Federal Government.

Reported back, do pass, 186.

Second reading, 223.

Passed, 223.

Returned to House, 250.

Received from House, 632.

Returned to House, 637.

House Bill No. 1113

House Bill No. 1113. A Bill for an Act to provide for the transfer of moneys in the state water commission construction bond guarantee fund to the general fund.

To Senate, 423.

First reading, 442.

Referred to Committee on Appropriations.

Reported back, do pass, 853.

Second reading, 889.

Passed, 890.

Returned to House, 915.

Received from House, 1170.

Signed by President, 1216.

Returned to House, 1217.

House Bill No. 1114

House Bill No. 1114. A Bill for an Act to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to the responsibility of the department of banking and financial institutions for auditing the Bank of North Dakota.

To Senate, 128.
First reading, 141.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 737.
Second reading, 759.
Passed, 759.
Returned to House, 787.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1115

House Bill No. 1115. A Bill for an Act providing for a bank advisory board consisting of seven members appointed by the industrial commission to act in an advisory capacity to the Bank of North Dakota, and to repeal chapter 6-09.1 of the North Dakota Century Code.

To Senate, 450.
First reading, 467.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 737.
Second reading, 759.
Passed, 760.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1116

House Bill No. 1116. A Bill for an Act to amend and reenact section 44-04-08 of the North Dakota Century Code, relating to the reports of state institutions, boards, departments, and offices.

To Senate, 161.
First reading, 175.
Referred to Committee on Education.
Reported back, do pass, 1016.
Second reading, 1061.
Clincher motion, 1072.
Passed, 1062.
Returned to House, 1072.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1118

House Bill No. 1118. A Bill for an Act to amend and reenact section 21-10-07 of the North Dakota Century Code, relating to legal investments of the state investment board.

To Senate, 446.
First reading, 467.
Referred to Committee on Industry, Business and Labor.
Reported back, amended, 829.
Amendments adopted, 856.
Second reading, 890.
Amended from the floor, 890.
Passed, 890.
Returned to House, amended, 915.

House Bill No. 1119

House Bill No. 1119. A Bill for an Act to create and enact section 15-39-17.1; to amend and reenact sections 15-39-03 and 15-39-17; and to repeal sections 15-39-19, 15-39-20, and 15-39-21, all of the North Dakota Century Code, relating to contributions to the teachers' insurance and retirement fund.

To Senate, 260.
First reading, 266.
Referred to Committee on Education.
Reported back, do pass, 924.
Second reading, 968.
Passed, 968.
Returned to House, 994.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1121

House Bill No. 1121. A Bill for an Act to create and enact sections 43-28-12.1 and 43-28-12.2 of the North Dakota Century Code, relating to licensing qualifications of dentists; and to amend and reenact subsection 1 of section 43-28-01, sections 43-28-05, 43-28-07, 43-28-11, 43-28-12, 43-28-13, 43-28-15, 43-28-16, and 43-28-24 of the North Dakota Century Code, relating to the definition of the practice of dentistry, the board of dental examiners, examinations, licensing, licenses, and fees for the practice of dentistry.

To Senate, 161.
First reading, 175.
Referred to Committee on Social Welfare and Veterans Affairs.
Reported back, do pass, 754.
Second reading, 786.
Passed, 786.
Returned to House, 810.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1122

House Bill No. 1122. A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, relating to the extent of automobile damages required to be considered a reportable accident.

To Senate, 218.
First reading, 248.
Referred to Committee on Transportation.
Reported back, amended, 412.
Amendments adopted, 440.
Second reading, 476, 775.
Passed, 477, 775.
Returned to House, amended, 488.
Conference Committee, 547, 548.
Conference Committee report, 757, 774.
Transmitted to Senate, 757.
Conference Committee adopts, 774.
Returned to House, 788.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1124.

House Bill No. 1124. A Bill for an Act to amend and reenact section 40-57.1-01 of the North Dakota Century Code, to provide that farms and ranches shall be eligible for tax exemptions for new industries.

To Senate, 218.
First reading, 248.
Referred to Committee on Finance and Taxation.
Reported back, amended, 693.
Amendments adopted, 722.
Second reading, 736.
Lost, 736.
Returned to House, 761.

House Bill No. 1131

House Bill No. 1131. A Bill for an Act to amend and reenact sections 32-18-02, 32-18-04, and 32-18-05 of the North Dakota Century Code, relating to the period of redemption allowed a defaulting purchaser under a contract for deed or similar instrument.

To Senate, 251.
First reading, 266.
Referred to Committee on Judiciary.
Reported back, do pass, 570.
Second reading, 704, 786.
Passed, 787.
Returned to House, 810.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1132

House Bill No. 1132. A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to the building, repair, and rebuilding of county bridges.

To Senate, 446.
First reading, 467.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 754.
Amended, 900.
Rereferred to Committee on Political Subdivisions, 821.
Amendments adopted, 928.
Second reading, 787, 968.
Passed, 968.
Returned to House, amended, 994.
House concurs, 1042.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1133

House Bill No. 1133. A Bill for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to municipalities' authority to grant tax exemptions on land.

To Senate, 333.
First reading, 353.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 1065.

Second reading, 1081.
 Passed, 1081.
 Clincher motion, 1092.
 Returned to House, 1094.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1135

House Bill No. 1135. 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, 16-17-16, and 16-17-17 of the North Dakota Century Code, relating to primary elections.

To Senate, 147.
 First reading, 156.
 Referred to Committee on Judiciary.
 Reported back, do pass, 588.
 Amended, 876, 877.
 Rereferred to Committee on Judiciary, 856.
 Amendments adopted, 903.
 Second reading, 760, 841, 908.
 Lost, 909.
 Returned to House, failed to pass, 995.

House Bill No. 1136

House Bill No. 1136. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to membership on the emergency commission.

To Senate, 147.
 First reading, 156.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 440.
 Second reading, 477.
 Passed, 477.
 Returned to House, 488.
 Received from House, 744.
 Signed by President, 749.
 Returned to House, 750.

House Bill No. 1137

House Bill No. 1137. A Bill for an Act to amend and reenact section 16-13-07 of the North Dakota Century Code, relating to sending pollbooks to the United States district court.

To Senate, 128.
 First reading, 141.
 Referred to Committee on Judiciary.
 Reported back, amended, 352.
 Amendments adopted, 376.
 Second reading, 433.
 Amended from floor, 433.
 Passed, 433.
 Returned to House, amended, 445.
 House concurs, 953.
 Received from House, 744.
 Signed by President, 749.
 Returned to House, 750.

House Bill No. 1140

House Bill No. 1140. A Bill for an Act to amend and reenact subsection 1 of section 11-17-04 and sections 11-17-05, 27-03-05, 27-03-06, 27-07-40, and 27-07-41 of the North Dakota Century Code, relating to court filing fees and the disposition of the proceeds thereof; and to repeal section 27-12-08 of the North Dakota Century Code, relating to the use of bar association funds; and providing an effective date.

To Senate, 651.
 First reading, 696.
 Referred to Committee on Judiciary.
 Reported back, amended, 1016, 1017.
 Amendments adopted, 1045.
 Second reading, 1081, 1221.
 Passed, 1081, 1222.
 Clincher motion, 1092.
 Returned to House, amended, 1094.
 Conference Committee, 1146, 1156, 1197.
 Conference Committee report, 1221.
 House does not concur, 1156.
 Senate adopts, 1208, 1221.
 Returned to House, 1228.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1143

House Bill No. 1143. A Bill for an Act to create and enact section 36-15-08.1 of the North Dakota Century Code, relating to payment of indemnity for brucellosis.

To Senate, 194.
 First reading, 202.
 Referred to Committee on Agriculture.
 Reported back, do pass, 506.
 Second reading, 542.
 Passed, 542.
 Returned to House, 558.
 Received from House, 744.
 Signed by President, 749.
 Returned to House, 750.

House Bill No. 1144

House Bill No. 1144. A Bill for an Act to amend and reenact sections 54-03-10, 54-03-20, 54-03-20.1, and 54-35-10 of the North Dakota Century Code, relating to compensation and mileage reimbursement for members and officers of the legislative assembly, and declaring an emergency.

To Senate, 199.
 First reading, 202.
 Referred to Committee on Appropriations.
 Reported back on calendar without recommendation, 282.
 Second reading, 304.
 Clincher motion, 305.
 Passed, 305.
 Emergency carried, 305.
 Returned to House, 323.
 Received from House, 344.
 Signed by President, 344.
 Returned to House, 360.

House Bill No. 1146

House Bill No. 1146. A Bill for an Act establishing the legislative audit and fiscal review committee as a division of the committee on budget of the legislative council, to repeal chapter 54-35.1 of the North Dakota Century Code, relating to the legislative audit and fiscal review committee, and providing an appropriation.

To Senate, 559.

First reading, 697.

Referred to Committee on Appropriations.

Reported back, indefinitely postponed, 1239.

Clincher motion, 1239.

Returned to House, 1244.

House Bill No. 1147

House Bill No. 1147. A Bill for an Act to provide for a uniform standard code of construction, for methods of inspection of construction for mobile homes, and for remedies and penalties for violation of the construction code.

To Senate, 300.

First reading, 311.

Referred to Committee on Transportation.

Reported back, do pass, 412.

Returned to House, 476.

Received from House, 905.

Signed by President, 916.

Returned to House, 916.

House Bill No. 1149

House Bill No. 1149. A Bill for an Act to authorize the executor or administrator of an estate to make and enter into a contract with a licensed real estate broker for the sale of real property and pay a commission out of the proceeds of sale.

To Senate, 218.

First reading, 248.

Referred to Committee on Industry, Business and Labor.

Reported back, do pass, 737.

Second reading, 458, 760.

Passed, 458, 760.

Returned to House, 787.

Received from House, 1009.

Signed by President, 1032.

Returned to House, 1032.

House Bill No. 1151

House Bill No. 1151. A Bill for an Act to amend and reenact section 20-01-07 of the North Dakota Century Code, relating to prohibiting the operators of aircraft or motor vehicles from killing, chasing or harassing any wild game, and providing a penalty.

To Senate, 194.

First reading, 202.

Referred to Committee on Natural Resources.

Reported back, do pass, 310.

Second reading, 344.

Passed, 344.

Returned to House, 360.

Received from House, 632.

Returned to House, 637.

House Bill No. 1154

House Bill No. 1154. A Bill for an Act to amend and reenact sections 43-15-25, 43-15-26, 43-15-34, and subsection 2 of section 43-15-38 of the North Dakota Century Code, relating to the practice of pharmacy; the fees charged for pharmacists' certificates, emergency medicine licenses, and pharmacy operation permits; to authorize the board of pharmacy to inspect the premises of household remedy and emergency medicine licensees; and to repeal subsection 3 of section 43-15-02 and section 43-15-33 of the North Dakota Century Code.

To Senate, 335.

First reading, 354.

Referred to Committee on State and Federal Government.

Reported back, indefinitely postponed, 483.

Returned to House, indefinitely postponed, 516.

House Bill No. 1155

House Bill No. 1155. A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to sheriff's mileage.

To Senate, 260.

First reading, 266.

Referred to Committee on Political Subdivisions.

Reported back, do pass, 641.

Second reading, 704.

Passed, 705.

Returned to House, 730.

Received from House, 821.

Signed by President, 834.

Returned to House, 834.

House Bill No. 1156

House Bill No. 1156. A Bill for an Act to create and enact subsection 12 of section 43-15-10 of the North Dakota Century Code, relating to powers of the state board of pharmacy.

To Senate, 251.

First reading, 266.

Referred to Committee on State and Federal Government.

Reported back, amended, 506, 507.

Amendments adopted, 522.

Second reading, 705.

Passed, 705.

Returned to House, amended, 731.

House concurs, 953.

Received from House, 1043.

Signed by President, 1051.

Returned to House, 1051.

House Bill No. 1158

House Bill No. 1158. A Bill for an Act to amend and reenact section 5-02-07 of the North Dakota Century Code, relating to the sale of items other than alcoholic beverages on licensed premises.

To Senate, 333.

First reading, 354.

Referred to Committee on Industry, Business and Labor.

Reported back, amended, 737, 738.

Amendments adopted, 750.

Second reading, 788, 838.
 Amended from floor, 838.
 Passed, 838.
 Returned to House, amended, 865.
 House concurs, 917.
 Received from House, 1170.
 Signed by President, 1216.
 Returned to House, 1217.

House Bill No. 1159

House Bill No. 1159. A Bill for an Act to amend and reenact section 16-13-03 of the North Dakota Century Code, relating to keeping the county auditor's office open on election nights.

To Senate, 260.
 First reading, 266.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 777.
 Second reading, 810.
 Passed, 810.
 Returned to House, 837.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1160

House Bill No. 1160. A Bill for an Act authorizing the creation of mayors' human rights commissions in cities; to provide powers, duties, and operating procedures.

To Senate, 404.
 First reading, 414.
 Referred to Committee on Social Welfare and Veterans Affairs.
 Reported back, indefinitely postponed, 990.
 Returned to House, 1031.

House Bill No. 1161

House Bill No. 1161. A Bill for an Act to create chapter 14-15 of the North Dakota Century Code, relating to adoptions and constituting the Revised Uniform Adoption Act, and to repeal chapter 14-11 of the North Dakota Century Code.

To Senate, 508.
 First reading, 533.
 Referred to Committee on Judiciary.
 Reported back, do pass, 853.
 Amendments adopted, 879.
 Second reading, 910.
 Passed, 910.
 Returned to House, amended, 935.
 House concurs, 1000.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1162

House Bill No. 1162. A Bill for an Act to amend and reenact section 40-49-08 of the North Dakota Century Code, relating to reimbursement of the treasurer of a park district.

To Senate, 260.
First reading, 266.
Referred to Committee on Political Subdivisions.
Reported back, indefinitely postponed, 641.
Returned to House, 690.

House Bill No. 1163

House Bill No. 1163. A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to the registration of farm vehicles.

To Senate, 260.
First reading, 266.
Referred to Committee on Transportation.
Reported back, do pass, 412. Indefinitely postponed, 1065.
Re-referred to Committee on Transportation, 458.
Second reading, 458.
Clincher motion, 1072.
Returned to House, 1073.

House Bill No. 1164

House Bill No. 1164. A Bill for an Act to amend and reenact section 57-38-30.1 of the North Dakota Century Code, relating to corporate tax credit for new industry.

To Senate, 218.
First reading, 249.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 777.
Second reading, 813.
Passed, 814.
Returned to House, 837.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1165

House Bill No. 1165. A Bill for an Act authorizing the state of North Dakota acting by the North Dakota employment security bureau to sell and convey lots twenty-two, twenty-three, and twenty-four in block fifty-two, original plat of the city of Bismarck, Burleigh County, State of North Dakota, according to the plat thereof on file and of record in the office of the register of deeds of said county and state and recorded in book "A" of plats in Burleigh County, North Dakota.

To Senate, 251.
First reading, 266.
Referred to Committee on State and Federal Government.
Reported back, do pass, 440.
Second reading, 477.
Passed, 477.
Returned to House, 488.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1166

House Bill No. 1166. A Bill for an Act to amend and reenact subsection 1 of section 57-38-45 of the North Dakota Century Code, relating to income tax interest and penalties.

To Senate, 218.
 First reading, 249.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 693.
 Second reading, 723.
 Passed, 724.
 Returned to House, 743.
 Received from House, 1009.
 Signed by President, 1032.
 Returned to House, 1032.

House Bill No. 1167

House Bill No. 1167. A Bill for an Act to amend and reenact subsection 1 of section 6-08-16 of the North Dakota Century Code, relating to the penalty upon conviction for issuance of nonsufficient funds or no account checks.

To Senate, 423.
 First reading, 442.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 830.
 Returned to House, 865.

House Bill No. 1170

House Bill No. 1170. A Bill for an Act to amend and reenact section 52-09-09 and subdivision (3) of subsection D of section 52-09-20 of the North Dakota Century Code, relating to contributions and primary insurance benefit under North Dakota old age and survivor insurance system.

To Senate, 300.
 First reading, 311.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 738.
 Second reading, 762.
 Passed, 762.
 Returned to House, 787.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1172

House Bill No. 1172. A Bill for an Act to amend and reenact section 16-11-04 of the North Dakota Century Code, relating to the color of election ballots.

To Senate, 218.
 First reading, 249.
 Referred to Committee on Judiciary.
 Reported back, amended, 641.
 Amendments adopted, 695.
 Second reading, 724.
 Passed, 724.
 Returned to House, amended, 744.
 Conference Committee, 761, 774.
 Conference Committee report, 964, 976. Adopts, 964, 976.
 Transmitted to Senate, 964.
 Returned to House, 976.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1173

House Bill No. 1173. A Bill for an Act to amend and reenact sections 1 and 2 of chapter 408 of the 1969 Session Laws of North Dakota, relating to authorization of the sale and transfer of certain real property owned by the state for the benefit of the state penitentiary.

To Senate, 251.
First reading, 266.
Referred to Committee on State and Federal Government.
Reported back, do pass, 440.
Second reading, 478.
Passed, 478.
Returned to House, 488.
Received from House, 821.
Signed by President, 834.
Returned to House, 834.

House Bill No. 1174

House Bill No. 1174. A Bill for an Act to amend and reenact section 57-50-03 of the North Dakota Century Code, relating to claim for refund of motor fuel tax.

To Senate, 251.
First reading, 267.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 777.
Second reading, 814.
Passed, 814.
Returned to House, 837.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1176

House Bill No. 1176. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to limitations upon personal property tax replacement payments to counties.

To Senate, 690.
First reading, 731.
Referred to Committee on Finance and Taxation.
Reported back, indefinitely postponed, 1017.
Clincher motion, 1069.
Returned to House, 1070.

House Bill No. 1177

House Bill No. 1177. A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to the dates and the formula for the distribution of personal property tax replacement moneys to political subdivisions, and declaring an emergency.

To Senate, 638.
First reading, 684.
Referred to Committee on Finance and Taxation.
Placed on Calendar, 1261. Amended from floor, 1261, 1265.
Second reading, 1265, 1284.
Passed, 1265, 1285.
Emergency lost, 1285.
Returned to House, amended, 1266.

Conference Committee, 1271.
 Conference Committee report, 1284.
 Senate adopts, 1284.
 House does not concur, 1271.
 House requests return, 1247.
 Senate does not Return, 1248.
 Returned to House, 1285.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1178

House Bill No. 1178. A Bill for an Act to amend and reenact Section 36-04-03 of the North Dakota Century Code, relating to agents of livestock, poultry and wool dealers use of checks or other commercial paper other than in the name of their principals.

To Senate, 287.
 First reading, 294.
 Referred to Committee on Agriculture.
 Reported back, do pass, 528.
 Second reading, 705.
 Passed, 705.
 Returned to House, 730.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1179

House Bill No. 1179. A Bill for an Act to amend and reenact section 36-04-01 of the North Dakota Century Code, relating to the definition of livestock and wool dealers.

To Senate, 300.
 First reading, 312.
 Referred to Committee on Agriculture.
 Reported back, do pass, 641.
 Second reading, 705.
 Passed, 706.
 Returned to House, 730.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1180

House Bill No. 1180. A Bill for an Act to amend and reenact section 36-04-07 of the North Dakota Century Code, relating to livestock, poultry and wool dealer's licensure, penalty fees and transferability of licenses.

To Senate, 300.
 First reading, 312.
 Referred to Committee on Agriculture.
 Reported back, do pass, 528.
 Second reading, 706.
 Passed, 706.
 Returned to House, 730.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1182

House Bill No. 1182. 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 sales tax exemptions.

To Senate, 335.

First reading, 354.

Referred to Committee on Finance and Taxation.

Returned to House, 865.

House Bill No. 1183

House Bill No. 1183. A Bill for an Act to create and enact a new section to chapter 57-23 of the North Dakota Century Code, relating to the abatement and refund of property taxes.

To Senate, 218.

First reading, 249.

Referred to Committee on Finance and Taxation.

Reported back, do pass, 777.

Second reading, 814.

Passed, 814.

Returned to House, 837.

Received from House, 1248.

Signed by President, 1252.

Returned to House, 1252.

House Bill No. 1185

House Bill No. 1185. A Bill for an Act to amend and reenact subsection 25 of section 57-02-08 of the North Dakota Century Code, relating to personal property tax exemptions; subsection 3 of section 57-37-02 and subsection 2 of section 57-37-07 of the North Dakota Century Code, relating to the gross estate for estate tax purposes, adoption of internal revenue definition of powers of appointment for estate tax purposes and declaring an emergency; subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to penalties for sales tax purposes; section 57-39.2-23 of the North Dakota Century Code, relating to confidential information for sales tax purposes; section 57-46-01.1 of the North Dakota Century Code, relating to extension of time for filing income tax returns and payment of income tax by certain members of the armed forces and merchant marine; section 57-52-10 of the North Dakota Century Code, relating to special fuels tax returns; subsection 8 of section 57-54.1-03 of the North Dakota Century Code, relating to the definition of "Importer for use" for importers for use tax purposes and section 57-54.1-15 of the North Dakota Century Code, relating to refunds of importers for use tax.

To Senate, 300.

First reading, 312.

Referred to Committee on Finance and Taxation.

Reported back, do pass, 830.

Second reading, 861.

Passed, 861.

Returned to House, 888.

Received from House, 1296.

Signed by President, 1299.

Returned to House, 1302.

House Bill No. 1186

House Bill No. 1186. A Bill for an Act to amend and reenact section 37-01-03 of the North Dakota Century Code, relating to

not having to charge a person under the code of military justice before turning the person over to civil authorities.

To Senate, 287.
 First reading, 294.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 990.
 Second reading, 1041.
 Passed, 1041.
 Clincher motion, 1069.
 Returned to House, 1069.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1187

House Bill No. 1187. A Bill for an Act to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to permits for motor vehicles entering state parks, state recreational areas or certain reserves.

To Senate, 300.
 First reading, 312.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 464.
 Second reading, 493.
 Passed, 494.
 Returned to House, 515.
 Received from House, 744.
 Signed by President, 749.
 Returned to House, 750.

House Bill No. 1188

House Bill No. 1188. A Bill for an Act to create and enact section 51-07-14 of the North Dakota Century Code, to allow wholesalers and manufacturers to charge a one and one-half percent service charge per month on all accounts which are overdue.

To Senate, 324.
 First reading, 334.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 924.
 Amendments adopted, 954.
 Second reading, 996.
 Passed, 996.
 Returned to House, amended, 1031.
 House concurs, 1137.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1189

House Bill No. 1189. A Bill for an Act to amend and reenact Sections 43-17-07, 43-17-18, and 43-17-20 of the North Dakota Century Code, relating to the examination of applicants for a license to practice medicine in this state.

To Senate, 335.
 First reading, 354.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 754.
 Second reading, 788.

Passed, 789.
Returned to House, 810.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1191

House Bill No. 1191. A Bill for an Act to amend and reenact section 6-03-47 of the North Dakota Century Code, relating to the investment in loans and obligations secured by federal or state government.

To Senate, 300.
First reading, 312.
Referred to Committee on State and Federal Government.
Reported back, do pass, 507.
Second reading, 542.
Passed, 543.
Returned to House, 558.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1192

House Bill No. 1192. A Bill for an Act to create and enact subdivision d of subsection 3 of section 52-06-01 of the North Dakota Century Code, relating to unemployment compensation eligibility requirements.

To Senate, 638.
First reading, 684.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 830.
Second reading, 861.
Passed, 862.
Returned to House, 888.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1193

House Bill No. 1193. A Bill for an Act to amend and reenact sections 14-10-01 and 14-10-02 of the North Dakota Century Code, relating to the definition of a minor and an adult.

To Senate, 423.
First reading, 442.
Referred to Committee on Judiciary.
Reported back, do pass, 877.
Second reading, 910.
Passed, 910.
Returned to House, 935.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1195

House Bill No. 1195. A Bill for an Act to amend and reenact section 20-17-04 of the North Dakota Century Code, relating to the number of game birds that a shooting preserve may release.

To Senate, 260.
First reading, 267.
Referred to Committee on Natural Resources.
Reported back do pass, 507.
Second reading, 543.
Passed, 543.
Returned to House, 558.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1196

House Bill No. 1196. A Bill for an Act to amend and reenact section 28-21-06 of the North Dakota Century Code, relating to the issue and contents of execution.

To Senate, 251.
First reading, 267.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 588.
Returned to House, 637.

House Bill No. 1197

House Bill No. 1197. A Bill for an Act to amend and reenact section 28-21-07 of the North Dakota Century Code, relating to the time of return of executions.

To Senate, 251.
First reading, 267.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 588.
Returned to House, 637.

House Bill No. 1198

House Bill No. 1198. A Bill for an Act to amend and reenact section 54-46-08 of the North Dakota Century Code, providing for the disposal of records, and to repeal section 46-04-20 of the North Dakota Century Code, relating to the destruction of public records.

To Senate, 251.
First reading, 267.
Referred to Committee on State and Federal Government.
Reported back, do pass, 464.
Second reading, 494.
Passed, 494.
Returned to House, 515.
Received from House, 821.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1201

House Bill No. 1201. A Bill for an Act to provide that all motor vehicle liability policies written in this state must contain uninsured motorist coverage.

To Senate, 450.
First reading, 467.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 738.
Second reading, 762.

Passed, 762.
 Returned to House, 787.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1203

House Bill No. 1203. 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 other purposes as are hereinafter provided.

To Senate, 638.
 First reading, 684.
 Referred to Committee on Appropriations.
 Reported back, amended, 853.
 Amendments adopted, 879.
 Amended from floor, 879.
 Second reading, 910, 1239.
 Passed, 911, 1239.
 Returned to House, amended, 935.
 Conference Committee, 1045, 1056.
 Conference Committee report, 1238.
 Senate adopts, 1243, 1236, 1238.
 House does not concur, 1045.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1204

House Bill No. 1204. A Bill for an Act relating to the removal of disability of certain minors in making an educational loan, and constituting the Uniform Minor Student Capacity to Borrow Act.

To Senate, 218.
 First reading, 249.
 Referred to Committee on Judiciary.
 Reported back, do pass, 588.
 Second reading, 706, 717.
 Passed, 717.
 Returned to House, 730.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1205

House Bill No. 1205. A Bill for an Act to create and enact section 8-09-01.1 of the North Dakota Century Code, providing that the delivering carrier be responsible for any damages to the shipment.

To Senate, 690.
 First reading, 731.
 Referred to Committee on Transportation.
 Reported back, do pass, 900.
 Second reading, 936.
 Passed, 936.
 Returned to House, 975.

Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1207

House Bill No. 1207. A Bill for an Act to provide a method for the Bank of North Dakota to invest in certain government agency stocks.

To Senate, 324.
First reading, 334.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 738.
Second reading, 762.
Passed, 763.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1208

House Bill No. 1208. 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, 333.
First reading, 354.
Referred to Committee on State and Federal Government.
Reported back, amended, 465, 571.
Re-referred to Committee on State and Federal Government, 479.
Amendments adopted, 590.
Second reading, 707, 763.
Passed, 763.
Returned to House, amended, 787.
Conference Committee, 821, 846.
Conference Committee report, 963, 976. Adopts, 964, 976.
House does not concur, 821.
Transmitted to Senate, 964.
Returned to House, 976.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1209

House Bill No. 1209. A Bill for an Act to amend and reenact section 16-11-07 of the North Dakota Century Code, to provide for placement of an explanatory statement on the ballot for constitutional amendments and initiated and referred measures explaining the effect of both negative and affirmative votes on a particular measure.

To Senate, 324.
First reading, 334.
Referred to Committee on Judiciary.
Reported back, do pass, 693.
Second reading, 724.
Passed, 724.
Returned to House, 743.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1211

House Bill No. 1211. A Bill for an Act to amend and reenact section 23-13-02 of the North Dakota Century Code, providing for coin-operated gasoline pumps.

To Senate, 333.

Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 957.

Returned to House, 995.

House Bill No. 1213

House Bill No. 1213. A Bill for an Act to amend and reenact sections 11-11-37 and 40-08-12 of the North Dakota Century Code, relating to the publication of minutes.

To Senate, 335.

First reading, 354.

Referred to Committee on Education.

Reported back, do pass, 738.

Second reading, 763.

Passed, 764.

Returned to House, 787.

Received from House, 1009.

Signed by President, 1032.

Returned to House, 1032.

House Bill No. 1215

House Bill No. 1215. A Bill for an Act to amend and reenact sections 4-22-02, 4-22-03, 4-22-04, 4-22-06, 4-22-08, 4-22-09, 4-22-10, 4-22-11, 4-22-14, 4-22-16, 4-22-17, 4-22-21, 4-22-22, 4-22-23.1, subsection 6 of section 4-22-26, sections 4-22-27, 4-22-28, 4-22-29, 4-22-31, 4-22-32, 4-22-37, 4-22-42, 4-22-43, and 4-22-47 of the North Dakota Century Code; and to repeal sections 4-22-07, 4-22-18, 4-22-19, 4-22-20, and 4-22-22.1 of the North Dakota Century Code, relating to the state soil conservation committee and soil districts.

To Senate, 423.

First reading, 443.

Referred to Committee on Agriculture.

Reported back, do pass, 642.

Second reading, 707.

Returned to House, 730.

Received from House, 821.

Signed by President, 834.

Returned to House, 835.

House Bill No. 1216

House Bill No. 1216. A Bill for an act to amend and reenact section 57-37-22 of the North Dakota Century Code, relating to estate tax reports, inventories, applications and supplements.

To Senate, 300.

First reading, 312.

Referred to Committee on Judiciary.

Reported back, do pass, 588.

Second reading, 707.

Passed, 708.

Returned to House, 730.

Received from House, 821.

Signed by President, 834.

Returned to House, 835.

House Bill No. 1217

House Bill No. 1217. A Bill for an Act to amend and reenact sections 39-20-01, 39-20-04, 39-20-05 and subsection 3 of section 39-20-07 of the North Dakota Century Code, relating to the implied consent law on chemical testing of motor vehicle drivers for the purpose of determining the alcoholic content of the driver's blood.

To Senate, 540.
First reading, 556.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 957.
Returned to House, 995.

House Bill No. 1218

House Bill No. 1218. A Bill for an Act to amend and reenact sections 21-09-01 and 21-09-05 of the North Dakota Century Code, changing the title of "The 1969 Bond Validating Act" to "The 1971 Bond Validating Act", and relating to the application of chapter 21-09 of the North Dakota Century Code to bonds issued and proceedings taken prior to July 1, 1971.

To Senate, 638.
First reading, 684.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 853.
Second reading, 890.
Passed, 891.
Returned to House, 915.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1219

House Bill No. 1219. A Bill for an Act to amend and reenact section 49-13-18 of the North Dakota Century Code, relating to the hours of service of railroad employees.

To House, 638.
First reading, 684.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 830.
Second reading, 862.
Passed, 862.
Returned to House, 888.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1220

House Bill No. 1220. A Bill for an Act to amend and reenact subsection 10 of section 52-06-02 of the 1969 Supplement to the North Dakota Century Code, relating to unemployment compensation benefit disqualifications.

To Senate, 638.
First reading, 685.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 830.
Second reading, 865.
Passed, 866.

Returned to House, 888.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1221

House Bill No. 1221. A Bill for an Act to amend and reenact section 40-21-05 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks at municipal elections.

To Senate, 335.
First reading, 354.
Referred to Committee on Judiciary.
Reported back, do pass, 693.
Second reading, 724.
Passed, 724.
Returned to House, 743.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1222

House Bill No. 1222. A Bill for an Act to amend and reenact section 40-21-07 of the North Dakota Century Code, relating to the time for filing petition for nomination of elective official in cities.

To House, 300.
First reading, 312.
Referred to Committee on Judiciary.
Reported back, do pass, 694.
Second reading, 725.
Passed, 725.
Returned to House, 743.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1223

House Bill No. 1223. A Bill for an Act to create and enact section 64-02-05.1 of the North Dakota Century Code, relating to changing the title of the chief inspector of the department of weights and measures.

To Senate, 251.
First reading, 267.
Referred to Committee on State and Federal Government.
Reported back, do pass, 440.
Second reading, 478.
Passed, 478.
Returned to House, 488.
Received from House, 821.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1224

House Bill No. 1224. A Bill for an Act to amend and reenact subsection 2 of section 40-10-06, section 40-40-04 and subsection 2 of section 40-40-06 of the North Dakota Century Code, relating to the preparation and submission of a preliminary budget in city manager

cities, the dates of preparation of a preliminary budget in all other municipalities and the date the governing body is to meet for the purpose of adopting the final budget and making the annual tax levy.

To Senate, 446.
 First reading, 468.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 877.
 Second reading, 911.
 Passed, 911.
 Returned to House, 935.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1227

House Bill No. 1227. A Bill for an Act to create and enact section 39-03A-27 of the North Dakota Century Code establishing the legislative intent and relating to effect of amendment of the highway patrolmen's retirement system; to amend and reenact sections 39-03A-09, 39-03A-10, 39-03A-12, 39-03A-14, 39-03A-16, 39-03A-17, 39-03A-21 and 39-03A-21.1 relating to the highway patrolmen's retirement system, payment by contributors, contributions of the state, retirement allowance, optional retirement allowance, disability retirement allowance, severance allowance, payments in case of death and children's benefits and to repeal subsection 7 of section 39-03A-01 relating to the definition of average monthly salary.

To Senate, 260.
 First reading, 267.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 465.
 Second reading, 494.
 Passed, 495.
 Returned to House, 516.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1229

House Bill No. 1229. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 and sections 11-16-02 and 11-16-05 of the North Dakota Century Code, relating to providing that the position of states attorney in a county of over 35,000 population be a full-time position, the employment of assistant states attorneys, the restrictions on the powers of states attorneys, increasing the salaries of county officials, and to create and enact a section to provide for an effective date thereof.

To Senate, 690.
 First reading, 731.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 1017.
 Amendments adopted, 1046.
 Second reading, 1082, 1222.
 Passed, 1082, 1222.
 Clincher motion, 1092.
 Returned to House, amended, 1094.
 Conference Committee, 1139, 1146.
 Conference Committee report, 1222.
 Senate adopts, 1208, 1222.

House does not concur, 1139.
Returned to House, 1228.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1230

House Bill No. 1230. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, relating to election days as holidays, and providing that state and political subdivision offices stay open on election days.

To Senate, 336.
First reading, 354.
Referred to Committee on Judiciary.
Reported back, amended, 694.
Amendments adopted, 722.
Second reading, 741.
Lost, 741.
Returned to House, 761.

House Bill No. 1233

House Bill No. 1233. A Bill for an Act to amend and reenact subsection 5 of section 41-09-34 of the North Dakota Century Code relating to the priority of a real estate interest in fixtures.

To Senate, 446.
First reading, 468.
Referred to Committee on Judiciary.
Reported back, do pass, 720.
Second reading, 741.
Passed, 741.
Returned to House, 761.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1235

House Bill No. 1235. A Bill for an Act to authorize a person to execute a power of attorney to provide for the care of his person or property while under disability, to provide for the manner of execution of the power, for its termination, and for the appointment of a successor, and prescribing the duties and liabilities of the attorney in fact.

To Senate, 508.
First reading, 533.
Referred to Committee on Judiciary.
Reported back, do pass, 796.
Second reading, 841.
Passed, 841.
Returned to House, 864.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1236

House Bill No. 1236. A Bill for an Act to provide for the discontinuance of county agricultural and training schools; to repeal section 15-42-29 of the North Dakota Century Code and declaring an emergency.

To Senate, 333.
First reading, 354.
Referred to Committee on Education.
Reported back, do pass, 738.
Second reading, 764.
Passed, 764.
Emergency carried, 764.
Returned to House, 787.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1238

House Bill No. 1238. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code relating to salaries of supreme and district court judges.

To Senate, 638.
First reading, 685.
Referred to Committee on Appropriations.
Reported back, do pass, 854.
Second reading, 891.
Passed, 891.
Returned to House, 915.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1239

House Bill No. 1239. A Bill for an Act to amend and reenact section 27-05-01 of the North Dakota Century Code relating to judicial districts, the number, composition and number of judges therein.

To Senate, 638.
First reading, 685.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 877.
Returned to House, 915.

House Bill No. 1241

House Bill No. 1241. A Bill for an Act to create and enact subsection 7 of section 60-02-09 of the North Dakota Century Code relating to track buyers and public warehousemen's bonds.

To Senate, 336.
First reading, 355.
Referred to Committee on Agriculture.
Reported back, do pass, 528.
Second reading, 708.
Passed, 708.
Returned to House, 730.
Received from House, 821.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1243

House Bill No. 1243. A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the North Dakota Century Code, relating to power of municipalities to defray expense of overhead pedestrian bridges by special assessments.

To Senate, 404.
 First reading, 414.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 642.
 Second reading, 708.
 Passed, 709.
 Returned to House, 730.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1244

House Bill No. 1244. A Bill for an Act to amend and reenact subsections 3, 4, 5, 6, 7, 8, 9, 10 and 20 of section 64-02-10 of the North Dakota Century Code, relating to the fees to be charged for inspecting weighing and measuring devices, including devices for measuring liquid fertilizer.

To Senate, 450.
 First reading, 468.
 Referred to Committee on Agriculture.
 Reported back, do pass, 642.
 Second reading, 709, 710.
 Passed, 711.
 Lost, 709.
 Reconsidered, 710.
 Returned to House, 731.
 Received from House, 1009.
 Signed by President, 1032.
 Returned to House, 1032.

House Bill No. 1245

House Bill No. 1245. A Bill for an Act to amend and reenact section 21-06-03 of the North Dakota Century Code, relating to a defaced or lost obligation and granting the state or political subdivision the right to elect to accept either a surety bond or a written agreement as indemnification before a duplicate obligation is issued.

To Senate, 251.
 First reading, 267.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 465.
 Second reading, 495.
 Passed, 495.
 Returned to House, 515.
 Received from House, 821.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1246

House Bill No. 1246. A Bill for an Act to amend and reenact section 15-29-13 and subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the expenditure of school district funds and sales tax exemptions for such funds.

To Senate, 540.
 First reading, 556.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 957, 958.
 Amendments adopted, 986.
 Second reading, 1042, 1223.

Passed, 1042, 1223.
 Clincher motion, 1069.
 Returned to House, amended, 1069.
 Conference Committee, 1129, 1144.
 Conference Committee report, 1223.
 Senate adopts, 1208, 1223.
 House does not concur, 1129.
 Returned to House, 1228.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1247

House Bill No. 1247. A Bill for an Act relating to the creation and authorization of nonprofit vision service corporations whereby visual services may be provided by licensed practitioners to members of the public who become subscribers to said corporations under contracts which entitle such subscribers to certain specified vision services.

To Senate, 638.
 First reading, 685.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 924.
 Amendments adopted, 954.
 Second reading, 996.
 Passed, 997.
 Returned to House, amended, 1031.
 House concurs, 1137.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1249

House Bill No. 1249. A Bill for an Act to amend and reenact subsection 3 of section 40-05-02 of the North Dakota Century Code, relating to the power of a municipality to construct and keep in repair overhead pedestrian bridges.

To Senate, 380.
 First reading, 398.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 642.
 Second reading, 708.
 Passed, 708.
 Returned to House, 731.
 Received from House, 822.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1250

House Bill No. 1250. A Bill for an Act to provide for the registration of subdivided lands situate outside of North Dakota for sale or disposition in North Dakota, and providing requirements for such registration; naming the North Dakota real estate commission to administer this Act; providing for certain exemptions; providing for full disclosure of material facts concerning subdivided lands offered for sale or disposal; providing for the payment of registration fees; providing for a bond by the subdivider; providing grounds for revocation of registration; providing for investigation in hearing procedures; providing for judicial review

of administrative decisions; providing penalties for violation including civil remedies for damaged parties; providing for service of process; providing for cease and desist orders for certain violations of this Act; providing general powers and duties in the administration of this Act; providing for annual reports by registered subdividers.

To Senate, 559.
First reading, 576.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 738.
Second reading, 765.
Passed, 765.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1252.

House Bill No. 1252. A Bill for an Act to amend and reenact section 40-21-12 of the North Dakota Century Code, relating to compensation for making returns in a municipal election.

To Senate, 380.
First reading, 398.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 694.
Returned to House, 731.

House Bill No. 1253

House Bill No. 1253. A Bill for an Act relating to the payment of life insurance proceeds to trustees whether inter vivos or testamentary.

To Senate, 404.
First reading, 414.
Referred to Committee on Judiciary.
Reported back, do pass, 720.
Second reading, 742.
Passed, 742.
Returned to House, 761.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1254

House Bill No. 1254. A Bill for an Act to provide for the salary of the county sheriff and deputy sheriffs.

To Senate, 690.
First reading, 731.
Referred to Committee on Political Subdivisions.
Reported back, amended, 1017, 1018.
Amendments adopted, 1046.
Second reading, 1081.
Passed, 1082.
Clincher motion, 1092.
Returned to House, amended, 1094.
Conference Committee, 1139, 1146.
Conference Committee report, 1223.
Senate adopts, 1208, 1224.

House does not concur, 1139.
Returned to House, 1228.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1257

House Bill No. 1257. A Bill for an Act to amend and reenact subsection 2 of section 57-37-11 of the North Dakota Century Code, relating to the exemption of a surviving spouse for estate tax purposes; to amend and reenact section 57-37-13 of the North Dakota Century Code, relating to the rate of tax for estate tax purposes; and providing an effective date.

To Senate, 333.
First reading, 355.
Referred to Committee on Finance and Taxation.
Reported back, indefinitely postponed, 830.
Returned to House, 865.

House Bill No. 1258

House Bill No. 1258. A Bill for an Act to amend and reenact section 20-05-03 of the North Dakota Century Code, allowing horses and mules to be used in hunting big game.

To Senate, 287.
First reading, 294.
Referred to Committee on Natural Resources.
Reported back, amended, 528.
Amendments adopted, 549.
Second reading, 706, 726.
Passed, 726.
Returned to House, amended, 744.
House concurs, 953.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1259

House Bill No. 1259. A Bill for an Act to amend and reenact subsection 2 of section 43-21-01, and sections 43-21-02, 43-21-03, 43-21-04, 43-21-08, 43-21-09, 43-21-10, 43-21-11, and 43-21-12 of the North Dakota Century Code, relating to practical nurses, and providing a penalty.

To Senate, 336.
First reading, 355.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 1075.
Second reading, 1133.
Passed, 1134.
Clincher motion, 1140.
Returned to House, 1177.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1260

House Bill No. 1260. A Bill for an Act to amend and reenact subsection 4 of section 27-20-02 of the North Dakota Century Code, relating to the definition of an unruly child.

To Senate, 639.
 First reading, 685.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 900.
 Second reading, 936.
 Passed, 937.
 Returned to House, 975.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1261

House Bill No. 1261. A Bill for an Act to create and enact subsection 8 of section 38-03-07 of the North Dakota Century Code, relating to inspector's powers and duties relating to mine inspections; and to amend and reenact sections 38-03-03, 38-03-04, 38-03-06, subsection 5 of section 38-03-07, subsection 7 of section 38-03-07, sections 38-03-11, 38-03-17, 38-04-04, 38-05-01, 38-06-01, 38-06-02, 38-06-03, 38-07-01, 38-07-03, 38-07-04, 38-07-06, 38-07-07, and 38-07-08 of the North Dakota Century Code, relating to bond of inspector; salary of inspector; vacancy in office; inspector's powers and duties relating to mine inspections; posting inspection statement of mine and posting regulations governing carriage of men posted; inspector to order immediate compliance when provision or rule violated and failure to comply; license fee collections to workmen's compensation bureau; board of examiners for mine foreman; safety rules and regulations may be promulgated and enforced by state coal mine inspector; employment of mine foreman; inability of mine foreman to act and substitutes; map or plan of coal mine; map of seams; maps to include surface description; survey of active mines to be made annually and results of survey shown on map; refusal to furnish map, plan, or extension of mine and inspector to order survey and cost; operator of worked out, abandoned, or indefinitely closed mine to make survey and extension of maps; and to repeal sections 38-01-02, 38-01-03, 38-01-04, 38-01-05, 38-01-09, 38-03-15, 38-03-16, 38-05-02, 38-05-03, 38-05-04, 38-05-05, 38-05-06, 38-05-08, 38-05-09, 38-05-10, 38-05-11, 38-06-04, 38-06-05, 38-06-06, 38-06-07, 38-06-08, 38-06-09, 38-06-10, 38-06-11, 38-06-12, 38-06-13, 38-06-14, 38-06-15, 38-06-16, 38-06-17, 38-06-18, 38-06-19, 38-06-20, 38-06-21, 38-06-22, 38-06-23, 38-06-24, 38-06-25, 38-06-26, 38-06-27, 38-06-28, 38-06-29, 38-06-30, 38-06-31, 38-06-32, 38-06-33, 38-06-34, 38-06-35, 38-06-36, 38-06-37, 38-06-38, 38-06-39, 38-06-40, 38-06-41, 38-06-42, 38-06-43, 38-06-44, 38-06-45, 38-06-46, 38-06-47, 38-06-48, 38-06-49, 38-06-50, 38-06-51, 38-06-52, 38-06-53, 38-06-54, 38-06-58, and 38-06-59 of the North Dakota Century Code, and sections 38-03-12 and 38-05-07 of the 1969 supplement to the North Dakota Century Code are hereby repealed.

To Senate, 336.
 First reading, 355.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 483. Amended, 854.
 Re-referred to Committee on State and Federal Government, 791.
 Amendments adopted, 880.
 Second reading, 543, 911.
 Passed, 544, 912.
 Returned to House, 558. Amended, 935.
 House concurs, 1045.
 Senate requests return, 770.
 Received from House, 791, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1264

House Bill No. 1264. A Bill for an Act to amend and reenact section 24-02-39 of the North Dakota Century Code, relating to a limitation on building cost incurred by the state highway department.

To Senate, 324.
First reading, 334.
Referred to Committee on State and Federal Government.
Reported back, do pass, 465.
Second reading, 495.
Passed, 495.
Returned to House, 516.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1265

House Bill No. 1265. A Bill for an Act to amend and reenact section 40-21-03 of the North Dakota Century Code, relating to appointment of judges, clerks and inspectors of municipal elections in council cities.

To Senate, 336.
First reading, 355.
Referred to Committee on Judiciary.
Reported back, do pass, 694.
Second reading, 726.
Passed, 726.
Returned to House, 743.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1268

House Bill No. 1268. A Bill for an Act to amend and reenact section 40-47-07 of the North Dakota Century Code, relating to appointment of an alternate member to a board of adjustment.

To Senate, 380.
First reading, 398.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 642.
Second reading, 709.
Passed, 710.
Returned to House, 731.
Received from House, 822.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1269

House Bill No. 1269. A Bill for an Act to amend and reenact section 40-29-03 of the North Dakota Century Code, relating to required notice to construct, rebuild, or repair sidewalks.

To Senate, 336.
First reading, 356.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 642, 777.
Re-referred to Committee on Political Subdivisions, 711.
Second reading, 710, 815.

Lost, 710.
 Reconsidered, 711.
 Passed, 815.
 Returned to House, 837.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1270

House Bill No. 1270. 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.

To Senate, 404.
 First reading, 414.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 528, 529.
 Returned to House, 558, indefinitely postponed.

House Bill No. 1271

House Bill No. 1271. A Bill for an Act to create and enact subsection 20 of section 61-16-11, and to amend and reenact subsection 4 of section 61-16-01, and sections 61-16-12, 61-16-21, 61-16-22, 61-16-23, 61-16-28, 61-16-32, 61-16-33, 61-16-34, and 61-16-35 of the North Dakota Century Code, relating to water management districts, and authorizing such districts to engage in water supply and sewage system projects.

To Senate, 594.
 First reading, 634.
 Referred to Committee on Natural Resources.
 Reported back, amended, 877.
 Amendments adopted, 903.
 Second reading, 937, 1038.
 Passed, 1038.
 Clincher motion, 1069.
 Returned to House, amended, 1069.
 House concurs, 1103.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1272

House Bill No. 1272. A Bill for an Act to amend and reenact subdivision d of subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to firemen's compensation and death payments under workmen's compensation.

To Senate, 558.
 First reading, 576.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 720.
 Second reading, 742.
 Passed, 743.
 Returned to House, 761.
 Received from House, 1009.
 Signed by President, 1032.
 Returned to House, 1032.

House Bill No. 1275

House Bill No. 1275. A Bill for an Act to amend and reenact sections 39-12-02 and 39-12-06 of the North Dakota Century Code, relating to extended loads on motor vehicles.

To Senate, 632.
First reading, 685.
Referred to Committee on Transportation.
Reported back, do pass, 778.
Second reading, 815.
Passed, 815.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1276

House Bill No. 1276. A Bill for an Act to create and enact subsection 6 of section 49-18-02 of the North Dakota Century Code, relating to exemption from regulation of the transportation, for hire, of agricultural commodities.

To Senate, 690.
First reading, 732.
Referred to Committee on Transportation.
Reported back, do pass, 901.
Second reading, 937.
Passed, 937.
Returned to House, 975.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1280

House Bill No. 1280. A Bill for an Act to amend and reenact subsection 59 of section 40-05-01 of the North Dakota Century Code, relating to the powers of municipalities to participate with the federal government on public works projects.

To Senate, 450.
First reading, 468.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 754.
Second reading, 789.
Passed, 789.
Returned to House, 810.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1281

House Bill No. 1281. A Bill for an Act to amend and reenact section 57-50-11.1 of the North Dakota Century Code, relating to assignment of motor fuel tax by persons holding designated permits.

To Senate, 300.
First reading, 312.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 694.
Second reading, 727.
Passed, 727.
Returned to House, 743.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1283

House Bill No. 1283. A Bill for an Act to amend and reenact sec-

tions 29-06-15 and 29-06-16 of the North Dakota Century Code, relating to arrest without a warrant and arrest at night without a warrant.

To Senate, 333.
First reading, 356.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 720.
Returned to House, 744.

House Bill No. 1286

House Bill No. 1286. A Bill for an Act to amend and reenact section 40-38-01 of the North Dakota Century Code, relating to the dissolution of public libraries.

To Senate, 558.
First reading, 576.
Referred to Committee on Education.
Reported back, indefinitely postponed, 1018.
Clincher motion, 1069.
Returned to House, 1070.

House Bill No. 1287

House Bill No. 1287. A Bill for an Act relating to legal jeopardy in cases of self-defense or in aid of another in certain cases.

To Senate, 380.
First reading, 398.
Referred to Committee on Judiciary.
Placed on Calendar, 720.
Second reading, 742.
Passed, 742.
Clincher motion, 742.
Returned to House, 761.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1288

House Bill No. 1288. A Bill for an Act to create and enact Sections 43-07-20, 43-07-21 and 43-07-22, relating to employment of North Dakota residents for work performed under public contracts, providing a penalty, and establishing responsibility for enforcement of

To Senate, 651.
First reading, 697.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 924.
Second reading, 969.
Passed, 969.
Returned to House, 994.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1289

House Bill No. 1289. A Bill for an Act to create a North Dakota insurance guaranty association.

To Senate, 639.
First reading, 685.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 830.
Second reading, 866.

Passed, 866.
 Returned to House, 888.
 Received from House, 1248.
 Signed by President, 1252.
 Returned to House, 1252.

House Bill No. 1290

House Bill No. 1290. A Bill for Act to create and enact sections 5-01-08.1 and 5-01-08.2 of the North Dakota Century Code, and to amend and reenact sections 5-01-09 and 5-02-06 of the North Dakota Century Code, relating to misrepresentation of age in procuring alcoholic beverages.

To Senate, 404.
 First reading, 414.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 738.
 Second reading, 765.
 Passed, 766.
 Returned to House, 787.
 Received from House, 1009.
 Signed by President, 1032.
 Returned to House, 1032.

House Bill No. 1291

House Bill No. 1291. A Bill for an Act to create and enact section 39-08-04.1 of the North Dakota Century Code, providing for immunity from liability for the good faith rendering of emergency care at the scene of an accident.

To Senate, 594.
 First reading, 634.
 Referred to Committee on Judiciary.
 Reported back, do pass, 924.
 Second reading, 969.
 Passed, 969.
 Returned to House, 994.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1293

House Bill No. 1293. A Bill for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to the advertisement of bids by counties for the purchase and rental of heavy equipment.

To Senate, 450.
 First reading, 468.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 754.
 Second reading, 789.
 Passed, 789.
 Returned to House, 810.
 Received from House, 1248.
 Signed by President, 1252.
 Returned to House, 1252.

House Bill No. 1299

House Bill No. 1299. 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; 32-09-02, relating to the exemption of wages from garnishment; 32-09-03, relating to notice before garnishment of wages; 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 13-04, 51-13, and 51-14, of the North Dakota Century Code; providing a penalty; and providing for an appropriation.

To Senate, 690.

First reading, 732.

Referred to Committee on Industry, Business and Labor.

Reported back, do pass, 831, 877.

Re-referred to Committee on Appropriations, 831.

Second reading, 898.

Clincher motion, 899.

Passed, 899.

Returned to House, 915.

Received from House, 960.

Signed by President, 960.

Returned to House, 960.

House Bill No. 1300

House Bill No. 1300. A Bill for an Act to create and enact subsection 4 of section 61-05-01 of the North Dakota Century Code, and to amend and reenact sections 61-05-13, 61-06-01, 61-06-10, 61-06-17, 61-06-18, 61-07-24, 61-07-31, 61-08-02, 61-08-03, 61-09-01, 61-09-06, 61-10-25, 61-10-28, 61-10-29, 61-10-31, 61-10-33, 61-10-36, 61-10-38, 61-11-02, and 61-11-04 of the North Dakota Century Code, relating to irrigation district procedures.

To Senate, 336.

First reading, 356.

Referred to Committee on Natural Resources.

Reported back, do pass, 507.

Second reading, 544.

Passed, 544.

Returned to House, 558.

Received from House, 822.

Signed by President, 834.

Returned to House, 835.

House Bill No. 1302

House Bill No. 1302. A Bill for an Act to create and enact a section of chapter 12-41 of the North Dakota Century Code, relating to the confiscation of property used in the commission of an act of vandalism or malicious mischief.

To Senate, 333.

First reading, 356.

Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 720.
 Returned to House, 744.

House Bill No. 1304

House Bill No. 1304. A Bill for an Act to amend and reenact section 12-51-04 of the North Dakota Century Code, relating to housing and feeding of inmates at the state farm.

To Senate, 324.
 First reading, 334.
 Referred to Committee on State and Federal Government.
 Placed on Calendar, 571.
 Second reading, 710, 766, 841.
 Lost, 766, 842.
 Reconsidered, 775.
 Returned to House, failed to pass, 865.

House Bill No. 1305

House Bill No. 1305. A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to the officers of the senate and of the house of representatives, and to the maintenance of legislative organization in the event a special legislative session is called.

To Senate, 324.
 First reading, 398.
 Referred to Committee on Transportation.
 Reported back, amended, 529.
 Amendments adopted, 552.
 Second reading, 711. Amended from floor, 711, 716.
 Passed, 716.
 Returned to House, amended, 731.
 House concurs, 953.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1306

House Bill No. 1306. A Bill for an Act to amend and reenact sections 54-04-01, 54-04-03, and 54-04-04 of the North Dakota Century Code, relating to the enrolling and engrossing of legislative measures and the employment of an enroller and engrosser; and to repeal section 54-04-02 of the North Dakota Century Code, relating to regulations governing enrolling and engrossing.

To Senate, 558.
 First reading, 697.
 Referred to Committee on Judiciary.
 Reported back, amended, 1018, 1019.
 Amendments adopted, 1046.
 Second reading, 1082, 1258.
 Passed, 1083, 1259.
 Clincher motion, 1092.
 Returned to House, amended, 1094.
 Conference Committee, 1156, 1186, 1206, 1216.
 Conference Committee report, 1206, 1215, 1257.
 Senate adopts, 1206, 1216, 1255, 1258.
 House does not concur, 1156.
 Returned to House, 1218, 1266.
 Transmitted to Senate, 1255.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1307

House Bill No. 1307. A Bill for an Act to create and enact subdivision c of subsection 5 of section 19-02.1-10 of the North Dakota Century Code relating to the misbranding of foods.

To Senate, 324.
First reading, 334.
Referred to Committee on Industry, Business and Labor.
Reported back, amended, 738.
Amendments adopted, 750.
Second reading, 789.
Passed, 790.
Returned to House, amended, 811.
House concurs, 839.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1308

House Bill No. 1308. A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code, relating to security interests in crops.

To Senate, 380.
First reading, 398.
Referred to Committee on Agriculture.
Reported back, do pass, 877.
Second reading, 912, 913, 949, 997, 1024.
Lost, 913, 997.
Point of Inquiry, 1024.
Clincher motion, 1024.
Passed, 1024.
Lost, 1202.
Returned to House, failed to pass, 1226.
Reconsidered, 913, 1024.

House Bill No. 1311

House Bill No. 1311. A Bill for an Act to authorize the state board of higher education to approve construction of a sugar beet research and service center on or off the campus of North Dakota state university, and repealing chapter 198 of the 1969 Session Laws of North Dakota.

To Senate, 446.
First reading, 468.
Referred to Committee on Education.
Reported back, amended, 831.
Amendments adopted, 856.
Second reading, 892.
Passed, 892.
Returned to House, amended, 915.
House concurs, 1000.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1312

House Bill No. 1312. A Bill for an Act to repeal sections 57-02-18, 57-02-18.1, 57-02-18.2, 57-02-18.3, 57-02-18.4, 57-02-18.5, 57-02-18.6, and 57-02-18.7 of the North Dakota Century Code, relating to the assessment and taxation of livestock.

To Senate, 333.
 First reading, 356.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 694.
 Second reading, 727.
 Passed, 728.
 Returned to House, 743.
 Received from House, 1009.
 Signed by President, 1032.
 Returned to House, 1032.

House Bill No. 1313

House Bill No. 1313. A Bill for an Act directing the state board of higher education to sell and transfer certain land and improvements thereon owned by the state of North Dakota for the use and benefit of the North Dakota state university of agriculture and applied science, and appropriating the proceeds of such sale to the state board of higher education for the purpose of acquiring other land, and declaring an emergency.

To Senate, 558.
 First reading, 577.
 Referred to Committee on Education.
 Reported back, amended, 854.
 Amendments adopted, 880.
 Second reading, 913.
 Passed, 913.
 Emergency carried, 913.
 Returned to House, amended, 935.
 House concurs, 1000.
 Received from House, 1163.
 Signed by President, 1163.
 Returned to House, 1163.

House Bill No. 1315

House Bill No. 1315. A Bill for an Act to create and enact section 1-03-02.1 of the North Dakota Century Code, relating to holidays which fall on Saturdays, and to amend and reenact section 1-03-04 of the North Dakota Century Code, relating to business days.

To Senate, 651.
 First reading, 697.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 855.
 Second reading, 892, 899.
 Lost, 892.
 Reconsidered, 899.
 Passed, 900.
 Returned to House, 935.
 Received from House, 1296.
 Signed by President, 1299.
 Returned to House, 1302.

House Bill No. 1316

House Bill No. 1316. A Bill for an Act to amend and reenact section 57-20-09 of the North Dakota Century Code, relating to the discount for early payment of property taxes.

To Senate, 333.
 First reading, 356.

Referred to Committee on Finance and Taxation.
Reported back, do pass, 694.
Second reading, 728.
Passed, 728.
Returned to House, 743.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1319

House Bill No. 1319. A Bill for an Act to amend and reenact section 14-03-22 of the North Dakota Century Code, and to repeal section 14-03-23 of the North Dakota Century Code, relating to keeping marriage records.

To Senate, 450.
First reading, 468.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 990, 991.
Amendments adopted, 1010.
Second reading, 1062.
Passed, 1062.
Clincher motion, 1072.
Returned to House, amended, 1072.
House concurs, 1103.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1320

House Bill No. 1320. 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.

To Senate, 450.
First reading, 468.
Referred to Committee on Political Subdivisions.
Reported back, indefinitely postponed, 778.
Returned to House, 811.

House Bill No. 1321

House Bill No. 1321. A Bill for an Act to create and enact subsections 11, 12, and 13 of section 27-08-24 of the North Dakota Century Code; to amend and reenact sections 27-07-28, 27-07-36, and 27-08-10 of the North Dakota Century Code; and to repeal section 27-07-32 of the North Dakota Century Code, all relating to keeping and destroying various records of county courts and county courts having increased jurisdiction.

To Senate, 540.
First reading, 556.
Referred to Committee on Judiciary.
Reported back, do pass, 796.
Second reading, 842.
Passed, 842.
Returned to House, 864.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1322

House Bill No. 1322. A Bill for an Act to amend and reenact subsection 4 of section 43-11-02 of the 1969 Supplement to the North Dakota Century Code, to allow a licensed cosmetologist to perform manicuring services in a licensed barber shop.

To Senate, 638.
First reading, 685.
Referred to Committee on Industry, Business and Labor.
Placed on Calendar, 796.
Reported back, do pass, 796.
Second reading, 824.
Passed, 824.
Returned to House, 864.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1324

House Bill No. 1324. 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.

To Senate, 632.
First reading, 685.
Referred to Committee on Agriculture.
Reported back, amended, 958, 959.
Amendments adopted, 986.
Second reading, 1033.
Passed, 1034.
Returned to House, amended, 1069.
Clincher motion, 1069.
House concurs, 1103.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1325

House Bill No. 1325. A Bill for an Act to amend and reenact sections 43-12-01, 43-12-02, 43-12-03, 43-12-04, 43-12-05, 43-12-06, 43-12-07, 43-12-08, 43-12-09, 43-12-10, 43-12-11, 43-12-13, 43-12-15, 43-12-16, 43-12-17, 43-12-18, 43-12-21, 43-12-22, and 43-12-24 of the North Dakota Century Code, and to repeal sections 43-12-19 and 43-12-20 of the North Dakota Century Code, all relating to professional nurses, and providing a penalty.

To Senate, 404.
First reading, 414.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 1075.
Amendments adopted, 1109.
Second reading, 1138.
Passed, 1138.
Clincher motion, 1140.
Returned to House, amended, 1177.
House concurs, 1208.
Received from House, 1296.
Signed by President, 1299.
Returned to House, 1302.

House Bill No. 1326

House Bill No. 1326. A Bill for an Act to provide that persons engaged in the transplantation or transfusion of human tissues and related purposes shall not be liable for damages except for their own negligence or willful misconduct.

To Senate, 336.

First reading, 356.

Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 991.

Second reading, 1033.

Passed, 1033.

Clincher motion, 1069.

Returned to House, 1069.

Received from House, 1297.

Signed by President, 1299.

Returned to House, 1302.

House Bill No. 1327

House Bill No. 1327. A Bill for an Act to create and enact two new sections to chapter 57-38 of the North Dakota Century Code, relating to the definition of adjusted federal income tax liability of individuals and to provide for a credit for income taxes paid to another state by a resident; to amend and reenact subsections 20 and 21 of section 57-38-01; subdivision a of subsection 2 and subdivision b of subsection 6 of section 57-38-04; section 57-38-29; subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to definitions, rates of tax, and filing of returns for income tax purposes; to repeal sections 57-38-01.1, 57-38-01.2, 57-38-01.4, 57-38-06.1 and 57-46-01 of the North Dakota Century Code, relating to adjustments, subchapter S corporations, nonresidents and military income for income tax purposes; and to provide for an effective date.

To Senate, 638.

First reading, 685.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 831.

Returned to House, 865.

House Bill No. 1328

House Bill No. 1328. A Bill for an Act to create and enact section 4-10.1-18 of the North Dakota Century Code; to amend and reenact sections 4-10.1-03, 4-10.1-04, 4-10.1-08, 4-10.1-09, 4-10.1-14, 4-10.1-15, 4-10.1-16, and 4-10.1-17 of the North Dakota Century Code, relating to the Potato Industry Promotion Act, defining potato council powers and duties, memberships and elections, levying an assessment, and providing that records be open for inspection; and to repeal sections 4-10.1-11, 4-10.1-12, and 4-10.1-13.

To Senate, 540.

First reading, 556.

Referred to Committee on Agriculture.

Reported back, indefinitely postponed, 901.

Returned to House, 935.

House Bill No. 1330

House Bill No. 1330. A Bill for an Act relating to the liabilities for the costs of care and maintenance of students at the state industrial school.

To Senate, 404.
First reading, 415.
Referred to Committee on Social Welfare and Veterans' Affairs.
Returned to House as requested, 521.

House Bill No. 1331

House Bill No. 1331. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such monies.

To Senate, 690.
First reading, 732.
Referred to Committee on Appropriations.
Returned to Senate, 770.
Re-referred to Committee on Finance and Taxation, 770.
Placed on Calendar, 1261.
Second reading, 1261.
Passed, 1261.
Returned to House, 1266.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1302.

House Bill No. 1333

House Bill No. 1333. A Bill for an Act to amend and reenact sections 16-12-05, 16-12-15, and 16-13-01 of the North Dakota Century Code, relating to the conduct of elections and the counting of ballots.

To Senate, 633.
First reading, 686.
Referred to Committee on Judiciary.
Reported back, do pass, 924.
Second reading, 969.
Passed, 970.
Returned to House, 994.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1302.

House Bill No. 1335

House Bill No. 1335. A Bill for an Act relating to the charging of expenses for the care and maintenance of members of the soldier's home.

To Senate, 559.
First reading, 577.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, indefinitely postponed, 991.
Returned to House, 1031.

House Bill No. 1336

House Bill No. 1336. A Bill for an Act for the preservation of public health through the regulation of the business of water well drilling, to create a state board of water well contractors, to provide for the certification of water well contractors, to provide for bonds, and to provide a penalty.

To Senate, 690.
First reading, 732.

Referred to Committee on State and Federal Government.
 Reported back, do pass, 796.
 Second reading, 842, 866. Amended from floor, 867.
 Passed, 867.
 Returned to House, amended, 888.
 House concurs, 917.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1337

House Bill No. 1337. A Bill for an Act to create and enact sections 4-28.1-04 and 4-28.1-05 of the North Dakota Century Code, relating to administration of the flax utilization research fund by the business and industrial development commission; to amend and reenact subsection 2 of section 4-28.1-02 of the North Dakota Century Code relating to the definition of "first purchaser"; to amend and reenact section 4-28.1-01, relating to flax tax levy and refunds, and to provide for an appropriation, and penalty.

To Senate, 638.
 First reading, 686.
 Referred to Committee on Agriculture.
 Reported back, do pass, 959.
 Second reading, 1001.
 Passed, 1001.
 Returned to House, 1031.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1302.

House Bill No. 1342

House Bill No. 1342. A Bill for an Act authorizing the director of institutions to convey certain land owned by the state of North Dakota to the Grafton park district.

To Senate, 559.
 First reading, 577.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 694, 778.
 Re-referred to Committee on Appropriations, 728.
 Second reading, 728, 815.
 Passed, 816.
 Returned to House, 837.
 Received from House, 1251.
 Signed by President, 1252.
 Returned to House, 1253.

House Bill No. 1343

House Bill No. 1343. A Bill for an Act to repeal section 4-06-11 of the North Dakota Century Code, relating to the agriculture commissioner's duties concerning cooperatives.

To Senate, 594.
 First reading, 634.
 Referred to Committee on Agriculture.
 Reported back, do pass, 959.
 Second reading, 1002.
 Passed, 1002.
 Returned to House, 1031.

Received from House, 1297.
Signed by President, 1302.
Returned to House, 1302.

House Bill No. 1346

House Bill No. 1346. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to public school entrance age.

To Senate, 540.
First reading, 556.
Referred to Committee on Education.
Reported back, indefinitely postponed, 739.
Returned to House, 761.

House Bill No. 1347

House Bill No. 1347. A Bill for an Act to amend and reenact section 23-02-05 of the North Dakota Century Code, relating to the fees collected by the state registrar for birth and death certificates.

To Senate, 333.
First reading, 356.
Referred to Committee on State and Federal Government.
Reported back, do pass, 483.
Second reading, 518.
Passed, 518.
Returned to House, 539.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1348

House Bill No. 1348. A Bill for an Act to amend and reenact sections 27-06-09 and 27-08-19 of the North Dakota Century Code, relating to the salaries of bailiffs of the district courts and county courts of increased jurisdiction.

To Senate, 324.
First reading, 334.
Referred to Committee on Judiciary.
Reported back, do pass, 720.
Second reading, 745.
Passed, 745.
Returned to House, 761.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1351

House Bill No. 1351. A Bill for an Act to provide a levy for pupil transportation, and declaring an emergency.

To Senate, 651.
First reading, 697.
Referred to Committee on Education.
Reported back, indefinitely postponed, 1098.
Clincher motion, 1140.
Returned to House, 1177.

House Bill No. 1352

House Bill No. 1352. A Bill for an Act to amend and reenact sections 15-53.1-27 and 15-53.1-40 of the North Dakota Century Code as contained in section 9 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to the continuance of elementary schools in reorganized school districts.

To Senate, 690.
First reading, 732.
Referred to Committee on Education.
Reported back, amended, 1019.
Amendments adopted, 1046.
Second reading, 1083.
Passed, 1084.
Clincher motion, 1092.
Returned to House, amended, 1094.
House concurs, 1208.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1353

House Bill No. 1353. A Bill for an Act relating to excess mill levies in townships.

To Senate, 450.
First reading, 468.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 778.
Second reading, 816.
Passed, 816.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1355

House Bill No. 1355. A Bill for an Act to provide for the protection of any scenic area found on land allowed to be leased by this state, and providing a penalty.

To Senate, 484.
First reading, 509.
Referred to Committee on Natural Resources.
Reported back, indefinitely postponed, 901.
Returned to House, 935.

House Bill No. 1357

House Bill No. 1357. A Bill for an Act relating to appeals by the state, or any state officer, or state board, or any public corporation, or any municipal corporation, and providing that no undertaking need be given, unless ordered by the supreme court.

To Senate, 423.
First reading, 443.
Referred to Committee on Judiciary.
Reported back, do pass, 721.
Second reading, 745.
Passed, 745.
Returned to House, 761.

Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1358

House Bill No. 1358. A Bill for an Act to amend and reenact subdivision (d) of subsection (9) of section 65-01-02 of the North Dakota Century Code, relating to Workmen's Compensation Coverage for Law Enforcement Officers.

To Senate, 558.
First reading, 577.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 721.
Second reading, 744.
Passed, 745.
Returned to House, 761.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1359

House Bill No. 1359. A Bill for an Act to amend and reenact subsection 6 of section 20-03-11 of the North Dakota Century Code, to provide for the issuance of a locking seal as part of a big game hunting license.

To Senate, 380.
First reading, 399.
Referred to Committee on Natural Resources.
Reported back, do pass, 507.
Second reading, 544.
Passed, 545.
Returned to House, 558.
Received from House, 905.
Signed by President, 916.
Returned to House, 916.

House Bill No. 1360

House Bill No. 1360. A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to funds provided by the legislative assembly for reimbursement for special education.

To Senate, 639.
First reading, 686.
Referred to Committee on Education.
Reported back, do pass, 1098.
Second reading, 1157.
Passed, 1158.
Returned to House, 1197.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1361

House Bill No. 1361. A Bill for an Act to create and enact section 15-50-12 of the North Dakota Century Code, relating to the regulation of trade and correspondence schools and to amend and reenact sections 15-50-01, 15-50-02, 15-50-03, 15-50-04, 15-50-08, 15-50-09, 15-50-10 and 15-50-11.

To Senate, 651.
First reading, 697.
Referred to Committee on Education.
Reported back, amended, 831.
Amendments adopted, 856.
Second reading, 893.
Passed, 893.
Returned to House, amended, 915.
House concurs, 1000.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1363

House Bill No. 1363. A Bill for an Act to amend and reenact section 16-17-05.1 of the North Dakota Century Code, relating to the consolidation of precinct committeemen's ballot.

To Senate, 639.
First reading, 686.
Referred to Committee on Judiciary.
Reported back, do pass, 959.
Second reading, 1002.
Passed, 1002.
Returned to House, 1031.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1364

House Bill No. 1364. A Bill for an Act to provide for a revolving fund for concessions for the state park service, and to make an appropriation.

To Senate, 558.
First reading, 577.
Referred to Committee on State and Federal Government.
Reported back, do pass, 695, 778.
Re-referred to Committee on Appropriations, 728.
Second reading, 728, 805.
Passed, 805.
Returned to House, 837.
Received from House, 1251.
Signed by President, 1252.
Returned to House, 1253.

House Bill No. 1365

House Bill No. 1365. A Bill for an Act to amend and reenact section 39-05-08 of the North Dakota Century Code, relating to indexes on motor vehicles.

To Senate, 380.
First reading, 399.
Referred to Committee on Transportation.
Reported back, do pass, 507.
Second reading, 545.
Passed, 545.
Returned to House, 558.
Received from House, 744.
Signed by President, 749.
Returned to House, 750.

House Bill No. 1366

House Bill No. 1366. A Bill for an Act to create and enact section 36-13-03.1 of the North Dakota Century Code, relating to alternate disposition of an animal as an estray on the property of any person.

To Senate, 336.
First reading, 356.
Referred to Committee on Agriculture.
Reported back, do pass, 529.
Second reading, 711.
Passed, 712.
Returned to House, 731.
Received from House, 822.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1368

House Bill No. 1368. A Bill for an Act to cease operation of university of North Dakota-Ellendale branch as an institution of higher education and for its conversion to an alternative use, to authorize the state board of higher education to pay the revenue bonds of 1969 for the new men's dormitory and the revenue bonds for Hicks Hall and Crabtree Hall from the insurance proceeds in the fire replacement fund, and making an appropriation.

To Senate, 508.
First reading, 533.
Referred to Committee on Appropriations.
Reported back, amended, 1065, 1066.
Amendments adopted, 1109.
Second reading, 1138, 1259.
Passed, 1139, 1260.
Clincher motion, 1140.
Returned to House, amended, 1177.
Conference Committee, 1206, 1220.
Conference Committee report, 1259.
Transmitted to Senate, 1255.
Senate adopts, 1255, 1259.
House does not concur, 1206.
Returned to House, 1266.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1369

House Bill No. 1369. A Bill for an Act to amend and reenact section 15-08-26 of the North Dakota Century Code, relating to the time in which a lessee may remove improvements he has placed on the land when the land is sold.

To Senate, 450.
First reading, 468.
Referred to Committee on Agriculture.
Reported back, do pass, 642.
Second reading, 712.
Passed, 712.
Returned to House, 731.
Received from House, 822.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1373

House Bill No. 1373. A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to the homestead credit, and providing a penalty.

To Senate, 484.

First reading, 509.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 832.

Returned to House, 865.

House Bill No. 1374

House Bill No. 1374. A Bill for an Act to amend and reenact section 23-02-35 of the North Dakota Century Code, relating to death without medical attendance.

To Senate, 508.

First reading, 533.

Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 901.

Second reading, 937.

Passed, 938.

Returned to House, 975.

Received from House, 1297.

Signed by President, 1300.

Returned to House, 1303.

House Bill No. 1376

House Bill No. 1376. A Bill for an Act to amend and reenact section 20-03-37 of the North Dakota Century Code, relating to suspension of hunting and fishing licenses, and providing a penalty.

To Senate, 450.

First reading, 469.

Referred to Committee on Natural Resources.

Reported back, do pass, 507.

Second reading, 545.

Passed, 546.

Returned to House, 558.

Received from House, 744.

Signed by President, 749.

Returned to House, 750.

House Bill No. 1378

House Bill No. 1378. A Bill for an Act to amend and reenact section 11-17-08 of the North Dakota Century Code, relating to destruction of certain court records by clerks of court.

To Senate, 540.

First reading, 556.

Referred to Committee on Judiciary.

Reported back, do pass, 796.

Second reading, 842.

Passed, 842.

Returned to House, 864.

Received from House, 1248.

Signed by President, 1252.

Returned to House, 1252.

House Bill No. 1380

House Bill No. 1380. A Bill for an Act to amend and reenact subsection 8 of section 29-24-02 of the North Dakota Century Code, relating to grounds for a new trial, and declaring an emergency.

To Senate, 450.
First reading, 469.
Referred to Committee on Judiciary.
Reported back, do pass, 739.
Second reading, 764.
Passed, 765.
Emergency carried, 765.
Returned to House, 787.
Received from House, 1009.
Signed by President, 1032.
Returned to House, 1032.

House Bill No. 1382

House Bill No. 1382. A Bill for an Act to require certification of water and wastewater system operators, and providing a penalty.

To Senate, 594.
First reading, 634.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 991.
Second reading, 1062.
Passed, 1063.
Clincher motion, 1072.
Returned to House, 1072.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1384

House Bill No. 1384. A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code as contained in House Bill 1045 as approved by the forty-second legislative assembly, relating to school district annexation.

To Senate, 423.
First reading, 443.
Referred to Committee on Education.
Reported back, do pass, 695. Indefinitely postponed, 1159.
Re-referred to Committee on Education, 735.
Second reading, 728, 735.
Lost, 729.
Reconsidered, 735.
Returned to House, 1203.

House Bill No. 1386

House Bill No. 1386. A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the state board of public school education.

To Senate, 633.
First reading, 686.
Referred to Committee on Education.
Reported back, do pass, 796.
Second reading, 843.

Passed, 843.
Returned to House, 864.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1389

House Bill No. 1389. A Bill for an Act to amend and reenact sections 32-09-02 and 32-09-03 of the North Dakota Century Code, relating to garnishment of earnings.

To Senate, 404.
First reading, 415.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 924.
Second reading, 1164.
Amended from floor, 1164, 1165.
Passed, 1166.
Returned to House, 975. Amended, 1198.
Senate requests return, 1129.
Returned to Senate, 1156.
Reconsidered, 1158.
House concurs, 1208.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1390

House Bill No. 1390. A Bill for an Act to amend and reenact section 27-09-05 of the North Dakota Century Code, relating to the fees and mileage for jurors.

To Senate, 594.
First reading, 634.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 924.
Returned to House, 975.

House Bill No. 1391

House Bill No. 1391. A Bill for an Act to amend and reenact section 57-15-28 of the North Dakota Century Code, relating to county emergency funds.

To Senate, 450.
First reading, 469.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 755.
Second reading, 790.
Passed, 790.
Returned to House, 811.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1392

House Bill No. 1392. A Bill for an Act to create and enact section 59-02-22 of the North Dakota Century Code, relating to the activities of private foundations, charitable trusts, and split-interest trusts.

To Senate, 404.
 First reading, 415.
 Referred to Committee on Judiciary.
 Reported back, do pass, 877.
 Second reading, 913.
 Passed, 914.
 Returned to House, 935.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1394

House Bill No. 1394. A Bill for an Act to amend and reenact section 12-21-19 of the North Dakota Century Code, relating to public dancing on Sunday, and providing a penalty.

To Senate, 559.
 First reading, 577.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, do pass, 1066.
 Second reading, 1083, 1130.
 Passed, 1130.
 Clincher motion, 1140.
 Returned to House, 1177.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1395

House Bill No. 1395. A Bill for an Act to amend and reenact section 40-18-09 of the North Dakota Century Code, relating to the issuance and service of subpoenas for witnesses by a municipal judge; and providing a penalty.

To Senate, 508.
 First reading, 533.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 832.
 Returned to House, 865.

House Bill No. 1397

House Bill No. 1397. A Bill for an Act creating a variable contract insurance law for North Dakota.

To Senate, 638.
 First reading, 686.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 925.
 Second reading, 970.
 Passed, 970.
 Returned to House, 994.
 Received from House, 1248.
 Signed by President, 1252.
 Returned to House, 1252.

House Bill No. 1398

House Bill No. 1398. A Bill for an Act to amend and reenact sections 40-18-07 and 40-18-08 of the North Dakota Century Code, relating to the issuance of warrants by municipal judges, and the service of such warrants.

To Senate, 508.
First reading, 533.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 832.
Returned to House, 865.

House Bill No. 1399

House Bill No. 1399. A Bill for an Act to amend and reenact subsections 1, 4, and 10 of section 27-20-02 of the North Dakota Century Code, relating to the definition of terms used in the Uniform Juvenile Court Act; to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to the compensation of juvenile supervisors; to amend and reenact subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to the powers and duties of juvenile supervisors; to amend and reenact subsections 1, 2, and 4 of section 27-20-16 of the North Dakota Century Code, relating to the place of detention of a child; and to amend and reenact subsection 2 of section 27-20-17 of the North Dakota Century Code, relating to the release of a child from detention.

To Senate, 508.
First reading, 533.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 1076.
Amendments adopted, 1109.
Second reading, 1158.
Passed, 1158.
Returned to House, amended, 1198.
House concurs, 1218.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1401

House Bill No. 1401. A Bill for an Act to create a small claims court and to set forth its jurisdiction and procedures.

To Senate, 638.
First reading, 686.
Referred to Committee on Judiciary.
Reported back, amended, 1019, 1020.
Amendments adopted, 1046.
Amended from floor, 1046.
Second reading, 1083.
Passed, 1083.
Clincher motion, 1083.
Returned to House, amended, 1094.
House concurs, 1137.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1406

House Bill No. 1406. A Bill for an Act to amend and reenact section 62-03-02 of the North Dakota Century Code, relating to the sale and use of dynamite.

To Senate, 423.
First reading, 443.
Referred to Committee on Industry, Business and Labor.

Reported back, indefinitely postponed, 739.
Returned to House, 761.

House Bill No. 1409

House Bill No. 1409. A Bill for an Act to amend and reenact section 40-47-04 of the North Dakota Century Code, relating to notice of public hearings in zoning matters.

To Senate, 559.
First reading, 577.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 755.
Second reading, 790.
Passed, 791.
Returned to House, 811.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1410

House Bill No. 1410. A Bill for an Act to amend and reenact section 54-27-10 of the North Dakota Century Code, relating to the availability of appropriations and the allocation of same.

To Senate, 558.
First reading, 577.
Referred to Committee on Appropriations.
Reported back, do pass, 832.
Second reading, 867.
Passed, 867.
Returned to House, 888.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1252.

House Bill No. 1411

House Bill No. 1411. A Bill for an Act to amend and reenact section 39-04-36 of the 1969 supplement to the North Dakota Century Code, relating to the transfer of registration and number plates.

To Senate, 450.
First reading, 469.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 778.
Returned to House, 811.

House Bill No. 1413

House Bill No. 1413. A Bill for an Act to amend and reenact subsections 2 and 3 of section 23-25-02 and section 61-28-03 of the North Dakota Century Code, relating to the membership of the state air pollution control advisory council and the state water pollution control board.

To Senate, 639.
First reading, 686.
Referred to Committee on Natural Resources.
Reported back, do pass, 778.
Second reading, 816.
Passed, 817.
Returned to House, 837.

Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1414

House Bill No. 1414. A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits, policy terms, and insurable property of county mutual insurance companies.

To Senate, 446.
First reading, 469.
Referred to Committee on Industry, Business and Labor.
Placed on Calendar, 855.
Second reading, 893, 938, 1002, 1034, 1054. Amended from floor, 1034.
Lost, 1035, 1054.
Reconsidered, 1054.
Clincher motion, 1072.
Returned to House, 1073.

House Bill No. 1416

House Bill No. 1416. A Bill for an Act to amend and reenact subsection 1 of section 15-59-01 and section 15-59-07 of the 1969 Supplement to the North Dakota Century Code, relating to special education of exceptional children.

To Senate, 638.
First reading, 686.
Referred to Committee on Education.
Reported back, indefinitely postponed, 959.
Returned to House, 995.

House Bill No. 1418

House Bill No. 1418. A Bill for an Act to amend and reenact section 57-23-04 of the North Dakota Century Code, relating to the abatement or refund of property taxes; section 57-23-06 of the North Dakota Century Code, relating to the hearing on abatement applications; section 57-23-07 of the North Dakota Century Code, relating to the compromise of a property tax, and section 57-23-08 of the North Dakota Century Code, relating to the effective date of abatement actions.

To Senate, 559.
First reading, 577.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 925.
Second reading, 970.
Passed, 971.
Returned to House, 994.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1421

House Bill No. 1421. A Bill for an Act to amend and reenact section 18-10-06 of the North Dakota Century Code, relating to the powers and duties of directors of rural fire protection districts, and section 18-10-10 of the North Dakota Century Code, relating to contracts of rural fire protection districts.

To Senate, 450.
First reading, 469.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 778.
Second reading, 817.
Passed, 817.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1422

House Bill No. 1422. A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to mechanics' liens.

To Senate, 559.
First reading, 577.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 832.
Returned to House, 865.

House Bill No. 1424

House Bill No. 1424. A Bill for an Act to provide for the determination of the fair market rental value of certain properties, and to amend and reenact subsection 4 of section 49-01-01 of the North Dakota Century Code, relating to the definition of rate.

To Senate, 423.
First reading, 443.
Referred to Committee on Industry, Business and Labor.
Reported back, indefinitely postponed, 739.
Returned to House, 761.

House Bill No. 1428

House Bill No. 1428. A Bill for an Act to amend and reenact section 7-04-23 of the North Dakota Century Code, relating to the destruction of records of savings and loan associations.

To Senate, 423.
First reading, 443.
Referred to Committee on Industry, Business and Labor.
Reported back, amended, 832.
Amendments adopted, 856.
Second reading, 893.
Passed, 893.
Returned to House, amended, 915.
House concurs, 1000.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1430

House Bill No. 1430. A Bill for an Act to repeal subsection 9 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for benefits.

To Senate, 638.
First reading, 687.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 832.

Second reading, 867.
 Passed, 868.
 Returned to House, 888.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1431

House Bill No. 1431. A Bill for an Act to provide a method for determining the assessed valuation of agricultural land for tax purposes.

To Senate, 690.
 First reading, 732.
 Referred to Committee on Finance and Taxation.
 Reported back, indefinitely postponed, 925.
 Returned to House, 975.

House Bill No. 1432

House Bill No. 1432. A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the 1969 Supplement to the North Dakota Century Code, relating to motor vehicles exempt from registration fees.

To Senate, 450.
 First reading, 469.
 Referred to Committee on Transportation.
 Reported back, indefinitely postponed, 778.
 Returned to House, 811.

House Bill No. 1433

House Bill No. 1433. A Bill for an Act to provide for the suspension or revocation of certificates of title to motor vehicles.

To Senate, 450.
 First reading, 469.
 Referred to Committee on Transportation.
 Reported back, do pass, 642.
 Passed, 713, 963.
 Second reading, 712, 962. Amended from floor, 962.
 Returned to Senate, 947.
 House concurs, 1103.
 Returned to House, 731. Amended, 994.
 Senate requests return, 923.
 Received from House, 905, 1297.
 Signed by President, 916, 1300.
 Returned to House, 916, 1303.

House Bill No. 1434

House Bill No. 1434. A Bill for an Act to amend and reenact section 39-04-44 of the 1969 supplement to the North Dakota Century Code relating to registration credits on destroyed vehicles.

To Senate, 450.
 First reading, 469.
 Referred to Committee on Transportation.
 Reported back, amended, 721.
 Amendments adopted, 735.
 Second reading, 766, 770, 1173.
 Passed, 770, 1173.
 Returned to House, amended, 787.

Conference Committee, 840, 869, 895.
 Conference Committee report, 1169, 1173.
 House concurs, 821. Adopts, 1169, 1173.
 House reconsiders, 840.
 House does not concur, 840.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1435

House Bill No. 1435. A Bill for an Act to amend and reenact section 39-04-13 of the 1969 supplement to the North Dakota Century Code, relating to number plates, tabs, stickers or registration card for motor vehicles.

To Senate, 484.
 First reading, 509.
 Referred to Committee on Transportation.
 Reported back, do pass, 779.
 Second reading, 817.
 Passed, 817.
 Returned to House, 837.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1436

House Bill No. 1436. A Bill for an Act to create and enact section 23-01-17 of the North Dakota Century Code, relating to authority for the state health council to make rules and regulations concerning noise that is hazardous to health and safety, and providing a penalty.

To Senate, 559.
 First reading, 578.
 Referred to Committee on Natural Resources.
 Reported back, amended, 925.
 Amendments adopted, 954.
 Second reading, 1002.
 Passed, 1003.
 Returned to House, amended, 1031.
 House concurs, 1137.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1437

House Bill No. 1437. A Bill for an Act to amend and reenact section 39-04A-03 of the North Dakota Century Code relating to motor vehicle ton fee tags.

To Senate, 484.
 First reading, 509.
 Referred to Committee on Transportation.
 Reported back, amended, 779.
 Amendments adopted, 797.
 Second reading, 843.
 Passed, 843.
 Returned to House, amended, 865.
 House concurs, 917.
 Received from House, 1170.
 Signed by President, 1217.
 Returned to House, 1217.

House Bill No. 1438

House Bill No. 1438. A Bill for an Act relating to comprehensive health planning by counties and county funding for areawide comprehensive health planning organizations.

To Senate, 594.
First reading, 634.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 1066.
Second reading, 1090.
Passed, 1090.
Clincher motion, 1092.
Returned to House, 1094.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1439

House Bill No. 1439. A Bill for an Act to provide for the issuance of a duplicate certificate of title to a motor vehicle.

To Senate, 484.
First reading, 509.
Referred to Committee on Transportation.
Reported back, do pass, 779.
Second reading, 817.
Passed, 818.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1440

House Bill No. 1440. A Bill for an Act to amend and reenact sections 39-18-02 and 39-18-03 of the 1969 Supplement to the North Dakota Century Code, relating to mobile home dealers.

To Senate, 690.
First reading, 732.
Referred to Committee on Transportation.
Reported back, do pass, 901.
Second reading, 938, 1003.
Passed, 1003.
Returned to House, 1031.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1441

House Bill No. 1441. A Bill for an Act to amend and reenact subsection 7 of section 39-04-01 of the North Dakota Century Code, relating to the definition of commercial freighting.

To Senate, 559.
First reading, 578.
Referred to Committee on Transportation.
Reported back, do pass, 779.
Second reading, 818.
Passed, 818.
Returned to House, 837.

Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1442

House Bill No. 1442. A Bill for an Act to repeal section 39-04-03 of the North Dakota Century Code, relating to furnishing of tire size on application for registration of trucks.

To Senate, 559.
First reading, 578.
Referred to Committee on Transportation.
Reported back, do pass, 779.
Second reading, 818.
Passed, 819.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1444

House Bill No. 1444. A Bill for an Act to amend and reenact section 39-05-09 of the 1969 supplement to the North Dakota Century Code, relating to the issuance of a title to a motor vehicle.

To Senate, 484.
First reading, 509.
Referred to Committee on Transportation.
Reported back, do pass, 779.
Second reading, 819.
Passed, 819.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1445

House Bill No. 1445. A Bill for an Act to amend and reenact section 26-14-10 of the North Dakota Century Code, relating to the right of members of a mutual insurance company to vote by proxy.

To Senate, 446.
First reading, 469.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 832.
Second reading, 884.
Passed, 885.
Returned to House, 915.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1446

House Bill No. 1446. 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 imposing a penalty.

To Senate, 450.
 First reading, 470.
 Referred to Committee on Industry, Business and Labor.
 Reported back, amended, 926.
 Amendments adopted, 954.
 Second reading, 1003, 1023.
 Lost, 1004.
 Passed, 1024.
 Clincher motion, 1069.
 Returned to House, amended, 1070.
 Reconsidered, 1023.
 House concurs, 1137.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1448

House Bill No. 1448. A Bill for an Act to amend and reenact sections 28-24-02, 28-24-04, 28-24-07, 32-19-18, 39-19.1-04, and 35-22-20 of the North Dakota Century Code, relating to shortening the period of redemption upon foreclosure of mortgages on business properties.

To Senate, 690.
 First reading, 733.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 959.
 Returned to House, 995.

House Bill No. 1449

House Bill No. 1449. A Bill for an Act to amend and reenact section 35-03-04 of the North Dakota Century Code, relating to Prerequisites For Recording.

To Senate, 540.
 First reading, 556.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 833.
 Returned to House, 865.

House Bill No. 1450

House Bill No. 1450. A Bill for an Act to create and enact a new subsection to section 34-13-01 of the North Dakota Century Code, relating to the licensing of employment agencies and to the establishment of maximum fees which may be charged for services, and to amend and reenact sections 34-13-02, 34-13-03, 34-13-04, 34-13-05, 34-13-07, 34-13-08, 34-13-09, 34-13-10, 34-13-11, and 34-13-12, and subsection 4 of section 34-13-15 of the North Dakota Century Code, relating to the transfer of the regulation of employment agencies from the attorney general to the commissioner of labor.

To Senate, 484.
 First reading, 509.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 721.
 Second reading, 745.
 Passed, 746.
 Returned to House, 761.
 Received from House, 1009.
 Signed by President, 1032.
 Returned to House, 1032.

House Bill No. 1452

House Bill No. 1452. A Bill for an Act to amend and reenact section 40-21-09 of the North Dakota Century Code, relating to elections in cities.

To Senate, 508.
First reading, 534.
Referred to Committee on Judiciary.
Reported back, do pass, 796.
Second reading, 843.
Passed, 844.
Returned to House, 864.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1253.

House Bill No. 1455

House Bill No. 1455. A Bill for an Act to amend and reenact section 14-09-09 of the North Dakota Century Code, relating to the liability of a stepfather for support of stepchildren, and to repeal section 50-09-08.1 of the North Dakota Century Code, relating to stepfather's liability for dependent children.

To Senate, 594.
First reading, 635.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, do pass, 1066.
Second reading, 1090.
Passed, 1090.
Clincher motion, 1092.
Returned to House, 1094.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1456

House Bill No. 1456. A Bill for an Act to create and enact sections 50-11-01.1, 50-11-01.2, and 50-11-01.3 of the North Dakota Century Code, defining a family day care home for children, a day care center for children, and providing for the use of public funds.

To Senate, 594.
First reading, 635.
Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 1076.
Amendments adopted, 1109.
Second reading, 1159.
Passed, 1160.
Returned to House, amended, 1198.
House concurs, 1230.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1459

House Bill No. 1459. A Bill for an Act to create and enact subsection 17 of section 54-12-01 of the North Dakota Century Code, relating to duties of the attorney general.

To Senate, 484.
First reading, 510.

Referred to Committee on State and Federal Government.
Reported back, do pass, 572.
Second reading, 713.
Passed, 713.
Returned to House, 731.
Received from House, 905.
Signed by President, 916.
Returned to House, 916.

House Bill No. 1460

House Bill No. 1460. A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges or educational centers and the method of payment.

To Senate, 651.
First reading, 697.
Referred to Committee on Appropriations.
Reported back, do pass, 833.
Second reading, 885.
Passed, 885.
Returned to House, 915.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1461

House Bill No. 1461. A Bill for an Act to amend and reenact section 14-06-02 of the North Dakota Century Code, relating to temporary maintenance and counsel fees in action for separation.

To Senate, 423.
First reading, 443.
Referred to Committee on Judiciary.
Reported back, do pass, 739.
Second reading, 766.
Passed, 767.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1462

House Bill No. 1462. A Bill for an Act to amend and reenact section 27-05.1-09 of the North Dakota Century Code, relating to time and place of hearing on petition.

To Senate, 423.
First reading, 443.
Referred to Committee on Judiciary.
Reported back, do pass, 739.
Second reading, 767.
Passed, 767.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1463

House Bill No. 1463. A Bill for an Act to repeal section 14-05-19 of the North Dakota Century Code, relating to affirmative proof required.

To Senate, 423.
 First reading, 443.
 Referred to Committee on Judiciary.
 Reported back, do pass, 739.
 Second reading, 767.
 Passed, 767.
 Returned to House, 787.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1464

House Bill No. 1464. A Bill for an Act to provide for the transfer of a criminal case for trial to any county within a judicial district to insure the right of a speedy trial by jury; and declaring an emergency.

To Senate, 423.
 First reading, 443.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 739.
 Returned to House, 761.

House Bill No. 1465

House Bill No. 1465. A Bill for an Act to amend and reenact section 14-05-23 of the North Dakota Century Code, relating to temporary alimony and suit money.

To Senate, 423.
 First reading, 443.
 Referred to Committee on Judiciary.
 Reported back, do pass, 739.
 Second reading, 767.
 Passed, 768.
 Returned to House, 787.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1467

House Bill No. 1467. A Bill for an Act to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to tax receipts for property tax purposes.

To Senate, 446.
 First reading, 470.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 833, 926.
 Re-referred to Committee on Finance and Taxation, 899.
 Amendments adopted, 856, 954.
 Second reading, 893, 1004.
 Passed, 894.
 Reconsidered, 899.
 Lost, 1004.,
 Returned to House, failed to pass, 1031.

House Bill No. 1468

House Bill No. 1468. A Bill for an Act to amend and reenact sections 57-38-09.1 and 57-38-34 of the North Dakota Century Code, relating to the due date for filing tax returns by tax exempt organizations and cooperatives and providing for an effective date.

To Senate, 404.
 First reading, 415.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 695.
 Second reading, 729.
 Passed, 729.
 Returned to House, 743.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1469

House Bill No. 1469. A Bill for an Act to amend and enact section 57-37-29 of the North Dakota Century Code, relating to depositories and retention, transfer or release of a decedent's assets.

To Senate, 638.
 First reading, 687.
 Referred to Committee on Judiciary.
 Reported back, amended, 960.
 Amendments adopted, 987.
 Second reading, 1067.
 Passed, 1067.
 Clincher motion, 1072.
 Returned to House, amended, 1072.
 House concurs, 1103.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1472

House Bill No. 1472. A Bill for an Act to create and enact section 49-07-05.1 of the North Dakota Century Code, relating to violations of gas safety standards and providing monetary penalties therefor.

To Senate, 446.
 First reading, 470.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 551.
 Second reading, 713, 717.
 Passed, 717.
 Returned to House, 731.
 Received from House, 822.
 Signed by President, 834.
 Returned to House, 835.

House Bill No. 1473

House Bill No. 1473. A Bill for an Act to amend and reenact sections 40-01-09 and 40-01-11 of the North Dakota Century Code, relating to publication of legal notices in municipalities without a newspaper.

To Senate, 559.
 First reading, 578.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 877.
 Second reading, 914.
 Passed, 914.
 Returned to House, 935.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1475

House Bill No. 1475. A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-38-66 of the North Dakota Century Code, relating to the business privilege tax imposed on individuals, estates, trusts, and corporations.

To Senate, 450.

First reading, 470.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 833.

Returned to House, 865.

House Bill No. 1476

House Bill No. 1476. A Bill for an Act to amend and reenact section 57-02-27 and subsection 1 of section 57-02-34 of the North Dakota Century Code, relating to the assessment of property at full value and to the method of assessment; and stating legislative intent in regard thereto.

To Senate, 651.

First reading, 697.

Referred to Committee on Finance and Taxation.

Reported back, indefinitely postponed, 960.

Returned to House, 995.

House Bill No. 1478

House Bill No. 1478. A Bill for an Act to amend and reenact section 39-09-01, subsection 1 of section 39-10-11, and subsection 1 of section 39-21-36 of the North Dakota Century Code, relating to the care required in operating a vehicle, to the overtaking of a vehicle on the left, and to the equipment of horns and warning devices.

To Senate, 594.

First reading, 635.

Referred to Committee on Transportation.

Reported back, amended, 779.

Amendments adopted, 797.

Second reading, 844.

Passed, 844.

Returned to House, amended, 865.

House concurs, 917.

Received from House, 1248.

Signed by President, 1252.

Returned to House, 1253.

House Bill No. 1479

House Bill No. 1479. A Bill for an Act to amend and reenact sections 15-03-04 and 15-06-01, subdivision h of subsection 2 of section 15-39-01, sections 15-47-02, 25-07-01, 25-07-05, and 25-07-07 of the North Dakota Century Code, and to amend and reenact section 15-34.1-02 as contained in section 5 of House Bill No. 1045, as approved by the forty-second legislative assembly, deleting the words "and dumb" from the phrase "deaf and dumb" and substituting the word "deaf" for the word "mute", and to amend and reenact section 25-07-04 of the North Dakota Century Code, relating to the age at which deaf children shall be allowed to attend the school for the deaf.

To Senate, 446.
First reading, 470.
Referred to Committee on State and Federal Government.
Reported back, do pass, 551.
Second reading, 713.
Passed, 714.
Returned to House, 731.
Received from House, 905.
Signed by President, 916.
Returned to House, 916.

House Bill No. 1480

House Bill No. 1480. A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-24-09 of the North Dakota Century Code, relating to operation of snowmobiles and prohibiting unauthorized snowmobiles from railroad right of way.

To Senate, 651.
First reading, 697.
Referred to Committee on Transportation.
Reported back, indefinitely postponed, 779.
Returned to House, 811.

House Bill No. 1482

House Bill No. 1482. A Bill for an Act to amend and reenact section 53-04-02; section 53-04-03; section 53-04-04; and section 53-04-06 of the North Dakota Century Code, relating to licensing of amusement games and devices.

To Senate, 446.
First reading, 470.
Referred to Committee on Industry, Business and Labor.
Reported back, do pass, 740.
Second reading, 768.
Passed, 768.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1484

House Bill No. 1484. A Bill for an Act to provide that state agencies shall render reasonable assistance to the convention; and that the director of institutions shall provide space for the convention; and to amend and reenact section 9 of chapter 462 of the 1969 Session Laws of the state of North Dakota, relating to the periods during which the constitutional convention can meet in plenary session.

To Senate, 333.
First reading, 356.
Referred to Committee on State and Federal Government.
Reported back, amended, 755, 756.
Amendments adopted, 773.
Second reading, 819, 885.
Passed, 886.
Emergency carried, 886.
Returned to House, amended, 915.
Conference Committee, 1001, 1007.
House does not concur, 1001.
Conference Committee report, 1169, 1173.

Senate adopts, 1169, 1174.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1487

House Bill No. 1487. A Bill for an Act to create and enact subsection 3 of section 18-11-15 of the North Dakota Century Code, and to amend and reenact subsection 2 of section 18-11-15 and sections 18-11-18 and 18-11-23 of the North Dakota Century Code, relating to the alternate firemen's relief association plan.

To Senate, 559.
 First reading, 578.
 Referred to Committee on Political Subdivisions.
 Reported back, do pass, 878.
 Second reading, 914.
 Passed, 915.
 Returned to House, 935.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1491

House Bill No. 1491. A Bill for an Act to amend and reenact sections 15-18-03 and 15-18-04.1 of the North Dakota Century Code, relating to tuition and fees at junior colleges and off-campus educational centers, and to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to bond issues for junior colleges and off-campus educational centers.

To Senate, 450.
 First reading, 470.
 Referred to Committee on Appropriations.
 Reported back, do pass, 740.
 Second reading, 768.
 Passed, 769.
 Returned to House, 787.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1492

House Bill No. 1492. A Bill for an Act to provide and appropriate funds for the payment of adjusted compensation payments to North Dakota veterans of the Vietnam conflict and to the industrial commission for the issuance of bonds; providing for the issuance, sale, and delivery of general obligation bonds; creating a sinking fund; and providing for a surtax and fund transfers for the servicing and retirement of such bonds; and declaring an emergency.

To Senate, 651.
 First reading, 697.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 1104, 1107.
 Amendments adopted, 1145.
 Second reading, 1161, 1283.
 Passed, 1162, 1283.
 Returned to House, amended, 1198.
 House does not concur, 1207.
 Emergency lost, 1283.
 Clincher motion, 1284.

Conference Committee, 1207, 1220, 1234.
 Conference Committee report, 1279, 1282. Not adopted, 1283.
 Reconsidered and adopted, 1283.
 House adopts, 1279.
 Returned to House, 1284.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1496

House Bill No. 1496. A Bill for an Act to amend and reenact section 10-31-04 of the North Dakota Century Code, relating to the professional incorporation of architects and engineers.

To Senate, 446.
 First reading, 470.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 740.
 Second reading, 769.
 Passed, 769.
 Returned to House, 787.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1497

House Bill No. 1497. A Bill for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, as contained in section 7 of House Bill No. 1045, relating to foundation program payments.

To Senate, 690.
 First reading, 733.
 Referred to Committee on Education.
 Reported back, indefinitely postponed, 1159.
 Returned to House, 1203.

House Bill No. 1498

House Bill No. 1498. A Bill for an Act to amend and reenact sections 15-63-01 and 15-63-05 of the North Dakota Century Code relating to the state board of Indian scholarships and scholarship payments.

To Senate, 638.
 First reading, 687.
 Referred to Committee on Education.
 Reported back, do pass, 796, 926.
 Re-referred to Committee on Appropriations, 796.
 Second reading, 971.
 Passed, 971.
 Returned to House, 994.
 Received from House, 1248.
 Signed by President, 1252.
 Returned to House, 1253.

House Bill No. 1501

House Bill No. 1501. A Bill for an Act to provide for matching funds to school districts for teacher retirement, and to amend section 15-39.1-09 of the North Dakota Century Code, as contained in House Bill No. 1517, as approved by the Forty-second Legislative Assembly, relating to membership and assessments in the teachers' fund for retirement.

To Senate, 690.
First reading, 733.
Referred to Committee on Education.
Reported back, indefinitely postponed, 1159.
Returned to House, 1203.

House Bill No. 1503

House Bill No. 1503. A Bill for an Act setting forth minimum wage standards for employees of the state of North Dakota.

To Senate, 559.
First reading, 578.
Referred to Committee on Industry, Business and Labor.
Placed on Calendar, 1020.
Re-referred to Committee on Appropriations, 735, 1054.
Reported back, do pass, 721. Amended, 1107, 1108.
Amendments adopted, 1145.
Second reading, 1162.
Passed, 1162.
Returned to House, amended, 1198.
House concurs, 1218.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1505

House Bill No. 1505. A Bill for an Act to amend and reenact sections 54-36-01 and 54-36-05 of the North Dakota Century Code relating to the North Dakota Indian affairs commission and its powers and duties.

To Senate, 446.
First reading, 470.
Referred to Committee on State and Federal Government.
Reported back, do pass, 551.
Second reading, 714.
Passed, 714.
Returned to House, 731.
Received from House, 822.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1506

House Bill No. 1506. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to the penalty for driving or being in actual physical control of any vehicle upon a highway while under the influence of a narcotic drug or under the influence of intoxicating liquor.

To Senate, 633.
First reading, 687.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 991.
Returned to House, 1031.

House Bill No. 1508

House Bill No. 1508. A Bill for an Act to amend and reenact sections 7, 8, 9, and 10 of section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for fishing licenses; and to provide for an effective date.

To Senate, 633.
First reading, 687.
Referred to Committee on Natural Resources.
Reported back, do pass, 779.
Second reading, 819.
Passed, 820.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1509

House Bill No. 1509. A Bill for an Act to create and enact subsection 9 of section 15-35-02 of the North Dakota Century Code, relating to standards for the construction of school buildings.

To Senate, 450.
First reading, 471.
Referred to Committee on Education.
Reported back, do pass, 740.
Second reading, 769.
Passed, 769.
Returned to House, 787.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1510

House Bill No. 1510. A Bill for an Act to amend and reenact section 12-44-42 of the North Dakota Century Code, relating to county jails and workhouses.

To Senate, 559.
First reading, 578.
Referred to Committee on Political Subdivisions.
Reported back, do pass, 756.
Second reading, 791.
Passed, 791.
Returned to House, 811.
Received from House, 1043.
Signed by President, 1051.
Returned to House, 1051.

House Bill No. 1513

House Bill No. 1513. A Bill for an Act to amend and reenact sections 54-03-06 and 54-35-04 of the North Dakota Century Code, providing that all hearings of the legislative assembly and its committees shall be open to the public.

To Senate, 446.
First reading, 471.
Referred to Committee on State and Federal Government.
Reported back, do pass, 552.
Second reading, 714, 769, 820.
Lost, 820.
Returned to House, failed to pass, 837.

House Bill No. 1514

House Bill No. 1514. A Bill for an Act to amend and reenact sections 39-24-03 and 39-24-08, and subsections 3, 5, and 6 of section

39-24-09 of the North Dakota Century Code, relating to the regulation of snowmobiles.

To Senate, 690.
 First reading, 733.
 Referred to Committee on Transportation.
 Reported back, amended, 901.
 Amendments adopted, 928.
 Second reading, 971. Amended from floor, 971.
 Passed, 972.
 Returned to House, amended, 994.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1515

House Bill No. 1515. A Bill for an Act to create and enact sections 26-03-48, 26-26-15, 26-27-15, and 26-27.1-20 of the North Dakota Century Code, permitting the use of coordinated benefit provisions in certain group health insurance policies and group nonprofit service contracts, and authorizing the commissioner of insurance to promulgate rules and regulations for their form and content.

To Senate, 558.
 First reading, 578.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 721.
 Second reading, 746.
 Passed, 746.
 Returned to House, 761.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1517

House Bill No. 1517. A Bill for an Act to create a new system of retirement benefits for teachers, providing for a tax levy and for assessments, and creating Chapter 15-39.1 of the North Dakota Century Code; and repealing Chapter 15-39 of the North Dakota Century Code; relating to teachers' insurance and retirement fund.

To Senate, 690.
 First reading, 733.
 Referred to Committee on Education.
 Reported back, amended, 1140.
 Amendments adopted, 1145.
 Second reading, 1162, 1167.
 Passed, 1168.
 Returned to House, amended, 1198.
 House does not concur, 1235.
 Conference Committee, 1235, 1239.
 House reconsiders and concurs, 1255.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1518

House Bill No. 1518. A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for hunting, fishing and trapping licenses; and to provide an effective date.

To Senate, 690.
First reading, 733.
Referred to Committee on Natural Resources.
Reported back, do pass, 901.
Second reading, 938.
Passed, 938.
Returned to House, 975.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1521

House Bill No. 1521. A Bill for an Act to provide that county auditors shall reduce certain levies for political subdivisions for monies received for personal property tax replacement.

To Senate, 423.
First reading, 444.
Referred to Committee on Finance and Taxation.
Reported back, do pass, 833.
Second reading, 886.
Passed, 886.
Returned to House, 915.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1522

House Bill No. 1522. A Bill for an Act to amend and reenact subsection 6 of section 25-01-01, sections 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-10.1, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, sections 25-05-33, 25-05-34, 25-09-01, subsection 1 of section 25-09-10, and section 54-23-01 of the North Dakota Century Code, relating to changing the name of the North Dakota state tuberculosis sanatorium to the San Haven state hospital, and providing the state director of institutions with authority to accept federal funds and programs on behalf of the hospital.

To Senate, 450.
First reading, 471.
Referred to Committee on State and Federal Government.
Reported back, amended, 572.
Amendments adopted, 590.
Second reading, 714, 884.
Passed, 715, 884.
Returned to House, amended, 731.
Conference Committee, 750, 774.
Conference Committee report, 884. Amended in Conference Committee.
Conference Committee report adopts, 882, 884.
To Senate, 882.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1253.

House Bill No. 1525

House Bill No. 1525. A Bill for an Act to amend and reenact Sections 6-05-08, 6-05-14 and 6-05-34 of the North Dakota Century Code, relating to trust companies and banking institutions.

To Senate, 638.
First reading, 687.

Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 927.
 Second reading, 972.
 Passed, 973.
 Returned to House, 994.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1526

House Bill No. 1526. A Bill to amend and reenact section 20-03-39 of the North Dakota Century Code, relating to non-resident fishing license and providing that it may be divided into two segments of consecutive days; and to provide for an effective date.

To Senate, 508.
 First reading, 534.
 Referred to Committee on Natural Resources.
 Reported back, indefinitely postponed, 695.
 Returned to House, 731.

House Bill No. 1527

House Bill No. 1527. A Bill for an Act to create and enact subsection 4 of section 20-08-01 of the North Dakota Century Code, relating to emergency closing of hunting seasons; and to amend and reenact section 20-08-04 of the North Dakota Century Code, relating to an exception in the publication of governor's orders.

To Senate, 484.
 First reading, 510.
 Referred to Committee on Natural Resources.
 Reported back, do pass, 695.
 Second reading, 729.
 Passed, 729.
 Returned to House, 743.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1528

House Bill No. 1528. A Bill for an Act to create and enact subdivisions 1 and m of subsection 2 of section 26-03A-03 of the North Dakota Century Code; to amend and reenact subdivision c of subsection 2 of section 26-03A-03 and subsection 7 of section 26-03A-03 of the North Dakota Century Code; and to repeal subdivisions d, e, and f of subsection 2 of section 26-03A-03 of the North Dakota Century Code, pertaining to overinsurance under individual accident and sickness insurance policies.

To Senate, 558.
 First reading, 578.
 Referred to Committee on Industry, Business and Labor.
 Reported back, do pass, 721.
 Second reading, 747.
 Passed, 747.
 Returned to House, 761.
 Received from House, 1043.
 Signed by President, 1051.
 Returned to House, 1051.

House Bill No. 1529

House Bill No. 1529. A Bill for an Act to allow for sentencing of public offenders to the director of institutions.

To Senate, 559.
First reading, 578.
Referred to Committee on Judiciary.
Reported back, indefinitely postponed, 927.
Returned to House, 975.

House Bill No. 1530

House Bill No. 1530. A Bill for an Act to create and enact section 35-11-01.1 of the North Dakota Century Code, relating to farm laborers' liens.

To Senate, 450.
First reading, 471.
Referred to Committee on Agriculture.
Reported back, do pass, 642.
Second reading, 715.
Passed, 715.
Returned to House, 731.
Received from House, 822.
Signed by President, 834.
Returned to House, 835.

House Bill No. 1531

House Bill No. 1531. A Bill for an Act to amend and reenact Subsection 3 of Section 4-28-02, Sections 4-28-07 and 4-28-08 of the North Dakota Century Code, relating to the definition of a first purchaser, time of assessment of state wheat tax and duties and functions of the State Wheat Commission.

To Senate, 633.
First reading, 687.
Referred to Committee on Agriculture.
Reported back, do pass, 901.
Second reading, 938.
Passed, 939.
Returned to House, 975.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1532

House Bill No. 1532. A Bill for an Act to create and enact a new subsection to section 40-22-01 of the North Dakota Century Code, relating to the powers of municipalities; to create and enact a new subsection to section 40-35-02 of the North Dakota Century Code, relating to revenue bonds for the construction of television relay towers; and to amend and reenact sections 40-22-08 and 40-22-09 of the North Dakota Century Code, relating to special assessment improvement districts.

To Senate, 559.
First reading, 579.
Referred to Committee on Political Subdivisions.
Reported back, indefinitely postponed, 878.
Returned to House, 915.

House Bill No. 1533

House Bill No. 1533. A Bill for an Act to amend and reenact sections 15-20.1-01, 15-20.1-05, 15-20.1-14, and 15-20.1-15 of the North Dakota Century Code, as contained in section 4 of House Bill No. 1045, as approved by the forty-second legislative assembly, relating to definitions, custody, and payment of vocational education and vocational rehabilitation funds, and rehabilitational services.

To Senate, 638.
 First reading, 687.
 Referred to Committee on Education.
 Reported back, do pass, 796, 797.
 Second reading, 844.
 Passed, 845.
 Returned to House, 864.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1534

House Bill No. 1534. A Bill for an Act to create and enact sections 16-04-15.2, 16-11-05.1, and 16-18-06.1 of the North Dakota Century Code; and to amend and reenact sections 16-01-03, 16-04-17, 16-10-12.1, 16-11-12, 16-18-11, 16-18-12, and subsection 2 of section 16-21-02 of the North Dakota Century Code, relating to the preparation of ballots for and the operation of voting machines by persons eighteen to twenty-one years of age in voting for elected federal officials and providing a form for the application for absentee ballots and to provide that precincts shall be arranged on voting machines according to the total votes cast in the previous general election for governor, and to provide for the placement of names on ballots and voting machines in races having more than three candidates.

To Senate, 638.
 First reading, 687.
 Referred to Committee on Judiciary.
 Reported back, amended, 1020, 1021.
 Clincher motion, 1092.
 Amendments adopted, 1046.
 Second reading, 1090, 1224.
 Passed, 1091, 1225.
 Returned to House, amended, 1094.
 House does not concur, 1156.
 Conference Committee, 1156, 1197.
 Conference Committee report, 1224.
 Senate adopts, 1218, 1224.
 Returned to House, 1229.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1537

House Bill No. 1537. A Bill for an Act to amend and reenact sections 57-17-01, 57-17-02, 57-17-03, and 57-17-04 of the North Dakota Century Code, relating to excess levies in counties, cities, and townships, to notice of election, and to the form of election ballots.

To Senate, 540.
 First reading, 556.
 Referred to Committee on Finance and Taxation.
 Reported back, do pass, 960.

Second reading, 1004.
 Passed, 1005.
 Returned to House, 1031.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1538

House Bill No. 1538. A Bill for an Act to provide for the humane treatment of animals and to provide penalties for their inhumane treatment; to repeal sections 36-21-02, 36-21-03, 36-21-06, 36-21-07, 36-21-08, and 36-21-09 of the North Dakota Century Code; and providing penalties.

To Senate, 594.
 First reading, 635.
 Referred to Committee on Social Welfare and Veterans' Affairs.
 Reported back, amended, 1076.
 Amendments adopted, 1109.
 Second reading, 1160.
 Passed, 1160.
 Returned to House, amended, 1198.
 House concurs, 1234.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1539

House Bill No. 1539. A Bill for an Act to create an Indian development fund under the supervision of the North Dakota business and industrial development department, and making an appropriation.

To Senate, 690.
 First reading, 733.
 Referred to Committee on State and Federal Government.
 Reported back, do pass, 797, 960.
 Re-referred to Committee on Appropriations, 797.
 Second reading, 1005, 1037.
 Passed, 1038.
 Clincher motion, 1069.
 Returned to House, 1069.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1541

House Bill No. 1541. 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.

To Senate, 594.
 First reading, 635.
 Referred to Committee on Finance and Taxation.
 Reported back, indefinitely postponed, 927.
 Returned to House, 975.

House Bill No. 1542

House Bill No. 1542. A Bill for an Act to amend and reenact

section 40-21-02 of the North Dakota Century Code, to provide for the appointment of poll clerks for municipal elections.

To Senate, 508.
 First reading, 534.
 Referred to Committee on Judiciary.
 Reported back, do pass, 797.
 Second reading, 845.
 Passed, 845.
 Returned to House, 864.
 Received from House, 1248.
 Signed by President, 1252.
 Returned to House, 1253.

House Bill No. 1544

House Bill No. 1544. A Bill for an Act to create and enact subsection 13 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

To Senate, 594.
 First reading, 635.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 960.
 Returned to House, 995.
 House concurs, 1103.

House Bill No. 1545

House Bill No. 1545. A Bill for an Act to amend and reenact sections 15-53.1-05, 15-53.1-06, 15-53.1-11, 15-53.1-35, and 15-53.1-36 of the North Dakota Century Code, as contained in section 9 of House Bill No. 1045, as approved by the Forty-second Legislative Assembly, relating to annexation hearings, county committees, attachment of contiguous territory to school districts, transfers of land upon reorganization or annexation, and publication of reorganization notices.

To Senate, 690.
 First reading, 733.
 Referred to Committee on Education.
 Reported back, amended, 1021.
 Amendments adopted, 1046.
 Clincher motion, 1140.
 Second reading, 1091, 1130, 1134, 1242.
 Passed, 1134, 1242.
 Returned to House, amended, 1177.
 Conference Committee, 1229, 1230.
 Conference Committee report, 1241.
 Senate adopts, 1240, 1242.
 Returned to House, 1245.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1547

House Bill No. 1547. A Bill for an Act to provide for state legislative apportionment, and to repeal section 1 of chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

To Senate, 639.
 First reading, 688.
 Referred to Committee on Political Subdivisions.
 Reported back, amended, 1076, 1078, 1140, 1143.

Re-referred to Committee on Political Subdivisions, 1109.
 Amended from floor, 1109.
 Amendments not adopted, 1109, 1145.
 Second reading, 1162, 1168.
 Passed, 1168.
 Returned to House, amended, 1198.
 House does not concur, 1235.
 Conference Committee, 1240, 1236.
 House reconsiders and withdraws, 1271.

House Bill No. 1548

House Bill No. 1548. A Bill for an Act to provide that the governor shall have authority to appoint a majority of the members of certain boards and commissions within the first six months of his regular term, and providing an effective date.

To Senate, 638.
 First reading, 688.
 Referred to Committee on State and Federal Government.
 Reported back, amended, 878.
 Amendments adopted, 903.
 Second reading, 939. Amended from floor, 939.
 Passed, 939.
 Returned to House, amended, 975.
 House concurs, 1045.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1549

House Bill No. 1549. A Bill for an Act to create and enact a new section to chapter 21-02 of the North Dakota Century Code, relating to the issuance of certificates of indebtedness by a political subdivision in anticipation of the revenue it will receive as personal property tax replacement revenue pursuant to section 57-58-01 of the North Dakota Century Code, and declaring an emergency.

To Senate, 404.
 First reading, 415.
 Referred to Committee on Finance and Taxation.
 Reported back, amended, 833.
 Amendments adopted, 856.
 Second reading, 894.
 Passed, 894.
 Emergency carried, 894.
 Returned to House, amended, 915.
 House concurs, 1045.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1550

House Bill No. 1550. A Bill for an Act to authorize the use of a chemical screening test or tests of a driver's breath when the vehicle he is driving is involved in a collision which results in the death or personal injury requiring hospitalization of any person; to authorize a test of blood for screening test under certain circumstances; to limit the use of the results of screening tests to determine justification for a further test under the provisions of section 39-20-01; and to authorize the revocation of driver's license for a refusal to submit to a screening test.

To Senate, 651.
 First reading, 698.
 Referred to Committee on Transportation.
 Reported back, amended, 1021, 1022.
 Amendments adopted, 1046.
 Second reading, 1091, 1130, 1134.
 Passed, 1135.
 Clincher motion, 1140.
 Returned to House, amended, 1177.
 House concurs, 1208.
 Received from House, 1297.
 Signed by President, 1300.
 Returned to House, 1303.

House Bill No. 1551 -

House Bill No. 1551. A bill for an Act to allow judges to record court proceedings by electronic or mechanical means.

To Senate, 508.
 First reading, 534.
 Referred to Committee on Judiciary.
 Reported back, indefinitely postponed, 878.
 Returned to House, 915.

House Bill No. 1553

House Bill No. 1553. A Bill for an Act to amend and reenact subsection 1. of section 39-04-18 of the 1969 Supplement to the North Dakota Century Code, relating to registration requirements of motor vehicles and to prescribe legislative intent.

To Senate, 559.
 First reading, 579.
 Referred to Committee on Transportation.
 Reported back, amended, 780.
 Amendments adopted, 797.
 Second reading, 845.
 Passed, 845.
 Returned to House, amended, 865.
 House concurs, 917.
 Received from House, 1248.
 Signed by President, 1252.
 Returned to House, 1253.

House Bill No. 1554

House Bill No. 1554. A Bill for an Act to provide for a conditional transfer of funds to the college building fund and making an appropriation from the college building fund for the construction of college buildings, and repealing chapter 157 of the 1967 Session Laws of the state of North Dakota.

To Senate, 690.
 First reading, 734.
 Referred to Committee on Appropriations.
 Reported back, amended, 1098, 1100.
 Amendments adopted, 1145.
 Second reading, 1162.
 Passed, 1163.
 Returned to House, amended, 1198.
 Conference Committee, 1216, 1220, 1247.
 House does not concur, 1216.
 House reconsiders and concurs, 1271.

Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1555

House Bill No. 1555. A Bill for an Act to amend and reenact section 39-04-12, subsection 2, 3, 4, and 5 of section 39-04-19 of the 1969 Supplement to the North Dakota Century Code and section 39-04-21 of the North Dakota Century Code, relating to contents of number plates and motor vehicle registration fees.

To Senate, 690.
First reading, 734.
Referred to Committee on Transportation.
Reported back, do pass, 902. Amended, 1022.
Re-referred to Committee on Transportation, 939.
Amendments adopted, 1046.
Second reading, 939, 1052.
Passed, 1053.
Clincher motion, 1072.
Returned to House, amended, 1072.
House concurs, 1103.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1556

House Bill No. 1556. A Bill for an Act to amend and reenact section 39-05-22 of the North Dakota Century Code, relating to surrendered certificates of title to a motor vehicle; and declaring an emergency.

To Senate, 594.
First reading, 635.
Referred to Committee on Transportation.
Reported back, do pass, 780.
Second reading, 820.
Passed, 820.
Emergency carried, 820.
Returned to House, 837.
Received from House, 1170.
Signed by President, 1217.
Returned to House, 1217.

House Bill No. 1558

House Bill No. 1558. A Bill for an Act to establish a coordinated and codified system of drug control, to create a closed regulatory system for the legitimate handlers of controlled drugs, to prohibit certain activities relating to controlled drugs, to provide penalties for violations thereof, to amend and reenact section 19-01-02; subsection 9 of section 19-02.1-05; subsection 4 of section 19-02.1-01; subsection 1 of section 19-02.1-15; and section 19-02.1-20; of the North Dakota Century Code and to repeal chapter 19-03 of the North Dakota Century Code, relating to narcotics, and to repeal subsection 23 of section 19-02.1-01; subsections 15, 16, 17, 18, 19, 20, and 21 of section 19-02.1-02; subsection 4 of section 19-02.1-04; subsections 5 and 6 of section 19-02.1-05; and section 19-02.1-23 of the North Dakota Century Code relating to drugs.

To Senate, 638.
First reading, 688.

Referred to Committee on Social Welfare and Veterans' Affairs.
Reported back, amended, 1108.
Amendments adopted, 1145.
Second reading, 1163.
Passed, 1164.
Returned to House, amended, 1198.
House concurs, 1218.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.

House Bill No. 1559

House Bill No. 1559. A Bill for an Act authorizing and directing transfer of the "Judge A. M. Christianson Project" established by resolution of the thirty-fourth session of the legislative assembly of the state of North Dakota to the Bank of North Dakota, subject to existing contracts and encumbrances.

To Senate, 540.
First reading, 688.
Referred to Committee on State and Federal Government.
Reported back, do pass, 797.
Second reading, 845.
Passed, 846.
Returned to House, 864.
Received from House, 1248.
Signed by President, 1252.
Returned to House, 1253.

House Bill No. 1560

House Bill No. 1560. A Bill for an Act to transfer one million dollars from the accumulated profits of the state mill and elevator association to the North Dakota general fund.

To Senate, 540.
First reading, 556.
Referred to Committee on Appropriations.
Reported back, do pass, 1022.
Second reading, 1067.
Passed, 1067.
Clincher motion, 1072.
Returned to House, 1072.
Received from House, 1297.
Signed by President, 1300.
Returned to House, 1303.